



EARLY LEARNING COUNCIL

June 24, 2026
9:00am - 1:00pm

VIRTUAL MEETING: [Click here to register for the meeting.](#)

Membership

Elizabeth Farrar Campbell, Chair; Katy Brooks; Peter Buckley; Robin Hill Dunbar; Eric Hunter; Margaret Miller; Soobin Oh; Ruby Ramirez; Marie Simonds

Agency Lead Membership

Andrea Bell (OHCS); Ben Cannon (HECC); Alyssa Chatterjee (DELIC); Sejal Hathi, MD (OHA); Liesl Wendt (ODHS); Dr. Charlene Williams (ODE)

Providing Public Comment

Persons wishing to provide public comment during this meeting should contact the Early Learning Council Administrator, Gaby Hernandez, at Gabriela.Hernandez@delc.oregon.gov. Staff respectfully request that you submit written public materials before the time of your testimony. All Early Learning Council meeting materials are posted on the DELC website prior to each meeting. To request a paper copy of the materials due to accessibility reasons, please contact Gaby Hernandez.

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Meeting Agenda

- I. **Board Welcome and Roll Call**
Elizabeth Farrar Campbell, Chair, Early Learning Council
- II. **Governor's Office Update**
Johnna Timmes, Education Advisor to Governor Tina Kotek
- III. **Talent Assessment Report Overview**
Ben Cannon, Higher Education Coordinating Commission Director
Supporting Documents: [Talent Assessment Report](#)
- IV. **Celebrating Donna Schnitzker, Recipient of the Lynne Angland Award**
Elizabeth Farrar Campbell, Chair, Early Learning Council
- V. **Public Comment**

**Times are approximate; items may be taken out of order; meetings may conclude early and breaks may be added as needed. All meetings of the Early Learning Council are open to the public and will conform to Oregon public meetings laws.*



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June 24, 2026

9:00am – 12:00pm

VI. **Reflections on Early Childhood Mental Health**

Carey McCann, Early Childhood Policy & Strategy Director, DELC

VII. **Every Child Belongs Update**

Lindsay Baltus, Every Child Belongs Manager, DELC

Katrina Miller, Infant & Early Childhood Mental Health Specialist, DELC

Supporting Documents: [Every Child Belongs Update](#)

VIII. **Administrative Rulemaking**

Supporting Documents: [DELC Rulemaking Presentation](#); [June 2026 Rulemaking Memo](#); [ECB – Council Action Request](#); [PSP – Council Action Request](#)

i. Action/Vote: **Every Child Belongs**

Abby Strom, Child Care Initiatives Support Analyst, DELC

ii. Action/Vote: **Preschool Promise**

Dayna Jung, Preschool Promise Program Manager, DELC

IX. **Closing & Adjournment**

Elizabeth Farrar Campbell, Chair

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Oregon Talent Assessment 2026

▶ Prepared for the Oregon Higher Education Coordinating Commission

Acknowledgments

ECONorthwest prepared this report for the Oregon Higher Education Coordinating Commission (HECC) with support and guidance from HECC staff and leadership and the Talent Assessment Steering Committee. The authors wish to thank each of these individuals for their time, feedback, and assistance. We also thank Oregon Employment Department staff for discussing analytical approaches and providing data for the report, and Business Oregon staff for conducting interviews with employers. We are grateful to all those who participated in the interviews and survey that were part of this study, including the Oregon Workforce and Talent Development Board (WTDB). We greatly value your time and insights.

Talent Assessment Steering Committee

- ◆ Julia Pontoni, Director of the Office of Workforce Investments, HECC, lead staff person
- ◆ Melisa Drugge, WTDB Member and Lead Regional Development Officer, Business Oregon
- ◆ Helen Edwards, HECC Commissioner and Co-founder of Artificiality
- ◆ Kris Latimer, WTDB Member and Senior Director of Training and Development, Knife River
- ◆ Sarah Means, Workforce, Higher Education, and Economic Development Advisor, Office of Governor Tina Kotek
- ◆ Sarala Paliwal, WTDB Member and former Senior Engineering Director, Siemens EDA
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ECONorthwest is responsible for the content of this report. Any statements nonfactual in nature constitute the authors' current opinions, which may change as more information becomes available.

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Executive Summary

Introduction and Context

The 2026 Oregon Talent Assessment comes at a critical moment for Oregon's workforce and economy. Job growth is expected to slow over the next decade, demographic change is reshaping labor supply, and new technologies are changing how work gets done. At the same time, employers across sectors continue to report difficulty finding and retaining workers with the skills they need.

These pressures make workforce planning more urgent and more complex. Oregon's population is aging, increasing demand for health care, caregiving, and other services while accelerating retirements in key occupations. Industry sectors across Oregon face different but related challenges. Some need more workers with technical credentials, while others seek better worker retention or clearer pathways from training into employment.

The Assessment creates a flexible, repeatable methodology for identifying in-demand sectors and priority occupations. The work offers a shared foundation for state, regional, education, workforce, and employer partners to focus investments, strengthen alignment, and help more Oregonians access stable, advancing careers. It also provides a starting point for supporting Workforce Pell implementation, which will require Oregon to identify in-demand sectors and high-skill, high-wage, in-demand occupations on a recurring basis.

Methodology

The Assessment uses a multi-step methodology to identify in-demand sectors, priority occupations, and potential gaps between workforce demand and training supply. The methodology was designed to be transparent, repeatable, and flexible, for ongoing improvement in future biennial Assessments.

The work began with a review of national and state approaches to identifying priority industries and occupations. These approaches typically use multiple indicators, including industry size, concentration, wages, recent and projected growth, projected openings, and employer validation. The scan confirmed that Oregon should avoid relying on a single measure: industry sectors and occupations may matter because they support traded-sector growth, provide essential services, anchor regional economies, create access to good jobs, or play a critical role in supporting an in-demand sector.

