Oregon
Tina Kotek, Governor

Oregon Department of Early Learning and Care
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Greetings Rulemaking Advisory Committee Participants,

Thank you for sharing your time and expertise with us through the Central Background Registry (CBR) Rulemaking Advisory Committee (RAC). You will be providing input on the proposed changes to the administrative rules pertaining to conditional enrollment in the CBR. There will be two meetings which will be held via Zoom.

Meeting Preparation:
To support a productive conversation, we kindly ask that you review the draft rule language prior to the meeting. Your perspective and insights are important, and taking time to read through the materials in advance will help ensure thoughtful discussion during our time together.

Compensation:
Committee members will receive **$50 per meeting** in recognition of the time and thoughtful input you are providing. Additional information about compensation will be shared at the RAC meeting.

Dates and time for the RAC:

October 28, 2026, 6:00 – 8:00 p.m.
November 10, 2026, 6:00 – 8:00 p.m.

Join Online
https://www.zoomgov.com/j/16530024299
Meeting ID: 165 3002 4299

Join by Phone
1-669-254-5252
Meeting ID: 165 3002 4299 #

AGENDA

Topic	Time
1. Welcome and Attendance	10 mins
2. Review Group Norms	10 mins
3. Overview and Discussion of OAR Updates Effective January 1, 2027: • 414-061-0020 Definitions • 414-061-0090 Central Background Registry Enrollment Procedures • 414-210-0100 Definitions • 414-210-0310 Central Background Registry Enrollment • 414-305-0100 Definitions • 414-305-0310 Central Background Registry Enrollment • 414-310-0100 Definitions • 414-310-0280 Central Background Registry Enrollment • 414-320-0100 Definitions • 414-320-0310 Central Background Registry Enrollment • 414-360-0100 Definitions • 414-360-0310 Central Background Registry Enrollment • 414-425-0010 Definitions • 414-425-0030 General Requirements • 414-450-0010 Definitions • 414-450-0030 General Requirements	90 mins
4. Closing Comments • Reimbursement Process Reminder • Public Comment and Hearing Reminder	10 mins

RAC Roster

Name	Organization/Affiliation	Region (City or County)
Adrienne Zezzo	Child Care Provider	Grants Pass
Angie Blackwell	Tribal Nations	Dallas
Ayana Minton	Child Care Provider	Hermiston
Jenna Sanders	Child Care Resource & Referral	Salem
Jen Coulter	Baby Promise Provider	Corvallis
Julie Smith	Child Care Resource & Referral	Salem
Kate Fifield	Child Care Resource & Referral	Beaverton
Laura Maravilla	Child Care Resource & Referral	Beaverton
Mandy Johnson	Child Care Provider	Pleasant Hill
Mirae Grant	Community Bases Organization/Advocate	Wilsonville
Rachael Lamet	Union	Salem
Regina Gingery	Early Learning Hubss	Coos Bay
Rhonda Schock	Child Care Provider	Rogue River
Samahdi Hoyt	Community Bases Organization/Advocate	Beaverton
Sarai DeMent	Child Care Provider	Portland
Sevana Ryer	Early Learning Hubs	Coquille
Elle Brantley	Child Care Provider	Eugene

If you have questions, please reach out to Bridget Maruame, Bridget.L.Maruame@delc.oregon.gov.

Encl: (Presentation, Draft Rule Text)

Oregon Department of Early Learning and Care

Central Background Registry Rulemaking Advisory Committee

October 28, 2026

Agenda

- Welcome and Attendance
- Zoom Protocols & Group Norms
- Review of RAC Purpose & Scope
- History/Background
- Review Draft Rule Language
- Closing Comments and Thank You!



Welcome & Introductions

Tell us about yourself! Share your:

- Name
- Pronouns
- Organization & Title

Zoom Protocols & **Gro**up Norms

- Center children, families and early learning professionals
- We ask that anyone who wants to speak please raise their hand.
  - To raise your hand, click the reactions icon on the bottom of your screen and click "raise hand" or press *9 if you are joining by phone.
- Chat is available for questions and comments
- We encourage you to have your camera on, but it is not required
- Please keep your mic muted unless it is your turn to speak.
- We ask that all participants be respectful of each other and DELC staff.
- Remain focused on the topic/rule section.
- Need tech support? Let us know in the chat!

RAC Purpose

A Rulemaking Advisory Committee (RAC) is a group of people appointed by an agency to provide input and guidance during the rulemaking process.

Purpose: Provide input and advice to agencies on proposed rules.

Function: RACs review proposed rules, offer recommendations on the Notice of Proposed Rulemaking.

History/Background

The Central Background Registry (CBR) is Oregon's background check system designed to help keep young children safe.

Need for Change:

- Child Care and Development Block Grant (CCDBG) regulation requires the national fingerprint background check results *before* issuing Conditional Enrollment status.
- By issuing Conditional Enrollment status after checking Oregon's databases but before receiving the results of the national fingerprint check, DELC's Oregon CBR is not in compliance with the CCDBG requirement (which is the case in many other states as well).
- Our approved Child Care and Development Fund state plan says that we will come into compliance by August 2027.
- Current rule also does not specify that supervision must be conducted by someone who is in the CBR – rule changes are being adopted to clarify.

Central Background Registry OARs

The proposed rules cover several rule divisions.

414-061-0020 Definitions
414-061-0090 Central Background Registry Enrollment Procedures
414-210-0100 Definitions
414-210-0310 Central Background Registry Enrollment
414-305-0100 Definitions
414-305-0310 Central Background Registry Enrollment
414-310-0100 Definitions
414-310-0280 Central Background Registry Enrollment
414-320-0100 Definitions
414-320-0310 Central Background Registry Enrollment
414-360-0100 Definitions
414-360-0310 Central Background Registry Enrollment
414-425-0010 Definitions
414-425-0030 General Requirements
414-450-0010 Definitions
414-450-0030 General Requirements

Next Steps & Timeline

Public Hearing	October 20, 2026
RAC Meeting	October 28, 2026 November 10, 2026
Public Comment Period End	October 30, 2026 5:00 p.m.
ELC Vote	December 16, 2026
Rules Effective	January 1, 2027

Submitting Written Public Comment

Written comments may be submitted using one of the following:

Online Form: Submit Written Comment Here

Email: DELC.RulesCoordinator@delc.oregon.gov

RAC Reimbursements

- RAC members are eligible to receive a $50 stipend for each meeting attended
- A DELC staff member will reach out with documentation for you to return and sign.
- Once documentation is returned, will be submitted for processing and a check will be mailed out.

Thank you!

