



Oregon Department of
**Early Learning
and Care**

Certified Family Rulemaking Advisory Committee

October 7, 2025

6:00-7:30pm



Introductions & Zoom Instructions



While we wait for others to join, please put into the chat:

- Your name
- City you are joining us from
- Connection to certified family child care

Instructions for renaming your participant icon and accessing zoom from a phone can be found in the meeting chat.

You do not need to be on camera to participate in the meeting.

Agenda

Role and focus of this RAC

Group Norms

Background and Rationale

Review rule text and feedback

Timeline and Next Steps



What is a RAC?

- ❖ A group of internal and external partners who come together to help implement rules.
- ❖ RAC members provide input and suggestions for rulemaking while considering equity and fiscal impacts.
- ❖ Diverse group of individuals who interact with the agency and programs run by the agency



Focus and Scope



Fiscal Impacts: What resources are needed



Equity Impacts: Unintended consequences to specific populations



Unclear rule language



Other unintended consequences



Implementation Resources



Group Norms



Allow for all voices to be heard

Remain focused on the scope of the RAC

Be open to respectful discussion

Encourage and honor individual perspectives

Use the raise hand function

Practice active listening

Seek commonality



Background & Rule Content

Background & Issue



Background

- In December 2024, the ELC voted to repeal and replace administrative rules for Certified Family Child Care Homes. Effective July 1, 2025

Issue at Hand

Omission of key safety rules related to:

- Prohibition of illegal controlled substances on the premises
- General protection from water hazards

Response

- Adopted temporary rules, effective for 180 days



Permanent Rules & Additional Amendments



TEMPORARY → PERMANENT



CORRECTIONS AND
CLARIFICATIONS





OAR 414-360-0100 Definitions

~~(39) "Sanitizing" means using a treatment that provides enough heat or concentration of chemicals for enough time to reduce the bacterial count, including disease producing organisms, to a safe level on utensils, equipment, and toys.~~

~~(40) "Sanitizing" means using a treatment that provides enough heat or concentration of chemicals for enough time to reduce germs, to a safe level on utensils, equipment, toys, and other non-porous surfaces.~~

~~(a) An appropriate test kit or strips are required to measure the concentration of sanitizing solutions.~~

~~(b) Any sanitizer used on food contact surfaces or toys must be labeled as "safe for food contact surfaces."~~



OAR 414-360-0250 Program Records

A provider must maintain the following program records, either in paper or electronic format:

(1) The current day's attendance record for each child care child as defined in OAR 414-360-0400(1). All caregivers must have access to the attendance records to determine which children are in care during their work shift, changes in caregivers, and emergency evacuations. The daily attendance record must include:

(a) The child's full name; and

(b) Times recorded as **children** ~~caregivers~~ of arrive and depart so that the record shows the ~~caregivers~~ **children** in attendance at any given time.

(2) Daily caregiver attendance records to include:

(a) The caregiver's name; and

(b) Times **recorded as caregivers** of arrive **arrival** and departure **depart** so that the **record shows the caregivers in attendance at any given time.**

OAR 414-360-0520 Schedule



Prior to July 1, 2025

Preschool-age program of activities. In addition to the daily routine specified in OAR 414-350-0220(2), preschool-age children shall have opportunities, on a daily basis, to choose from a variety of activities and experiences, which shall include:

A supervised nap or rest period. Children who do not sleep after 20–45 minutes of quiet time must be provided with an alternative quiet activity. The activity may be in the same room where children are sleeping if it is not distracting to sleeping children.

Proposed Language:

For preschool age and younger children, a provider must include one or more regularly scheduled rest periods.

- (a) Rest periods must include the for each child to lay down on a cot or mat. Rest periods may take the form of children sleeping, being awake but inactive, or participating in alternative quiet activities.
- (b) If children are unable to sleep after 30 minutes, the provider must provide alternative quiet activities. Activities may be in the same room where children are sleeping if it is not distracting to the sleeping children.

OAR 414-360-0840 Prevention and Management of Hazards



(10) No one shall possess, use or store illegal controlled substances on the certified family child care premises.

(11) Firearms, BB guns, pellet guns and arrows must be kept under lock, **such as a key, combination, or biometric lock** and stored in an area not used by child care children. **A child safety lock or trigger lock does not meet this requirement.**

(a) Ammunition must be stored and locked separately.

(b) Firearms, BB guns, and pellet guns must be kept unloaded.

~~(12) Firearms, BB guns, pellet guns and arrows must be kept under lock, such as a key, combination, or biometric lock and stored in an area not used by child care children. A child safety lock or trigger lock does not meet this requirement.~~ A provider must prevent access to all pools and other bodies of water such as hot tubs, spas, ponds, creeks, fountains, ornamental ponds, and rain barrels.

OAR 414-360-0920 Outdoor Play Area



(6) For all outdoor equipment 18 inches or higher, a provider must always maintain protective surfacing in use zones under and around the equipment. Acceptable materials include wood mulch, double shredded bark mulch, shredded or recycled rubber, uniform wood chips, sand, pea gravel, rubber mats or poured in place rubber manufactured for such use. Hog fuel is not permitted.

(b) Loose-fill materials must:

(A) For equipment less than 4 feet high, have a minimum depth of 6 inches;

(B) For equipment over 4 feet high, have a minimum depth of **9 inches if using loose-fill material other than shredded/recycled rubber or 6 inches if using shredded/recycled rubber;**

(C) Remain loose at the required depth by replacing, leveling, or raking the material; and

(D) Not be installed over concrete or asphalt.

OAR 414-360-1030 Medications



(7) A provider must keep medications requiring refrigeration in a separate tightly-covered, leakproof container clearly marked "medication" and inaccessible to children.

OAR 414-360-1100 Food & Food Service



(14) A provider must select and serve food that is safe and has nutritional value.

(c) A provider must not serve foods that are associated with young children's choking incidents to children under 3 years of age including, but not limited to: hot dogs (**whole or cut into rounds** slices), raw carrots, whole grapes, hard candy, gum, nuts, peanuts, popcorn, rice cakes, chips, gel candies, and marshmallows. Children older than 3 years of age may be served these food provided that the foods are cut in such a way as to minimize choking hazards.

Next Steps



Other Opportunities for Feedback

- Public comment period 10/1/2025-11/28/2025
- Public Hearing 11/12/2025 5:00pm

Adoption

- Presentation to ELC on 12/10/2025
- Effective date of 1/1/2026

Provider Support

- Mail and email with new rule text
- Updates to any related technical assistance documents and forms