The Assessment's methodology identifies in-demand sectors by synthesizing existing state and regional priority-sector lists, including sources from Business Oregon, Future Ready Oregon, Oregon Workforce Partnership, regional comprehensive economic development strategies, regional workforce boards, and prior Talent Assessments. The following step uses sector definitions and available data, including statewide and regional location quotients, to assess whether the list is reasonable and comprehensive.



The methodology identifies priority occupations using five criteria: in-demand, high-skill, high-wage, growth potential, and industry-critical. The priority occupation list includes occupations that meet the demand and skill criteria and either the wage or growth-potential criteria, plus occupations identified as industry-critical. The methodology also applies an equity and regional lens, using data from the Oregon Employment Department, the U.S. Census American Community Survey, the U.S. Bureau of Labor Statistics, the National Center for Education Statistics, federal apprenticeship data, and interviews with employers and workforce partners to validate findings and identify issues not fully visible in public data.

In-Demand Sectors

The Assessment identifies 15 in-demand sectors that reflect state and regional economic development priorities, essential services, and areas of workforce need (see Exhibit ES-1). Together, these sectors account for a large share of Oregon employment and include traded sectors, such as advanced manufacturing and high tech; essential service sectors, such as health care and the care economy; and broad, cross-cutting sectors, such as clean energy and tourism.

Exhibit ES-1: Oregon Talent Assessment in-demand sectors

Industry Sector	Employment	Establishments	LQ
Healthcare	177,435	10,783	0.9
Social Assistance / Care Economy	146,654	15,040	1.4
High Tech / Software / IT	121,583	12,696	1.1
Construction	120,221	19,046	1.2
Business Services	72,337	9,383	1.1
Forestry & Wood Products	49,321	2,289	3.1
Food & Beverages	40,172	2,055	1.3
Advanced Manufacturing	35,826	2,285	0.7
Design & Media	33,219	6,265	1.0
Agriculture	42,088	4,097	2.8
Bioscience	22,787	2,446	0.7
Outdoor Gear & Apparel	8,909	678	1.2
Tourism	304,286	22,566	1.0
Clean Energy / Climate Tech	194,102	22,011	1.1
Maritime / Blue Economy	196,226	13,901	0.9
<i>Total (No Duplicates)</i>	<i>1,225,318</i>	<i>113,509</i>	<i>1.1</i>
<i>Oregon Employment</i>	<i>1,952,615</i>	<i>189,671</i>	<i>1.0</i>

Notes: LQ = location quotient. Data sources: BLS; OED QCEW 2024

The sector list is intentionally broad because Oregon’s critical workforce needs extend beyond high-wage, high-growth industries. They also appear in sectors that support labor force participation, regional resilience, and community well-being. For example, childcare has its own staffing challenges and enables parents and caregivers to work. Construction



supports housing production, infrastructure, clean energy implementation, and other statewide priorities.

The Assessment also highlights the need for clearer and more-consistent sector definitions. Agencies and regional partners often use similar sector names but define them differently, which can complicate statewide planning. This challenge is especially important for broad sectors such as tourism, clean energy / climate tech, and maritime / blue economy, which do not map neatly onto standard industry codes.

Location quotients help validate the sector list by comparing Oregon’s employment concentration in a sector with the national concentration. Some sectors, such as forestry and wood products, have high statewide concentration. Others, such as advanced manufacturing, include subsectors that are highly concentrated or regionally important even if the broader sector has a lower statewide concentration. These patterns illustrate why statewide strategies need to account for regional variation. Demographic differences across sectors should also inform outreach, training design, supportive services, and employer practices.

Priority Occupations

The Assessment identifies priority occupations to help Oregon focus workforce investments on roles that support economic growth and individual opportunity. The list based on the applied criteria includes 209 occupations that account for about 44 percent of current employment and one-third of projected annual openings (see Exhibit ES-2).

Exhibit ES-2: Count and characteristics of priority occupations, by criterion, Oregon

CRITERIA	NUMBER OF OCCUPATIONS MEETING	NUMBER OF OPENINGS	SHARE OF TOTAL ANNUAL OPENINGS
A. In demand	402	243,484	96%
B. High skill	483	108,082	42%
C. High wage	458	88,517	34%
D. Growth potential	314	66,743	26%
(C) or (D)	482	95,254	37%
E. Industry-critical	11	5,609	2%
All criteria (deduplicated)	209	84,172	33%

Data source: OED 2024-2034 occupational projections and reference assignments

The list is broad by design. It is not a final ranking, but a structured starting point for decision-makers. Different strategies may prioritize different parts of the list: Workforce Pell will likely focus on short-term programs tied to high-skill, high-wage, in-demand occupations; regional industry partnerships might focus on occupations concentrated in