DELC.RulesCoordinator@delc.Oregon.gov

414-061-0010
Scope of Rules

(1) Consistent with the purposes of these rules, the Department will issue decisions about persons defined as subject individuals as to their suitability to be enrolled in the Central Background Registry and employed in programs defined as "Requesting Agencies" in OAR 414-061-0020(33)~~(32)~~.

(2) These rules (OAR 414-061-0000 through 414-061-0120) shall be construed and implemented consistent with the regulations governing:

(e) Subsidized Care Facilities as defined in 414-061-0020(36)~~(35)~~;

414-061-0040
Limitations of Criminal and Judicial Inquiries

(1) Only Department employees or contractors who have been fingerprinted and cleared by the Oregon State Police shall access or have access to criminal records information pursuant to a valid agency agreement, as defined in OAR 414-061-0020(24)~~(23)~~. All such information shall be handled in compliance with the agency agreement and rules and procedures of the Oregon State Police relating to the criminal records information (OAR 257-015-0000 to 257-015-0100). It is the responsibility of the Department to assure strict compliance with federal and state laws, rules, and procedures regarding access, dissemination, maintenance, and destruction of criminal records information.

414-061-0060
Requesting of Requesting Agencies
Requesting agencies, as defined in OAR 414-061-0020(33)~~(32)~~, must comply with the following requirements:

414-061-0065
Requirements for Reciprocal Agreement Programs
A reciprocal agreement program must enter into a reciprocal agreement with the Department that provides for sharing information on enrollment status of the individuals described in OAR 414-061-0020(~~16~~32)(a) and (b) respectively, and for the recovery of administrative, including direct and indirect costs incurred by the Department from the participation in the agreement.

414-061-0020
Definitions

(1) "Adult protective services history" means information about whether the subject individual has a substantiated finding of abuse or neglect in an adult abuse investigation conducted by the Oregon Department of Human Services or its contractor or designee, or similar information held by another state, county, municipal or other governmental entity or its contractor or designee.

(2) "Adult protective services check" means a certification by the subject individual of the presence or absence of a substantiated finding of abuse or neglect in an adult abuse investigation, or obtaining and reviewing adult protective services records from appropriate governmental authority, its designee or contractor as required or permitted by these rules.

(3) "Agency Agreement" means the written agreement between the Oregon State Police (OSP) and the Department.

(4) "Caretaker Relative" is an individual related to the child by biology, marriage or adoption, including the former spouse of a relative who resides in the same household with and has primary responsibility for a child needing care.

(5) "Central Background Registry" or "CBR" means the registry established and operated pursuant to ORS 329A.030 ~~(6)(a)~~.

(6) "Child Abuse and Neglect Records" means information on child abuse and neglect cases conducted by the Oregon Department of Human Services or its contractor or designee, or similar information held by another state, county, municipal or other governmental entity or its contractor or designee.

(7) "Child Abuse and Neglect Records Check" means obtaining and reviewing child abuse and neglect reports and records as required or permitted by these rules.

(8) "Child Care Child" means any child six weeks of age or older and under 13 years of age, or a child with special needs under the age of 18 who requires a level of care that is greater than that of their same aged peers, for whom a licensed or subsidized child care facility, or a facility for which a license is required, or a license-exempt child care facility as defined in this rule, has supervisory responsibility in the temporary absence of the parent.

(9~~8~~) "Child Care Licensing Division" or "CCLD" is the division within the Department of Early Learning and Care formerly known as the Office of Child Care (OCC). For the purposes of these rules, an act or agreement by OCC is an act or agreement of CCLD.

(~~9~~10) "Computerized Criminal History (CCH) System" means the on-line computer files of significant criminal offender information maintained by the Oregon State Police (OSP).

(~~10~~11) "Conditional Enrollment" means provisional enrollment in the Central Background Registry while the Department is awaiting any additional information necessary for full enrollment in the Central Background Registry, but after the Department has received the results of the subject individual's nationwide criminal records check through the Federal Bureau of Investigation, and the individual has:

(a) ~~n~~No disqualifying criminal record information, as listed in OAR 414-061-0045;

(b) N~~n~~o records of convictions listed in OAR 414-061-0050 (1) or (2) or convictions that are the substantial equivalent of convictions listed in OAR 414-061-0050(1) or (2) in the individual's state of residence if not Oregon;

(c) N~~n~~o substantiated finding of adult abuse or neglect;

(d) N~~n~~o child abuse and neglect history in Oregon or in the ~~applicant's~~subject individual's state of residence, if not Oregon, ~~–~~ or the Department has determined that the subject individual's child abuse and neglect history does not raise ~~raising~~ issues regarding the individual's suitability for enrollment and does not require the individual to submit adequate evidence of suitability~~-~~; and

(e) N~~n~~o negative foster care certification history.

~~enrollment in the CBR pursuant to ORS 329A.030(6)(a).~~

(12~~1~~) "Criminal Records" means information, including fingerprints and photographs, received, compiled, and disseminated by the Oregon State Police, or by other states or jurisdictions, for purposes of identifying criminal offenders and alleged offenders and maintained as to such persons' records of arrest, the nature and disposition of criminal charges, sentencing, confinement, and release and includes the OSP Computerized Criminal History System.

(13~~2~~) "Criminal Records Check" means obtaining and reviewing criminal records as required or permitted by these rules and includes any or all of the following:~~;~~

(a) A check of Oregon criminal records and driving records conducted through use of the Law Enforcement Data System (LEDS) maintained by OSP, in accordance with the rules adopted and procedures established by OSP;

(b) A check of Oregon criminal records, including through fingerprint identification or other means, conducted by OSP at the authorized agency or district's request;

(c) A nationwide check of criminal records, including through fingerprint identification, conducted by OSP through the Federal Bureau of Investigation (FBI);

(d) A check of criminal records repositories maintained by any state or jurisdiction, including through fingerprint identification or name-based identification;

(e) A check of the National Criminal Information Center's National Sex Offender Registry (NSOR);

(f) A check of a sex offender registry maintained by any state or jurisdiction; or

(g) A check of Oregon Judicial Department's OJCIN/OECI which includes court case information for Oregon's 36 judicial districts.

(1~~4~~3) "DHS Background Check" means a background check completed pursuant to OAR 125-007-0200 through 125-007-0330 and OAR 407-007-0200 through 407-007-0370 on or before June 30, 2023.

(1~~5~~4) "Early Childhood Care and Education Program" means a regulated child care facility, federally-funded Head Start program, Oregon Department of Education funded pre-kindergarten program, parent-as-teacher program, or early childhood special education/early intervention program.

(1~~6~~5) "ERDC" means Employment Related Day Care benefits which a child care provider may be approved to receive pursuant to OAR 461-165-0180.

(1~~7~~6) "Early Learning Division" is the division formerly within the Department of Education that is referenced to as the Department of Early Learning and Care on or after July 1, 2023.