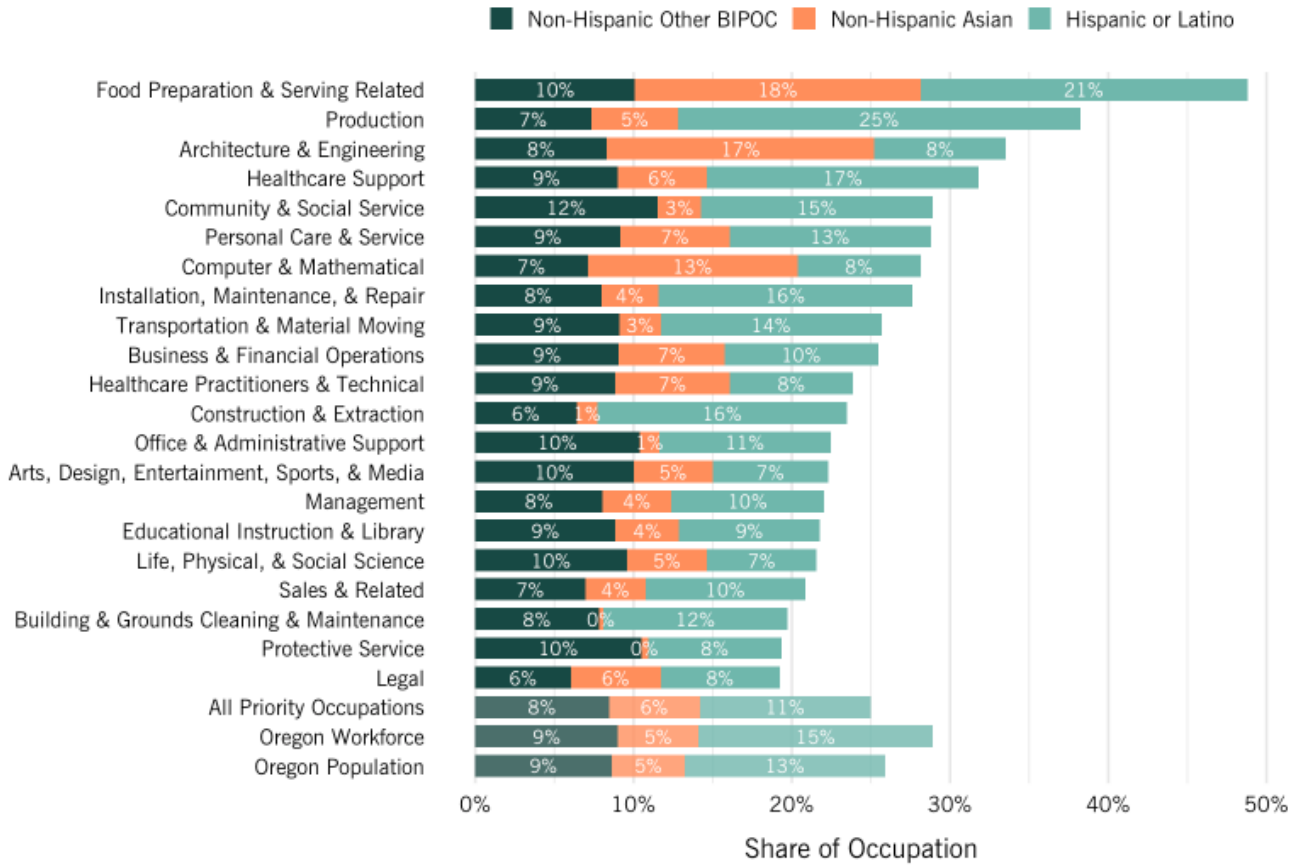


local sectors; and equity-focused strategies might prioritize occupations where training pathways could expand access for underrepresented workers.

The criteria reflect the Assessment’s focus on both employer demand and worker opportunity. Demand connects training investments to real job openings. Skill requirements identify where workforce development can help people gain marketable skills. Wages and growth potential help ensure public investments support economic self-sufficiency and advancement. And industry-critical status allows the methodology to capture emerging or specialized roles that standard occupational data may miss.

Early feedback on the methodology was generally supportive but raised important cautions about broad demand thresholds, wage benchmarks, and the need to better recognize career and technical education, applied competencies, stackable credentials, and emerging skills such as AI fluency. The Assessment also examines short-term signals, including job postings, job vacancy data, and recent wage growth, as ways to identify more-immediate pressure points. Equity remains central: because priority occupations are less racially and ethnically diverse than Oregon’s overall workforce and skew toward higher levels of formal education, future strategies should track data on access, completion, placement, wages, and retention (see Exhibit ES-3).

Exhibit ES-3: Share of priority occupation employees that are BIPOC, by occupational group, Oregon, 2024



Note: Includes employees ages 16+. Data source: U.S. Census Bureau (2024) ACS 5-year PUMS



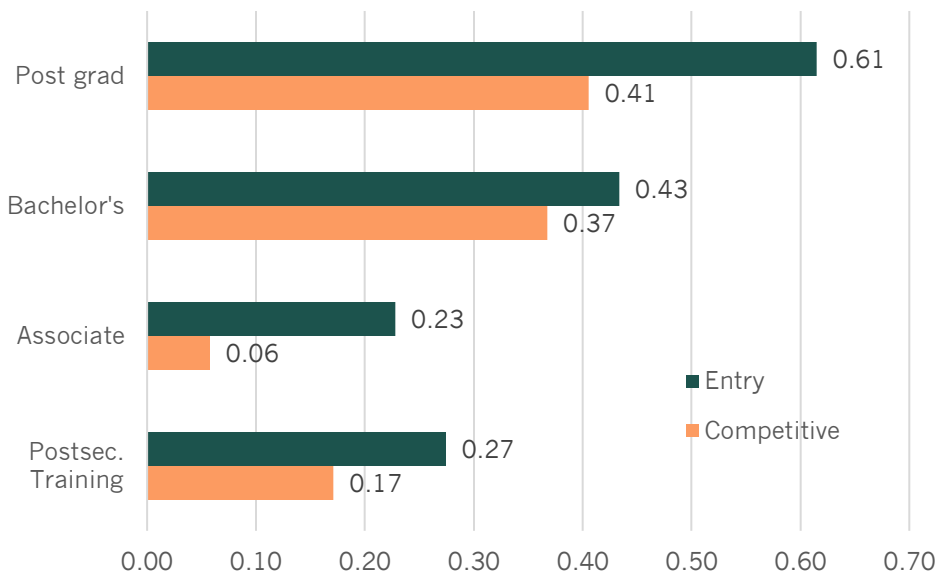
Gap Analysis

The Assessment’s gap analysis compares projected occupational demand with education and training output. It provides a high-level view of whether Oregon’s training system appears to produce enough relevant credentials to meet projected openings in priority occupations. The analysis uses a ratio of completions to openings; ratios below 1.0 indicate that annual credential production is below projected demand for the skills conferred by the credentials.

Most credential-to-opening ratios are below 1.0 and suggest areas where additional analysis should focus. This does not mean Oregon should expand every related education or training program. A low ratio may signal a real shortage, but it may also reflect a data limitation, migration pattern, alternative training pathway, or occupation where employers hire from multiple fields.