(1~~8~~7) "Early Learning Program" means a preschool provider referenced in ORS 329.172(3) that has applied to participate in the preschool program described in that section.

(1~~9~~8) "Employee" means any individual caring for, overseeing, or who has or may have access to children, who holds a paid position in a requesting agency.

(20~~19~~) "Employee of the Department of Early Learning and Care" means any individual employed by the Department of Early Learning and Care.

(~~20~~21) "Enrollment" means approval for a five-~~-~~year period for an individual to be enrolled in the Central Background Registry following an OSP criminal records check, child abuse and neglect records check, checks of adult protective services and foster care certification, and an FBI records check. Enrollment may be:

(a) "Conditional" as defined in OAR 414-061-0020(11) and the individual may not have unsupervised contact with children while that provisional enrollment is in place; or

(b) “Limited” as defined in OAR 414-061-0020(28) and the individual is subject to the limitations placed on their enrollment.

(~~21~~22) "Fee" means the charges assessed by the subject individual for processing each criminal records check and/or fingerprint-based criminal records check.

(2~~2~~3) "FBI" means the Federal Bureau of Investigation.

(24~~3~~) “Fingerprint-Based Criminal Records” means criminal offender information compiled and maintained by the Federal Bureau of Investigation.

(~~24~~25) “Foster Care Certification History” means information and records regarding the status of any application for or approval of the Oregon Department of Human Services permitting the subject individual to provide foster care, or similar information held by another state, county, municipal or other governmental authorities or their contractors or designees.

(~~25~~26) “Foster care certification check” means a certification by the subject individual of the presence or absence of any negative action taken on their foster care certification by appropriate governmental authority~~,~~ or obtaining and reviewing foster care from appropriate governmental authority, its designee or contractor as required or permitted by these rules.

(~~26~~27) "Incident" means the commission of a Category I or Category II crime or its substantial equivalent, child abuse and neglect history, negative foster care history, or a substantiated finding of adult abuse or neglect. For purposes of these rules, a “Category I” crime is a crime listed in OAR 414-061-0050(1)(a) to (c) and a “Category II” crime is a crime listed in OAR 414-061-0050(2)(a) to (e).

(~~27~~28) “Limited enrollment” means:

(a) An enrollment in the CBR for a subject individual that is subject to a restriction or condition agreed to in writing by the subject individual and the Department; or

(b) An enrollment that does not allow unsupervised access to child care children for a subject individual who meets all of the following criteria:

(A) The subject individual is a household member of a subsidized care facility that is not registered or certified by the Department;

(B) The subject individual does not have a conviction for a disqualifying crime listed in 45 CFR 98.43(c);

(C) The subject individual is the parent or a caretaker relative for a child needing care; and

(D) The child care is needed for the parent or caretaker relative to participate in the JOBS program or they are eligible for the ERDC subsidy program.

(~~28~~29) “OCC” means the agency previously referred to as the Office of Child Care and, on or after July 1, 2023, ~~reffered~~referred ~~to~~ known as the Child Care Licensing Division of the Department of Early Learning and Care.

(~~29~~30) "OSP" means the Oregon State Police.

(31~~0~~) “Preschool Recorded Program” means a facility providing care for preschool age children that is primarily educational for four hours or less per day and where no preschool child is present at the facility for more than four hours per day.

(32~~1~~) “Reciprocal Agreement Program” includes:

(a) A metropolitan service district organized under ORS chapter 268; and

(b) A private agency or organization facilitating the provision of respite services, as defined in ORS 418.205, for parents pursuant to a properly executed power of attorney under ORS 109.056.

(33~~2~~) "Requesting Agency" means a childhood care and education program or individual providing care to children that is:

(a) Regulated by the Department under ORS 329A.280 or 329A.330;

(b) An early childhood care and education program;

(c) A Preschool or a School Age Recorded Program; or

(d) A Subsidized Care Facility as defined in these rules.

(34~~3~~) “School Age Recorded Program” means a program as described in ORS 329A.250 (12) through (14).

(35~~4~~) “Subsidized Care” means the care, supervision and guidance on a regular basis of a child, unaccompanied by a parent, guardian or custodian, provided to a child during a part of the 24 hours of a day, paid for in whole or in part by public funds administered by the Oregon Department of Early Learning and Care.

(36~~5~~) “Subsidized Care Facility” means any facility approved by either the Oregon Department of Human Services (ODHS) or the Oregon Department of Early Learning and Care (DELC) to provide subsidized care to children for which payment for child care is made directly by ODHS or DELC to the provider and does not include any facility providing

care paid for in whole or in part by public funds when none of the public funds are administered by either ODHS or DELC.

(376) "Unsupervised Contact with Children" means contact with child care children that provides the person opportunity for personal communication with or touching of child care children when not under the direct supervision of an individual qualified child care provider or caregiver with supervisory authority who holds a position with supervisory authority and holds an active enrollmentis actively enrolled in the CBR with an enrollment that is not suspended nor is a Limited or Conditional Enrollment as defined by these rules.

414-061-0090
Central Background Registry Enrollment Procedures

(1) (1) A subject individual shall be approved for enrollment that is not a conditional or limited enrollment in the Central Background Registry if the Department has determined that the individual:

(a) Has provided all information and/or documents requested by the Department;
(b) Is not disqualified from enrollment pursuant to OAR 414-061-0045 and dHashas no history as described in OAR 414-061-0045, 414-061-0050, or OAR 414-061-00705 or the Department has determined that the individual has dealt with the issues raised by the individual's history and provided adequate evidence of suitability;
(c) Has completed the application;
(d) Has paid the applicable fee; and
(e) Has complied with the rules of the Department adopted pursuant to the Central Background Registry (OAR 414-061-0000 through 414-061-0120).
(2) A subject individual:
(a) May be approved for or have their enrollment changed to a limited enrollment in the Central Background Registry as agreed to in writing by the subject individual and the Department.
(b) Who is a household member of a subsidized care facility may be approved for a limited enrollment in the Central Background Registry that does not allow unsupervised access to child care children unrelated to the subject individual if the Department has determined that the individual:
(A) Has provided all information and/or documents requested by the Department;
(B) Has completed the application;
(C) Has paid the applicable fee;
(D) Has complied with the rules of the Department adopted pursuant to the Central

Background Registry (OAR 414-061-0000 through 414-061-0120); and
(E) Is a household member of a subsidized care facility that is not registered or certified by the Department;
(F) Does not have a conviction for a disqualifying crime listed in 45 CFR 98.43(c);
(G) Is the parent or a caretaker relative with primary responsibility for a child needing care; and
(H) Needs child care in order to participate in the JOBS program or they are eligible for the ERDC subsidy program.

(c) Approved for a limited enrollment may have access to their own child at their own residence or any other location, and may have access to child care children as provided by the written agreement between the individual and the Department. The Department may disclose the terms of the limited enrollment to any requesting agency.

(3) All enrollments in the Central Background Registry shall expire five years from the date of enrollment, unless suspended or removed sooner, and may be renewed upon application to the Department, payment of the required fee and compliance with the rules adopted by the Early Learning Council pursuant to the Central Background Registry (OAR 414-061-0000 through 414-061-0120). The five-year enrollment period shall include the time the subject individual was enrolled prior to entering into an agreement changing the enrollment to a limited enrollment.

(4) A subject individual who has been enrolled in the Central Background Registry will be notified by the Department of the individual's enrollment and the enrollment dates. Notification of enrollment status may be sent ~~via email~~electronically at the request of the individual. Such notification will not be sufficient evidence of enrollment for employment by a requesting agency unless sent by the Department directly to the requesting agency.

(5) A subject individual may be conditionally enrolled in the Central Background Registry while the Department is awaiting any additional information necessary for full enrollment in the Central Background Registry, but after the Department has received the results of the subject individual's nationwide criminal records check through the Federal Bureau of Investigation, and the individual has: ~~pending the results of an FBI criminal records check if the individual has been determined to be suitable and as provided in this subsection.~~

~~based on their application having no~~ The individual is eligible for conditional enrollment ~~if checks in Oregon and the state of the individual's residence, if other than Oregon, indicate that the individual has:~~

(a) No ~~disclosures of n~~negative foster care certification history~~; or a~~~~no~~

(b) No ssubstantiated finding of adult abuse or neglect;, ~~and, in this state and in the state of the individual's residence, if other than Oregon,~~

(c) No ~~no state~~ disqualifying criminal records information as ~~outlined~~ listed in OAR 414-061-0045;,

(d) No ~~no~~ records of convictions or the substantial equivalent of convictions of crimes ~~category I or II crime as~~ listed in OAR 414-061-0050 (1) or (2);, and

(e) No ~~and no negative relevant~~ cchild abuse and neglect ~~information~~ history, or the Department has determined that the individual's child abuse and neglect history does not raise issues regarding the individual's suitability for enrollment and does not require the individual to submit adequate evidence of suitability.

~~raising issues regarding the individual's fingerprint-based criminal records check results from the FBI that shows no conditions or disqualifying convictions and no records of convictions listed in OAR 414-061-0050 (1) or (2).~~

(6) The following apply to subject individuals conditionally enrolled in the Central Background Registry:

(a) The five-year enrollment period shall include the time the subject individual was conditionally enrolled.
(b) A conditionally enrolled subject individual who has subsequently been determined not to be suitable based on ~~FBI criminal records information,~~ criminal records or child abuse and neglect records from other states of prior residence, or any other information that was not disclosed on the application that the Department becomes aware of, shall be suspended or removed from the Central Background Registry, according to the provisions of OAR 414-061-0110.
(c) A conditionally enrolled subject individual who is subsequently determined to be suitable based on ~~FBI criminal records information or~~ criminal records or child abuse and neglect records from states of prior residence shall be enrolled in the Central Background Registry.
(d) A conditional enrollment will expire if the subject individual has not been enrolled in the Central Background Registry within one year of the conditional enrollment.
(e) A subject individual with conditional enrollment shall not have unsupervised access to child care children at any time. A subject individual with conditional enrollment must be supervised by a qualified child care provider or caregiver with supervisory authority who is actively enrolled in the CBR with an enrollment that is not suspended and is not a Limited or Conditional enrollment as defined by OAR 414-061-0020, or as required by rules applicable to the facility in which the subject individual is present.

~~(f) A subject individual with limited enrollment may have access to their own child at their own residence or any other location, or as provided by the written agreement between the individual and the Department. The Department may disclose the terms of the limited enrollment to any requesting agency.~~

(7~~6~~) If an application for renewal and payment of the required fee is received by the Department at least 14 days prior to the expiration date of the current enrollment, the enrollment remains in effect until the Department has acted upon the application for renewal and given notice of the action taken. This subsection does not apply to a renewal application submitted by an individual who is removed from the Central Background Registry at the time of submission of the renewal application.

Registered Family

414-210-0100
Definitions

(6) "CBR" (Central Background Registry) means DELC~~CCLD~~'s Registry of individuals who have been approved to be associated with a child care facility in Oregon pursuant to ORS 329A.030 and OAR 414-061-0000 through 414-061-0120.
(a) "CBR Enrollment" means approval for a five year period to be enrolled in the CBR following an Oregon State Police criminal records check, child abuse and neglect records check, checks of adult protective services and foster care certification, and an FBI records check.
(b) "CBR Conditional Enrollment~~" means temporary approval to be enrolled in the CBR following an Oregon State Police records check and child abuse and neglect records check but prior to receipt by CCLD of the results of the required FBI records check~~ is defined in OAR 414-061-0020 and allows an individual to be present in or hired by a child care facility pending full enrollment in the CBR.

(c) "CBR Limited Enrollment" is defined in OAR 414-061-0020 and allows an individual to reside or work in a child care facility under specific ~~limitations~~ conditions or restrictions.

(50) "Unsupervised Access to Children" means contact with child care children that provides the person opportunity for personal communication with or touching of child care children when not under the direct supervision of ~~a qualified child care provider or caregiver~~a qualified child care provider or caregiver with supervisory authority who holds

an active enrollment in the CBR that is not Limited or Conditional Enrollment as defined by OAR 414-061-0020.

414-210-0310
Central Background Registry Enrollment

(1) The provider must be enrolled in CCLD's CBR prior to the issuance of a registration. All other caregivers, and residents of the child care home 18 years of age or older must be enrolled or conditionally enrolled in CCLD's CBR prior to the issuance of an initial or renewal of a registration.
(2) Residents of the child care home who are under 18 years of age must be enrolled or conditionally enrolled in the CBR by their 18th birthday.
(3) A provider must receive confirmation from CCLD that an individual 18 years of age or over, is enrolled or conditionally enrolled in the CBR before the individual can:
(a) Reside in the child care home;
(b) Stay overnight on the premises for longer than 14 consecutive days, not to exceed a total of 30 days in a calendar year, unless not required to enroll in the CBR as provided in subsection (4) of this rule;
(c) Work in the child care home; or
(d) Volunteer in the child care home.
(4) Individuals 18 years of age and older that reside on the premises in living spaces other than the child care home (including, but not limited to, Accessory Dwelling Units (ADUs) or other Alternative Housing units, tiny homes, recreational vehicles (RVs), trailers, garage apartments, etc.) are not required to enroll in the CBR if all of the following conditions are met:
(a) Those residing in or visiting the living space are not known by the provider to be suspended or to have been denied or removed for cause from the CBR;
(b) The living space can be accessed without entering the child care home;
(c) Those residing in or visiting the living space have no opportunity for access to child care children without the permission of the provider and presence of a caregiver employed in the child care home. For the purposes of this rule, an individual has opportunity for access to child care children if they are able to be close enough to touch or have a conversation with a child care child inside or outside the home.
(d) Child care is never conducted in the living space and child care children do not have access to the living space; and
(e) The living space offers basic necessities such as running water, a bathroom, and cooking appliances, without having to enter the child care home during operating hours or