The gap analysis points to several themes. Training capacity appears especially constrained at the community college level, though results vary by occupation and credential type (see Exhibit ES-4). Formal postsecondary completion data also do not capture every pathway into employment, including industry certifications, employer-sponsored training, incumbent worker upskilling, informal training, and stacked credentials. In addition, workers do not always enter the occupations most closely associated with their programs of study.

Exhibit ES-4: Completions per related opening, by entry-level and competitive education levels



Data sources: OED 2024-2034 Occupational Projections; NCES IPEDS 2020-2024; U.S. DOL 2024

The findings show why workforce planning needs to account for both supply and access. Oregon may produce workers with relevant credentials, but not all workers enter employment in Oregon. Cost, geography, transportation, childcare, housing, schedules, discrimination, and limited information can all weaken the pathway from education to career. The gap analysis therefore supports two kinds of action: identify where training



capacity may fall short of demand and, informed by the gap analysis’s demographic findings, identify where people complete training but do not move into, or remain in, related jobs.

Engagement Findings

The brief engagement phase of the Assessment included interviews with about 20 individuals, mostly employers from industries across Oregon, with moderate emphasis on the technology sector.

Contextual factors: Interviewees identified wages, especially in manufacturing, small business, and entry-level roles, as a major driver of attrition and recruitment challenges. Employers also reported difficulty finding and retaining workers with mid-level experience in skilled trades, engineering, technical roles, and specialized manufacturing. Beyond training, housing, transportation, childcare, and limited K-12-to-industry pathways constrain workforce participation. Childcare remains essential to Oregon’s economy but childcare workers face low compensation, limited benefits, and unclear career pathways.

Program-level focus: K-12 schools, community colleges, and employers should connect earlier to help students understand career pathways, applied skills, and nontraditional routes into high-quality jobs. Employers identified reliability, communication, conflict management, problem-solving, workplace readiness, and applied technical skills as key skill gaps, and they increasingly value demonstrated skills alongside traditional credentials. To keep pace with industry needs and improve retention, participants emphasized employer-led training, short-cycle programs, apprenticeships, incumbent worker upskilling, and financial incentives, while noting these strategies require significant employer investment.

System improvements: Participants emphasized that workforce decisions should rely on more timely data on hiring, training, wage progression, skill acquisition, and emerging needs. They also called for a more unified workforce development system that aligns priorities, reduces duplication, and supports consistent practices. Interviewees want the Talent Assessment to drive action by strengthening employer-led training, incumbent worker upskilling, and career pathways.

Conclusions and Recommendations

The 2026 Oregon Talent Assessment provides a methodological foundation for a more aligned workforce strategy. Using the methodology, the Assessment identified 15 in-demand sectors, 209 priority occupations, potential credential gaps, and equity considerations to guide future investment. The Assessment demonstrates the need for—and begins to provide—stronger alignment in terminology and approach to identifying priority sectors and occupations, estimating training capacity, and addressing employer needs and the barriers workers face. Oregon should maintain and refine the Assessment’s repeatable methodology, use the findings to move from analysis to implementation, and focus investments on training quality, public-private partnerships, articulating and developing advancement pathways, and supportive services. Equity, access, job quality, and retention



should shape every strategy so more Oregonians can enter, advance, and remain in careers that offer competitive wages, stability, and opportunity.

The Assessment's recommendations are organized into the three categories below. As a next step, Oregon should use the Talent Assessment as an input for a strategy or action plan with responsible actors, timelines, and accountability measures that support continuous improvement across the workforce system.

System Alignment

Work toward a statewide, unified, cross-sector workforce development coordination model that considers the roles of the Workforce and Talent Development Board, state agency leadership, the Governor, and other workforce partners, driven in part by the insights of the Talent Assessment, with the authority to consolidate input and standardize practices while recognizing the autonomy of local workforce development boards.

Use the Talent Assessment to drive implementation across systems. State and regional partners should use the Assessment to set shared priorities, assign ownership, and align investments across education, workforce, and economic development systems.

Put essential employability skills and digital fluency at the center. Workforce programs should teach reliability, communication, problem-solving, conflict management, workplace readiness, AI fluency, and digital skills alongside technical content.

Move toward skills-first pathways while protecting credential quality. Educators, training providers, and employers should define job-relevant competencies and build pathways that recognize demonstrated skills without weakening occupation-specific credential standards.

Align education and industry earlier, especially in CTE and technical fields. Employers should help shape K-12 and postsecondary curriculum so students understand career options earlier and see how classroom learning connects to real jobs.

Expand work-based learning and employer-led training. Oregon should invest more in CTE, apprenticeships, short-cycle training, and incumbent worker upskilling that are tied to sustained employer demand and clear quality standards.

Focus on retention and advancement in mid-level and hard-to-fill roles. Workforce strategies should help employers retain and grow talent in skilled trades, engineering, specialized manufacturing, and other hard-to-fill occupations.

Data and Methodology

Continue to improve data collection about industry structure, composition, and training and education pathways. Oregon should refine and standardize definitions for in-demand sectors, especially cross-cutting sectors such as tourism, clean energy, and clean technology.

Continue coordinating with OED on terminology and benchmarks to improve statewide consistency and support Workforce Pell efforts. Agencies should align definitions for in-



demand, high-skill, and high-wage occupations and clarify how pathway-based credentials can support Workforce Pell eligibility.

Continue working with BOLI, ODE, and OED on data access. The state should improve access to apprenticeship, pre-apprenticeship, CTE, industry, and occupation data to strengthen future Talent Assessments.

Continue efforts to link and analyze CTE, apprenticeship, postsecondary, and employment data. Linked data should be used to understand how education and training pathways lead to employment, retention, wage gains, and advancement in in-demand sectors.

Conduct quantitative analyses of participant-level education and employment outcomes for selected Oregon programs. Oregon should analyze individual-level outcomes to assess program effectiveness and monitor Workforce Pell-eligible programs.

Improve data transparency and career navigation tools. Centralized data, clearer terminology, and better career planning tools would help students, workers, educators, and employers navigate training and career pathways.