when child care children are present.
(5) The provider, caregivers, and other individuals that are required to be enrolled in the CBR must maintain current enrollment in the CBR at all times while the registered family child care license is active.
(6) Individuals with conditional enrollment in the CBR shall not have unsupervised access to children. Individuals with conditional enrollment must be supervised by a qualified child care provider or caregiver with supervisory authority who is enrolled in the CBR and whose enrollment is not conditional or limited.

(7) Any visitor to the child care home or other adult who is not enrolled in the CBR shall not have unsupervised access to children.
(8) A provider must have safeguards in place to prevent a visitor's unsupervised access to children, including a sign-in and sign-out process that captures:
(a) The individual's name and relationship to the registered family child care (e.g. volunteer, vendor, guest, landlord, etc.); and
(b) Arrival and departure times.
(9) A provider must ensure that individuals whose CBR enrollment has been revoked, denied, or suspended, are not on the premises during operating hours or when child care children are present; have contact with children in care; or live on the premises of the child care home (including, but not limited to ADUs or other Alternative Housing units, tiny homes, RVs, trailers, garage apartments, etc.).
(10) If additional information is needed to assess a person's ability to care for children or to have access to children, CCLD may require references, an evaluation by a physician, counselor, or other qualified person, or other information.

Certified Center

414-305-0100
Definitions

(8) "CBR" (Central Background Registry) means DELC~~CCLD~~'s Registry of individuals who have been approved to be associated with a child care facility in Oregon pursuant to ORS 329A.030 and OAR 414-061-0000 through 414-061-0120.
(a) "CBR Enrollment" means approval for a 5 year period to be enrolled in the CBR following an Oregon State Police criminal records check, child abuse and neglect records check, checks of adult protective services and foster care certification, and an FBI records check.
(b) "CBR Conditional Enrollment" ~~means temporary approval to be enrolled in the CBR~~

~~following an Oregon State Police records check and child abuse and neglect records check but prior to receipt by CCLD of the results of the required FBI records check~~ is defined in OAR 414-061-0020 and allows an individual to be hired by a child care facility pending full enrollment in the CBR.

(c) "CBR Limited Enrollment" is defined in OAR 414-061-0020 and allows an individual to work in a child care facility under specific ~~limitations~~ conditions or restrictions.

(57) "Unsupervised Access to Children" means contact with child care children that provides the person opportunity for personal communication with or touching of child care children when not under the direct supervision of a qualified child care provider or caregiver~~staff~~ with supervisory authority who is actively enrolled in the CBR with an enrollment that is not Limited or Conditional Enrollment as defined by OAR 414-061-0020.

414-305-0310
Central Background Registry Enrollment

(1) The operator, all child care center staff, and any person 18 years of age or older who may have unsupervised access to children, shall be enrolled in CCLD's Central Background Registry (CBR) prior to the issuance of an initial or renewal certification.
(2) An individual who is the owner or the principal of an entity that is the owner of a certified child care center must be enrolled in the CBR to be on the center premises or present with children off-site during child care hours.
(3) A certified child care center must have written confirmation from CCLD that staff 18 years of age or older are enrolled or conditionally enrolled in the CBR before the staff may be on the child care premises or present with children off-site during child care hours.
(4) All caregivers and other individuals that are required to be enrolled in the CBR and are on site must maintain current enrollment in the CBR at all times while the center license is active.
(5) Staff conditionally enrolled in the CBR may function in their staff position but shall not have unsupervised access to children until the center has confirmed with CCLD the individual is enrolled on a non-conditional basis. A staff member with conditional enrollment must be supervised by a staff member with supervisory authority who is enrolled in the CBR and whose enrollment is not conditional or limited.
(6) Any visitor to the certified child care center or other adult who is not enrolled in the CBR shall not have unsupervised access to children.
(7) A certified child care center must have safeguards in place to prevent a visitor's

unsupervised access to children, including a sign-in and sign-out process that captures:
(a) The individual's name and relationship to the center (e.g. volunteer, vendor, guest, etc.);
(b) Arrival and departure times; and
(c) Name of qualified staff responsible for monitoring the individual's presence and accompanying the individual while on the premises.
(8) A certified child care center must ensure that individuals whose CBR enrollment has been revoked, denied, or suspended are not on the premises during child care hours or have contact with children in care.
(9) If additional information is needed to assess a person's ability to care for children or to have access to children, CCLD may require references, an evaluation by a physician, counselor, or other qualified person, or other information.

School Age Center

414-310-0100
Definitions

(9) "CBR" (Central Background Registry) means CCLD's Registry of individuals who have been approved to be associated with a child care facility in Oregon pursuant to ORS 329A.030 and OAR 414-061-0000 through 414-061-0120.
(a) "CBR Enrollment" means approval for a 5 year period to be enrolled in the CBR following an Oregon State Police criminal records check, child abuse and neglect records check, checks of adult protective services and foster care certification, and an FBI records check.
(b) "CBR Conditional Enrollment" ~~means temporary approval to be enrolled in the CBR following an Oregon State Police records check and child abuse and neglect records check but prior to receipt by CCLD of the results of the required FBI records check~~ is defined in OAR 414-061-0020 and allows an individual to be hired by a child care facility pending full enrollment in the CBR.

(c) "CBR Limited Enrollment" is defined in OAR 414-061-0020 and allows an individual to work in a child care facility under specific ~~limitations~~ conditions or restrictions.

(47) "Unsupervised Access to Children" means contact with child care children that provides the person opportunity for personal communication with or touching of child care children when not under the direct supervision of a qualified child care provider or

caregiver ~~staff~~ with supervisory authority who is actively enrolled in the CBR with an enrollment that is not Limited or Conditional Enrollment as defined by OAR 414-061-0020.