Develop an Oregon Talent Dashboard. A dashboard could serve as a central repository for sector, occupation, training, and outcome metrics drawn from common workforce datasets.

Gap Mitigation and Equity Improvements

Address credential shortages. Oregon should use the Assessment to identify where credential production may fall short of demand and where additional research, program improvement, or barrier reduction is needed.

Improve job quality, support worker well-being, and articulate career advancement pathways. Employers and partners should address retention challenges through better wages, working conditions, advancement pathways, and training.

Streamline licensure and bureaucratic processes. In bottleneck sectors such as health care and behavioral health, Oregon should review licensing and administrative requirements while maintaining health, safety, and transparency standards.

Prioritize diversity, equity, and inclusion. Workforce partners should strengthen pathways for groups underrepresented in specific occupations or programs, including women, communities of color, veterans, rural residents, and men where the data show gaps.

Mitigate structural barriers with wraparound supports. Oregon should expand access to childcare, transportation, housing assistance, and related supports that help workers start and complete training or employment.

Enhance financial support for training and upskilling. The state and employers should expand tuition reimbursement, scholarships, microcredentials, and investments in incumbent and displaced worker upskilling.



1. Introduction

Context for this Assessment

The 2026 Oregon Talent Assessment comes at a pivotal point in Oregon’s economic cycle, as the state appears to be in the late stages of a long expansion, with unemployment that has crept steadily but slowly higher over most of the past two years. Statewide, total employment peaked in September 2024 and has fallen, on a seasonally adjusted basis, by almost 2 percent through March 2026. Projected job growth over the next decade is less than half the observed average between 1990 and 2025. Generative artificial intelligence is reshaping job tasks and skill requirements, adding uncertainty to workforce planning. And employers and industry representatives are questioning the workforce development system’s ability to evolve.

Demographic pressures compound the state’s challenges as retirements accelerate with the aging of Oregon’s population, a trend that also increases demand for caregiving and health occupations as smaller cohorts of younger individuals enter the workforce. Sectors like advanced manufacturing, including semiconductors, face slower-than-hoped-for expansion and shortages of engineers, technicians, and skilled tradespeople, while regional and population-based inequities (including constraints in access to employment, training, and affordable housing and childcare) reinforce the need for the Talent Assessment. Uncertainty about Oregon’s economic future, and the future of jobs generally, has seemingly increased. This uncertainty underscores the need for a streamlined, efficient, and nimble workforce development system that effectively engages with workforce development and other partners to build on Oregon’s existing strengths and address coming challenges.

Since 2018, the Oregon Workforce and Talent Development Board (WTDB) has produced four Talent Assessments, expanding Oregon’s understanding of in-demand occupations, skills needs, and labor market trends. Assessment highlights include business and industry input from predesignated key industries (2018), reaffirming findings and incorporating broader employer perspectives (2020), addressing the post-pandemic talent landscape with updated policy recommendations (2022), and providing analysis of Oregon’s workforce conditions, skills supply and demand, and competitive position while focusing on a limited set of priority industries and occupations (2024).

Building on this foundation, the 2026 Talent Assessment is designed to support the WTDB’s responsibilities and provide a shared, actionable resource for a broad set of partners—including the public workforce system, education and training providers, local workforce development boards, community-based organizations, and employers—by establishing a repeatable methodology that improves alignment, strengthens partnerships, and helps maximize the effectiveness of workforce and training investments across Oregon.

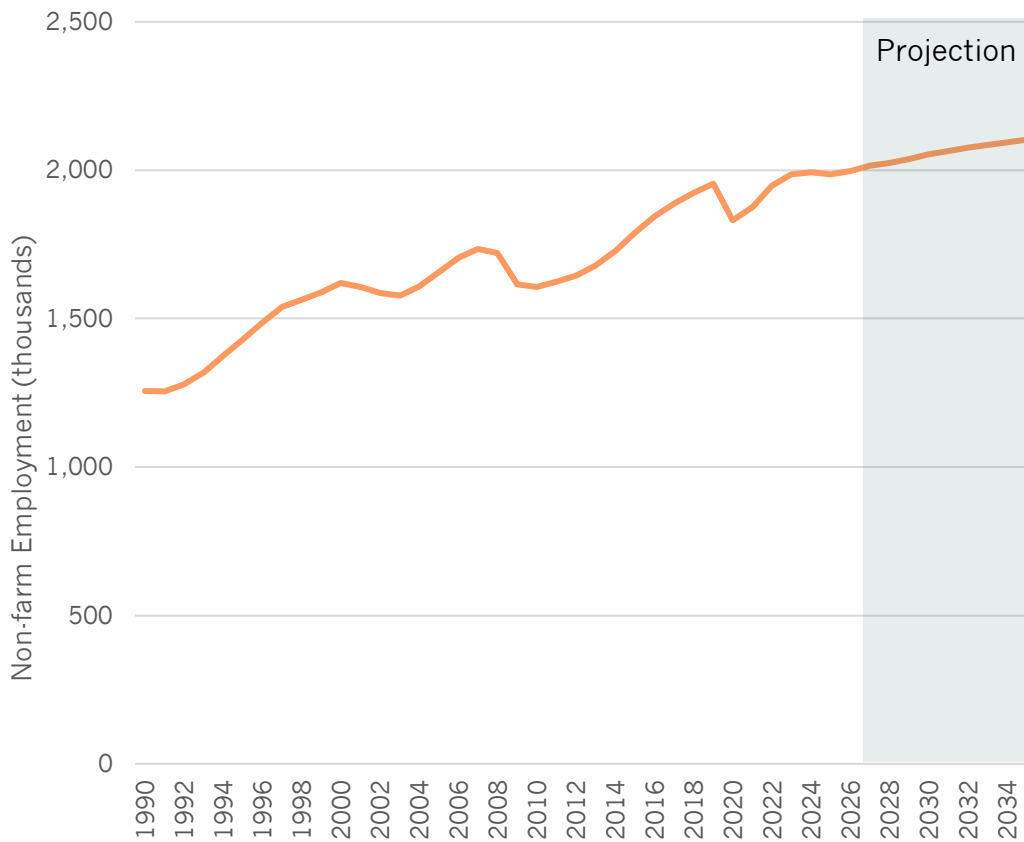


Slowing Employment Growth

Exhibit 1 illustrates Oregon’s employment growth since 1990 and a forecast to 2035. From 1990 to 2025, the average annual growth rate (AAGR) was 1.3 percent. Looking forward, Oregon’s Office of Economic Analysis anticipates an AAGR of 0.6 percent from 2025 to 2035. The forecasted slowdown is attributable to slower population growth, negative natural increase, and weaker net in-migration, compounded by aging-related labor supply constraints.

Oregon Employment Department (OED) projections indicate an average of 260,000 job openings per year across all occupations, or 2.6 million from 2024 to 2034 (not an identical measure to total non-farm employment).¹ This is about 315 openings per occupation per year, on average, though most occupations have fewer than 100 openings annually and many are expected to have fewer than ten openings.

Exhibit 1: Actual and Projected Non-Farm Employment, 1990-2035



Data source: Office of Economic Analysis, March 2026 forecast

¹ OED, 2026



Additional Context

Recent technology and policy developments add significant uncertainty to Oregon’s workforce outlook. Artificial intelligence (AI) is rapidly changing how work is organized across industries, and Oregon’s long-term industry and occupational projections already reflect expectations that AI will increase demand in some fields and slow demand in others.²

Immigration trends also matter: Oregon has long relied on in-migration to support labor force growth, and foreign-born workers make up just over 13 percent of the state’s workforce.³ National net international migration is projected to drop by 2.4 million (88 percent) between 2024 and 2026.⁴

Although this Assessment does not examine AI or immigration in depth, trends in both will shape Oregon’s talent landscape and add additional uncertainty to economic and workforce development efforts. This, in turn, increases the need to respond to and address longstanding duplication of efforts, information siloes, and other systemic challenges highlighted in prior assessments.

Education and Workforce Development Systems

Oregon’s education and workforce development systems have important strengths, but they do not yet function as a fully aligned talent system. The K–12 system, including career and technical education (CTE), needs stronger alignment with postsecondary education and workforce opportunities so students can transition more smoothly from school into training, college, and careers. Across the state, interested parties continue to point to fragmentation among education providers, workforce programs, and employers, which can make the system harder to navigate and less responsive to changing needs. These challenges also vary by region, reflecting differences in industry demand and access to education and training, suggesting a need for both stronger statewide alignment and strategies tailored to regional conditions.

Assessment Purpose

The primary purpose of the 2026 Assessment is to develop a flexible, adaptable methodology for identifying key industry sectors and occupations for use in future biennial Assessments. This report provides a starting point for this methodology, which can and should be adjusted and improved upon in each biennium. As a high-level, periodic assessment of talent, however, this work will not answer all relevant questions with precision. Instead, it provides a launching-off point for industry, state, and regional entities to develop and implement solutions. In addition, the methodology, by design, is based

² <https://www.qualityinfo.org/-/the-jobs-most-likely-to-be-affected-by-artificial-intelligence-in-oregon>

³ <https://www.qualityinfo.org/-/oregon-s-foreign-born-workers>

⁴ <https://www.census.gov/newsroom/blogs/random-samplings/2026/01/historic-decline-in-net-international-migration.html>



largely on publicly available data and efforts to strengthen Oregon’s workforce should also consider private and proprietary sources of information to the extent possible.

The sections of this report consolidate and describe the information and data that support the methodology.

- ◆ **Methodology:** describes goals and methodology development
- ◆ **In-Demand Sectors:** provides the results of industry sector identification
- ◆ **Priority Occupations:** provides additional detail about the methodology and results of implementation
- ◆ **Gap Analysis:** identifies potential training bottlenecks and describes systemwide challenges and opportunities
- ◆ **Conclusions and Recommendations:** outlines conclusions and recommendations



2. Methodology

Goals

The goals of the methodology for identifying in-demand industry sectors and priority occupations include the following. The methodology:

- ◆ Is adopted for future biennial Assessments and supports Workforce Pell program identification and development
- ◆ Initially relies as much as possible on existing definitions and readily available data sources and metrics (doesn't reinvent the wheel)
- ◆ Provides flexibility by anticipating that not every critical workforce need in the coming years can be identified today
- ◆ Provides flexibility by anticipating that the methodology will improve over time

National Scan

Methodology development began with a brief, qualitative survey of relevant national and state-level approaches to identifying key sectors and occupations.

States and regions typically rely on a set of complementary indicators to identify key industry sectors and occupations. Indicators for sector identification include industry size, wages, recent and projected growth, and measures of specialization or traded-sector strength. To identify priority occupations, states and regions rely on projected openings, wages, and advancement potential. Results are then often tested against more current signals—such as job vacancy surveys, online postings, and unemployment insurance claims—and employer and regional validation help confirm that the data reflect conditions on the ground. The scan also showed growing interest in adding job quality and equity considerations so that priority lists reflect not only where demand is strong, but also where jobs offer stable wages and career mobility.

The scan of approaches highlighted the importance of linking industries to occupations, the use of cluster and traded-sector frameworks, and the need to use caution when interpreting findings based on broad application of multiple criteria or highly disaggregated data such as industry concentration measures for smaller regions. Key sources included methodology documents from Washington, Minnesota, and Virginia; BLS guidance on industry concentration and staffing patterns; The Conference Board and Georgetown's Center on Education and Workforce on job-posting data; the Urban Institute on job quality; and federal economic development guidance. Taken together, the landscape scan confirmed the value of a transparent, multi-factor approach for Oregon.