414-310-0280
Central Background Registry Enrollment

(1) The operator, all school-age center staff and any person 18 years of age or older, who may have unsupervised access to children shall be enrolled in CCLD's Central Background Registry prior to the issuance of an initial or renewal certification. An individual who is the owner or the principal of an entity that is the owner of a school-age center must be enrolled in the CBR to be on the center premises or present with children off-site during child care hours.
(2) A school-age center must have written confirmation from CCLD that staff 18 years of age or older are enrolled or conditionally enrolled in the CBR before the staff may be on the child care premises or present with children off-site during child care hours.
(3) All caregivers and other individuals that are required to be enrolled in the CBR and are on-site must maintain current enrollment in the CBR at all times while the center license is active.
(4) Staff conditionally enrolled in the CBR may function in their staff position but shall not have unsupervised access to children until the center has confirmed with CCLD the individual is enrolled on a non-conditional basis. A staff member with conditional enrollment must be supervised by a staff member with supervisory authority who is enrolled in the CBR and whose enrollment is not conditional or limited.~~.~~
(5) Any visitor to the school-age center or other adult who is not enrolled in the CBR shall not have unsupervised access to children.
(6) A school-age center must have safeguards in place to prevent a visitor's unsupervised access to children, including a sign-in and sign-out process that captures:
(a) The individual's name and relationship to the center (e.g. volunteer, vendor, guest, etc.);
(b) Arrival and departure times; and
(c) Name of qualified staff responsible for monitoring the individual's presence and accompanying the individual while on the premises.
(7) A school-age center must ensure that individuals whose CBR enrollment has been revoked, denied, or suspended are not on the premises during child care hours or have contact with children in care.
(8) If additional information is needed to assess a person's ability to care for children or to have access to children, CCLD may require references, an evaluation by a physician, counselor, or other qualified person, or other information.

Outdoor Nature Based

414-320-0100
Definitions

(11) "CBR" (Central Background Registry) means DELC's Registry of individuals who have been approved to be associated with a child care facility in Oregon pursuant to ORS 329A.030 and OAR 414-061-0000 through 414-061-0120.
(a) "CBR Enrollment" means approval for a 5 year period to be enrolled in the CBR following an Oregon State Police criminal records check, child abuse and neglect records check, checks of adult protective services and foster care certification, and an FBI records check.
(b) "CBR Conditional Enrollment" ~~means temporary approval to be enrolled in the CBR following an Oregon State Police records check and child abuse and neglect records check but prior to receipt by CCLD of the results of the required FBI records check~~is defined in OAR 414-061-0020 and allows an individual to be hired by a child care facility pending full enrollment in the CBR.

(c) "CBR Limited Enrollment" is defined in OAR 414-061-0020 and allows an individual to work in a child care facility under specific ~~limitations~~ conditions or restrictions.

(62) "Unsupervised Access to Children" means contact with child care children that provides the person opportunity for personal communication with or touching of child care children when not under the direct supervision of a qualified child care provider or caregiver~~staff~~ with supervisory authority who is actively enrolled in the CBR with an enrollment that is not Limited or Conditional Enrollment as defined by OAR 414-061-0020.

414-320-0310
Central Background Registry Enrollment

A certified ONB program must ensure that:
(1) The operator, all ONB program staff, and any person 18 years of age or older who may have unsupervised access to children, are enrolled in DELC's Central Background Registry (CBR) prior to the issuance of an initial or renewal certification.
(2) An individual who is the owner or the principal of an entity that is the owner of a certified ONB program is enrolled in the CBR if on the ONB program premises or present with children off-site during child care hours.
(3) The program has obtained written confirmation from DELC that staff 18 years of age or older are enrolled or conditionally enrolled in the CBR before the staff are on the child care

premises or present with children off-site during child care hours.
(4) All caregivers and other individuals that are required to be enrolled in the CBR and are on the premises maintain current enrollment in the CBR at all times while the certified ONB program license is active.
(5) Individuals who are conditionally enrolled in the CBR may function in their staff position but shall not have unsupervised access to children until the certified ONB program has confirmed with DELC the individual is enrolled on a non-conditional basis. A staff member with conditional enrollment must be supervised by a staff member with supervisory authority who is enrolled in the CBR and whose enrollment is not conditional or limited.
(6) Any visitor to the certified ONB program or other adult who is not enrolled in the CBR ~~does~~ shall not have unsupervised access to children.
(7) Safeguards are in place to prevent a visitor's unsupervised access to children, including a sign-in and sign-out process that captures:
(a) The individual's name and relationship to the ONB program (e.g. volunteer, vendor, guest, etc.);
(b) Arrival and departure times, recorded at the times of arrival and departure; and
(c) Name of qualified staff responsible for monitoring the individual's presence and accompanying the individual while on the premises.
(8) Individuals whose CBR enrollment has been revoked, denied, or suspended are not on the premises during child care hours or have contact with children in care.
(9) Additional information needed to assess an individual's ability to care for children or to have access to children, such as references, an evaluation by a physician, counselor, or other qualified person, or other information, is provided to DELC upon DELC's request.
(10) Individuals 18 years of age and older that reside on the certified ONB program premises in living spaces, including but not limited to, homes, Accessory Dwelling Units (ADUs) or other alternative housing units, tiny homes, recreational vehicles (RVs), trailers, garage apartments, etc., are not required to enroll in the CBR if all of the following conditions are met:
(a) Those residing in or visiting the living space are not known by the certified ONB program to be suspended or to have been denied or removed for cause from the CBR;
(b) Those residing in or visiting the living space have no opportunity for access to child care children without the permission of the certified ONB program and presence of a caregiver employed in the certified ONB program. For the purposes of this rule, an individual has opportunity for access to child care children if they are able to be close enough to touch or have a conversation with a child care child inside or outside the home;
(c) Child care is never conducted in the living space and child care children do not have access to the living space; and
(d) The home or living space's indoor bathrooms are not used to meet the biological needs

of child care children and the home or living space is not used for the certified ONB program's emergency shelter.

Certified Family

414-360-0310
Definitions

(7) "CBR" (Central Background Registry) means ~~CCLD's~~ DELC's registry of individuals who have been approved to be associated with a child care facility in Oregon pursuant to ORS 329A.030 and OAR 414-061-0000 through 414-061-0120.

(a) "CBR Enrollment" means approval for a five year period to be enrolled in the CBR following an Oregon State Police criminal records check, child abuse and neglect records check, checks of adult protective services and foster care certification, and an FBI records check.

(b) "CBR Conditional Enrollment" ~~means temporary approval to be enrolled in the CBR following an Oregon State Police records check and child abuse and neglect records check but prior to receipt by CCLD of the results of the required FBI records check.~~is defined in OAR 414-061-0020 and allows an individual to be hired by a child care facility pending full enrollment in the CBR. ~~as defined in this section~~

(c) "CBR Limited Enrollment" is defined in OAR 414-061-0020 and allows an individual to work in a child care facility under specific ~~limitations~~ conditions or restrictions.