Methodology Development

The methodology ultimately consists of criteria for identifying in-demand industry sector and priority occupations, incorporating quantitative and qualitative data. Based on results of the national scan and review of Oregon-based definitions, we identified concrete, data-informed criteria aligned with Talent Assessment and Workforce Pell needs. This report section provides a high-level overview of the criteria development while the In-Demand Sectors and Priority Occupations sections provide the criteria detail.

Separate from but related to the Oregon Talent Assessment, Workforce Pell is a new federal program for which states are required to develop a list of in-demand sectors and high-skill, high-wage, and in-demand occupations to be updated every two years. Given the overlapping need for definitions, this section provides a high-level overview of Workforce Pell and its purpose and requirements.

Workforce Pell became law as a part of a budget reconciliation bill, H.R. 1, also known as the One Big Beautiful Bill, on July 4, 2025. Workforce Pell Grant awards are a new type of Pell Grant intended for short-term, career-focused training programs that meet defined quality requirements and lead to industry-recognized credentials. The programs must align with in-demand sectors and/or high-skill, high-wage, and in-demand occupations as determined by the Governor and the WTDB.⁵ The WTDB is to advise the Governor on program eligibility, including methodology and development of a list of in-demand sectors and high-skill, high-wage, and in-demand occupations to be updated every two years. Workforce Pell programs must lead to credentials that are stackable toward higher-level education.⁶ Among other criteria, they must have a completion rate of greater than or equal to 70 percent (within 150 percent of the normal time to completion) and a job placement rate greater than or equal to 70 percent (initially any job; by 2028–29, job in field of study).

The rest of this section briefly describes the methodology for identifying in-demand sectors and priority occupations, or those that meet the methodology criteria. It concludes with a description of the data sources used during the methodology development.

In-Demand Sectors

We reviewed and identified in-demand sectors to serve two purposes. First, to support the identification of priority occupations for the Assessment and for Workforce Pell eligibility, and second, to identify candidates for deeper sector-specific workforce studies. Collectively,

⁵ In-demand industry sector: “An industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, and that contributes to the growth or stability of other supporting businesses/industry sectors.” In-demand occupations: “An occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy.” *Office of Workforce Investments and Workforce Pell, Technology Industry Consortium Q1 2026 Meeting, March 4, 2026*

⁶ “Either– (i) Leads to a recognized postsecondary credential that is stackable and portable across more than one employer; or (ii) With respect to students enrolled in the program–(A) Prepares such students for employment in an occupation for which there is only one recognized postsecondary credential; and (B) Provides such students with such a credential upon completion of the program.”



the identified sectors reflect state and regional economic development priorities as well as critical industries that support community and economic development that are not otherwise identified. We reviewed publications about target industries and sectors from Business Oregon, regional workforce development boards, HECC (e.g., annual Future Ready Oregon reports and Oregon Talent Assessments), and economic development districts (comprehensive economic development strategies, or CEDS).

Priority Occupations

The central goal of the priority occupation methodology is to build a transparent, repeatable, flexible process to serve as the foundation of this Talent Assessment and a tool the WTDB and HECC can continue to use in future biennial assessments. At a high level, the methodology accomplishes the following:

- ◆ Identifies priority occupations using clear criteria based on reliable and non-confidential data sources (methodology results should periodically be validated with confidential data, such as the confidential employment data described in Section 3)
- ◆ Embeds equity and regional analysis so that results are inclusive and reflect Oregon's geographic and demographic diversity
- ◆ Incorporates perspectives of interested parties to validate findings and capture dynamics not fully reflected in data
- ◆ Assesses supply-demand alignment by comparing projected job openings with available training and education pathways
- ◆ Documents the process so it can be replicated and improved in future assessments

More specifically, the methodology:

- ◆ Uses OED occupational projections as the baseline for growth and replacement openings
- ◆ Establishes concrete decision rules (e.g., thresholds for growth rates, wages, job quality) to determine occupational status
- ◆ Identifies additional metrics to support further prioritization, including OED job vacancy data and job posting information (specifically, Help Wanted OnLine [HWOL]) and Bureau of Labor Statistics (BLS) benchmarks to detail short, medium, and long-term trends affecting Oregon's employers and workforce
- ◆ Incorporates education and training supply indicators (e.g., program completions from the Integrated Postsecondary Education Data System [IPEDS]; apprenticeship data) to assess whether Oregon can meet projected demand
- ◆ Incorporates occupation-level job quality metrics based on occupational wage distribution, training requirements, and advancement opportunities



The resulting methodology provides definitions of in-demand industry sectors; in-demand, high-wage, and high-skill occupations; occupations with growth potential; and industry-critical occupations.

Equity and Regional Lens

The WTDB’s vision emphasizes inclusive prosperity. The methodology for this Assessment disaggregates findings by race/ethnicity, gender, wages, and geography (region) to highlight disparities in who has access to in-demand careers and characterize workforce dynamics across rural and urban areas. Additionally, it identifies barriers—such as housing costs, transportation, childcare, and limited access to apprenticeships—that affect access to training and workforce participation.

Steering Committee and WTDB Review and Refinement

We presented the draft methodology to HECC staff, the Talent Assessment Steering Committee, and the WTDB (WTDB feedback was collected through a survey). This process tested the clarity and usability of the methodology and its reflection of WTDB goals for rigor, equity, and alignment.

Data Sources

The primary quantitative data used for this Assessment included data from OED, the U.S. Census American Community Survey (ACS), the U.S. Bureau of Labor Statistics (BLS) (forecasts; industry/occupation matrix), the federal Office of Apprenticeship, and qualitative findings from employer interviews from past Assessments and WTDB studies.⁷ Project constraints and difficulty obtaining data prevented us from receiving and using some identified data (e.g., pre-apprenticeship and apprenticeship data from the Oregon Bureau of Labor & Industries [BOLI]). These sources would likely be useful to future Talent Assessments.

Qualitative data collection consisted of document and research review and interviews with employers, industry associations, and local workforce boards.

Methodology Implementation

We applied the methodology to identify in-demand sectors and priority occupations, as described in the following sections. Methodology validation and processes were an important part of implementation to ensure the process can be trusted, verified, and replicated, and these processes should continue as Talent Assessment findings are deployed and updated. The remainder of this section describes the engagement phase of the project that supported the validation process.