(48) "Unsupervised Access to Children" means contact with child care children that provides the person opportunity for personal communication with or touching of child care children when not under the direct supervision of a qualified child care provider or caregiver with supervisory authority who is actively enrolled in the CBR with an enrollment that is not Limited or Conditional Enrollment as defined in OAR 414-061-0020.

414-360-0310
Central Background Registry Enrollment

(1) The provider must be enrolled in CCLD's CBR prior to the issuance of a certification. All caregivers and other residents of the child care home 18 years of age and older must be enrolled or conditionally enrolled in CCLD's CBR prior to the issuance of an initial or renewal certificate.

(2) Residents of the child care home who are under 18 years of age must be enrolled or conditionally enrolled in the CBR by their 18th birthday.

(3) If the owner is not the provider, the owner must be enrolled in the CBR to be on the premises or present with children off-site during child care hours.
(4) The provider must receive confirmation from CCLD that an individual 18 years of age or over, is enrolled or conditionally enrolled in the CBR before the individual can:
(a) Reside in the child care home;
(b) Stay overnight on the premises for longer than 14 consecutive days, not to exceed a total of 30 days in a calendar year, unless not required to enroll in the CBR as provided in ~~sub~~section (5) of this rule;
(c) Work in the home; or
(d) Volunteer in the home, as required in OAR 414-360-0360.
(5) Individuals 18 years of age and older that reside on the premises in living spaces other than the child care home (including, but not limited to, Accessory Dwelling Units (ADUs) or other Alternative Housing units, tiny homes, recreational vehicles (RVs), trailers, garage apartments, etc.) are not required to enroll in the CBR if all of the following conditions are met:
(a) Those residing in or visiting the living space are not known by the provider to be suspended or to have been denied or removed for cause from the CBR;
(b) The living space can be accessed without entering the child care home;
(c) Those residing in or visiting the living space have no opportunity for access to child care children without the permission of the provider and presence of a caregiver employed in the child care home. For the purposes of this rule, an individual has opportunity for access to child care children if they are able to be close enough to touch or have a conversation with a child care child inside or outside the home.
(d) Child care is never conducted in the living space and child care children do not have access to the living space; and
(e) The living space offers basic necessities such as running water, a bathroom, and cooking appliances, without having to enter the child care home during operating hours or when child care children are present.
(6) The provider, caregivers, and other individuals that are required to be enrolled in the CBR must maintain current enrollment in the CBR at all times while the certified family child care license is active.
(7) Individuals with conditional enrollment in the CBR shall not have unsupervised access to children. Individuals with conditional enrollment must be supervised by a qualified child care provider or caregiver with supervisory authority who is enrolled in the CBR and whose enrollment is not conditional or limited.
(8) Any visitor to the child care home or other adult who is not enrolled in the CBR shall not have unsupervised access to children.
(9) A provider must have safeguards in place to prevent a visitor's unsupervised access to

children, including a sign-in and sign-out process that captures:
(a) The individual's name and relationship to the certified family child care (e.g. volunteer, vendor, guest, etc.); and
(b) Arrival and departure times.
(10) A provider must ensure that individuals whose CBR enrollment has been revoked, denied, or suspended, are not on the premises during operating hours or when child care children are present; have contact with children in care; or live on the premises of the child care home (including, but not limited to ADUs or other Alternative Housing units, tiny homes, RVs, trailers, garage apartments, etc.).
(11) If additional information is needed to assess a person's ability to care for children or to have access to children, CCLD may require references, an evaluation by a physician, counselor, or other qualified person, or other information.

School Age Recorded Programs

414-425-0010
Definitions

(1) "Central Background Registry" or "CBR" means ~~CCLD's~~ DELC's ~~-~~Registry of individuals who have been approved to be associated with a child care facility in Oregon pursuant to ORS 329A.030 and OAR 414-061-0000 through 414-061-0120.

(a) "CBR Enrollment" means approval for a five year period to be enrolled in the CBR following an Oregon State Police criminal records check, child abuse and neglect records check, checks of adult protective services and foster care certification, and an FBI records check.
(b) "CBR Conditional Enrollment" ~~means temporary approval to be enrolled in the CBR following an Oregon State Police records check and child abuse and neglect records check but prior to receipt by CCLD of the results of the required FBI records check.~~is defined in OAR 414-061-0020 and allows an individual to be hired by a child care facility pending full enrollment in the CBR.
(c) "CBR Limited Enrollment" is defined in OAR 414-061-0020 and allows an individual to work in a child care facility under specific ~~limitations~~ conditions or restrictions.
(2) "Child Care" means the care, supervision and guidance on a regular basis of a child, unaccompanied by a parent, guardian or custodian, during a part of the 24 hours of the day, with or without compensation.
(3) "CCLD" means the Child Care Licensing Division in the Department of Early Learning and Care.

(4) “Program Record” means the document a school age recorded program is issued by CCLD to operate a school age recorded program pursuant to ORS 329A.257 and OAR 414-425-0000 through 414-425-0030.
(5) “School Age Child” means a child eligible to be enrolled in the first grade or above in public school including the months of summer vacation prior to being eligible to be enrolled in the first grade or above in the next school year, up to age 13. For purposes of these rules, a child attending kindergarten may be considered a school age child.
(6) “School Age Recorded Program” means a program for school age children that does not take the place of a parent’s care, in which youth development activities are provided to children during hours that school is not in session. For purposes of these rules it does not include programs that are operated by a school district as defined in ORS 332.002.
(7) “Staff” means any individual 18 years and older who works in, and has contact with children in the program
(8) "Youth development activities” means care, supervision or guidance that is intended for enrichment, including but not limited to teaching skills or proficiency in physical, social or educational activities such as tutoring, social activities, and recreational activities.
(9) “Volunteer” means any individual 18 years or older who intends to perform uncompensated duties for the program and who may have unsupervised contact with the children in the program or who is in the facility more than four hours per year and has contact with children in the program.
(10) "Unsupervised Access to Children" means contact with child care children that provides the person opportunity for personal communication with or touching of child care children when not under the direct supervision of a qualified child care provider or caregiver with supervisory authority who is actively enrolled in the CBR with an enrollment that is not Limited or Conditional Enrollment as defined by OAR 414-061-0020.

414-425-0030
General Requirements

~~(1) Through December 31, 2022, the school age recorded program must assure that criminal background checks are done on all staff and volunteers prior to having contact with children in the program. Enrollment in the Central Background Registry as defined in OAR 414-061-0020(18) that is not a limited enrollment as defined in OAR 414-061-0020 (25)(b) shall meet the requirement of a criminal background check.~~
(12) ~~Beginning January 1, 2023, T~~the school age recorded program must obtain and have on file written verification from CCLD that all staff and volunteers 18 years of age or older are enrolled in the Central Background Registry prior to having contact with children~~,~~ and must

maintain in the program's records written verification from CCLD of enrollment. All staff and volunteers 18 years of age or older must maintain current enrollment in the CBR at all times. ~~Enrollment, t~~

(a) Limited enrollment as defined in OAR 414-061-0020 may meet this requirement if the person's position and duties align with ~~their~~the ~~limitations~~ conditions or restrictions placed on their enrollment in the Central Background Registry. ~~or c~~
(b) ~~Staff or volunteers with c~~Conditional enrollment as defined in OAR 414-061-0020 may meet this requirement if the person can function in their staff position but may not have unsupervised access to children until the recorded program has confirmed with CCLD that the individual is either fully or limited enrolled in the Central Background Registry. Individuals with conditional enrollment must be supervised by a person with supervisory authority and who is actively enrolled in the CBR with an enrollment that is not conditional or limited.
~~ meets this requirement. The school-age recorded program may allow individuals for which the school-age recorded program completed a criminal background check before January 1, 2023 to continue be employed or allowed to volunteer after January 1, 2023 without enrollment in the Central Background Registry if the individual submits a completed application for enrollment in the Central Background Registry no later than June 30, 2023 for which CCLD has not issued a notice of intent to deny.~~
(2) The school age recorded program must keep a record of their staff and volunteer's~~s~~ CBR enrollment, including whether the staff is conditional or limited in their enrollment in the CBR, with those records accessible onsite and available for DELC staff conducting a visit to the program.

(3) Any visitor to the school age recorded program or other adult who is not enrolled in the CBR shall not have unsupervised access to children.
(~~3~~4) The school age recorded program must post a notice where it is visible to parents that the program is recorded with CCLD and is legally exempt from licensure.

Preschool Recorded Programs

414-450-0010
Definitions

(1) "Central Background Registry" or "CBR" means ~~CCLD's~~ DELC's Registry of individuals who have been approved to be associated with a child care facility in Oregon pursuant to

ORS 329A.030 and OAR 414-061-0000 through 414-061-0120.
(a) "CBR Enrollment" means approval for a five year period to be enrolled in the CBR following an Oregon State Police criminal records check, child abuse and neglect records check, checks of adult protective services and foster care certification, and an FBI records check.

(b) "CBR Conditional Enrollment" ~~means temporary approval to be enrolled in the CBR following an Oregon State Police records check and child abuse and neglect records check but prior to receipt by CCLD of the results of the required FBI records check.~~is defined in OAR 414-061-0020 and allows an individual to be hired by a child care facility pending full enrollment in the CBR.

(c) "CBR Limited Enrollment" is defined in OAR 414-061-0020 and allows an individual to work in a child care facility under specific ~~limitations~~ conditions or restrictions.

(2) "Child Care" means the care, supervision and guidance on a regular basis of a child, unaccompanied by a parent, guardian or custodian, during a part of the 24 hours of the day, with or without compensation.
(3) "CCLD" means the Child Care Licensing Division in the Department of Early Learning and Care.
(4) "Preschool-Age Child" means a child who is 36 months of age up to the summer vacation months prior to being eligible to be enrolled in the first grade in public school.
(5) "Preschool Recorded Program" means a facility providing care for preschool age children that is primarily educational for four hours or less per day and where no preschool child is present at the facility for more than four hours per day.
(6) "Program Record" means the document a preschool recorded program is issued by CCLD to operate a preschool recorded program pursuant to ORS 329A.255 and OAR 414-450-0000 through 414-450-0030.
(7) "School-Age Child" means a child eligible to be enrolled in the first grade or above in public school including the months of summer vacation prior to being eligible to be enrolled in the first grade or above in the next school year, up to age 13. For purposes of these rules, a child attending kindergarten may be considered a school age child.
(8) "Staff" means any individual 18 years and older who works in, and has contact with children in the program.
(9) "Volunteer" means any individual 18 years or older who intends to perform uncompensated duties for the program and who may have unsupervised contact with the children in the program; or who is in the facility more than four hours per year and has contact with children in the program four hours per year and has contact with children in the program.

(10) "Unsupervised Access to Children" means contact with child care children that provides the person opportunity for personal communication with or touching of child care children when not under the direct supervision of a qualified child care provider or caregiver with supervisory authority who is actively enrolled in the CBR with an enrollment that is not Limited or Conditional Enrollment as defined by OAR 414-061-0020.

414-450-0030
General Requirements

(1) ~~Through December 31, 2022, the preschool recorded program must assure that criminal background checks are done on all staff and volunteers prior to having contact with children in the program. Enrollment in the Central Background Registry as defined in OAR 414-061-0020(18) that is not a limited enrollment as defined in OAR 414-061-0020(25)(b) meets the requirement of a criminal background check.~~
~~(2) Beginning January 1, 2023, the~~The preschool recorded program must obtain and have on file verification from CCLD that all staff and volunteers over 18 years of age are enrolled in the Central Background Registry prior to having contact with children, and must maintain in the program's records written verification from CCLD of enrollment. All staff and volunteers 18 years of age or older must maintain current enrollment in the CBR at all times.

(a) Limited enrollment as defined in OAR 414-061-0020 may meet this requirement if the person's position and duties align with the ~~limitations~~ conditions or restrictions placed on their enrollment in the Central Background Registry.
(b) Conditional enrollment as defined in OAR 414-061-0020 may meet this requirement if the person can function in their staff position but may not have unsupervised access to children until the recorded program has confirmed with CCLD that the individual is either fully or limited enrolled in the Central Background Registry. Individuals with conditional enrollment must be supervised by a person with supervisory authority and who is enrolled in the CBR and whose enrollment is not conditional or limited.~~Enrollment, limited enrollment as defined in OAR 414-061-0020(25)(a) or conditional enrollment as defined in 414-061-0020(9) shall meet this requirement. The preschool recorded program may allow individuals for which the preschool recorded program completed a criminal background check before January 1, 2023 to continue be employed or allowed to volunteer after January 1, 2023 without enrollment in the Central Background Registry if the individual submits a completed application for enrollment in the Central Background Registry no later than June 30, 2023 for which the CCLD has not issued a notice of intent to deny.~~
(2) The preschool recorded program must keep a record of their staff and volunteer's CBR enrollment, including whether the staff is conditional or limited in their enrollment in the

CBR, with those records accessible onsite and available for DELC staff conducting a visit to the program.

(3) Any visitor to the preschool recorded program or other adult who is not enrolled in the CBR shall not have unsupervised access to children.

(4~~3~~) The preschool recorded program must post a notice where it is visible to parents that the program is recorded with CCLD and is legally exempt from licensure.