⁷ OED data included industry and occupational projections, Quarterly Census of Employment and Wages (QCEW) data, Help Wanted OnLine (HWOL) job postings data, Job Vacancy Survey data, statewide and regional wage information, high-wage/high-skill/in-demand classifications, and the industry/occupation matrix.



Engagement

To maximize the number of interviews possible on the project timeline, the research team invited steering committee members to conduct outreach and interviews within their networks. Business Oregon also generously offered to conduct interviews with employers in their network. The purpose of the interviews was multifold:

- ◆ Share preliminary results of research and analysis
- ◆ Validate whether or not projections and preliminary results align with actual hiring, retention, and other workforce challenges
- ◆ Identify emerging occupations or skill requirements not yet visible in official projections
- ◆ Document discrepancies between data and reported experience (e.g., credential bottlenecks, wage competition, geographic mismatches)
- ◆ Use feedback to refine findings and ensure their credibility

The steering committee provided the research team with names and contact information for suggested interviewees. Project representatives were asked to interview employers, industry associations, and workforce professionals using a shared set of questions to understand whether our preliminary findings reflected current workforce conditions and to identify important gaps in the data.

Representatives from eight industry sectors across the state participated in interviews (22 individual participants): childcare, clean energy/utilities, food and beverages, forestry and wood products, manufacturing, semiconductor/electronics, technology/software, and workforce/economic development. The technology sector had a particularly strong showing among interviewees. Participant roles included executives, technical leaders, recruiters, hiring managers, among others.

During the interview, participants were asked to reflect broadly on workforce challenges, with the interviewer prompting them with the following sub-topics:

- ◆ Occupations that are most difficult to fill
- ◆ In-demand skills
- ◆ Credentials and training programs
- ◆ Wages
- ◆ Retention
- ◆ Place-based challenges

Interviewees were asked if the preliminary results raised any additional questions and to describe how they think the Talent Assessment should be used. External interviewers (Business Oregon and committee members) were asked to report interviewee responses in a report-out survey form.



3. In-Demand Sectors

As described in the previous section, the primary goals for the Talent Assessment’s identification of in-demand sectors are to support identification of sectors, and the occupations they depend on, to highlight in the Assessment, and to serve as potential foci for WTDB attention and efforts in the coming years, including deeper sector-specific workforce studies that fill gaps identified through the higher-level Talent Assessment. In addition, the resulting lists should serve as a foundational input for identification and creation of potentially Workforce Pell-eligible programs.

Approach

To identify in-demand sectors for this Assessment we relied primarily on lists of priority sectors produced by state and regional economic and workforce development entities and, secondarily, on a review of the characteristics of industries not covered by the preliminary list. The focus on synthesizing existing lists serves to leverage, rather than attempting to replicate, substantial efforts across the state to identify sectors that currently or are anticipated to provide significant benefits to Oregon. In addition, including some or all of the identified sectors ensures that the Talent Assessment presents areas of focus that are aligned with existing economic development priorities and investments. The secondary review sought to extend the list of priority sectors to ensure critical industries that support community and economic development that were not otherwise identified in the primary synthesis, such as industries in the care economy, are appropriately considered.

Preliminary List of In-Demand Sectors

To compile the preliminary list, we compiled a list of the priority sectors identified by the following entities, initiatives, and documents:

- ◆ Business Oregon
- ◆ Future Ready Oregon
- ◆ Oregon Workforce Partnership
- ◆ Regional Comprehensive Economic Development Strategies (CEDS)
- ◆ Regional Workforce Boards
- ◆ 2024 Talent Assessment

While the priority lists were reasonably well articulated, we found that priority sectors were identified with various levels of specificity, and that definitions of a sector sometimes varied across publications from a single entity, and that definitions of a priority sector with the same or similar name sometimes vary considerably across entities. While there are often justifiable reasons for these differences, we see an opportunity, through the Talent Assessment, to help economic and workforce development entities standardize sector



definitions to improve system alignment—a longstanding challenge faced by economic development, workforce development, K-12, and postsecondary systems.

We also sought to understand the criteria used for each list of priority sectors. As for the identification of the sectors themselves, we found a wide range of approaches to identifying priority sectors, and wide range of detail available regarding the final choices. At a high level, though, each list reasonably focused on sectors that are relatively highly concentrated in the state or region of the state and that otherwise generate significant economic value, potentially among other criteria.

After compiling the list we aligned industry (NAICS) based definitions across identified sectors with the same or similar names across different sources.⁸ The appendix provides a detailed NAICS definition for each sector described below.

Talent Assessment In-Demand Sectors

In all, we identified 15 in-demand sectors to inform the remainder of the Talent Assessment (see Exhibit 2). Together, these sectors encompass 63 percent of employment in Oregon. The 15 are not mutually exclusive and also include three broad sectors (Tourism, Clean Energy / Climate Tech, and Maritime / Blue Economy) that are defined across many NAICS industries but that may not directly employ all or even a majority of an included NAICS code. For example, Clean Energy / Climate Tech includes a large share of the construction sector because implementing clean energy projects often involves construction firms but not all construction is associated with “clean energy,” and some construction activities could work against efficiency, but distinguishing which firms are involved in which specific activities is not straightforward.⁹ Excluding these broad sectors, the remaining in-demand sectors include 45 percent of Oregon employment.

The 15 sectors range in size from under 10,000 (Outdoor Gear and Apparel) employees to over 300,000 (Tourism). At the highest level, many are somewhat or highly concentrated in Oregon, such as Forestry and Wood Products (LQ=3.1).¹⁰ Others have much lower location quotients but have been identified as in-demand sectors because of high concentrations of constituent subsectors and/or high regional concentrations. For example, Advanced Manufacturing, with LQ=0.7, includes Primary Metals Manufacturing and Commercial and Service Industry Machinery Manufacturing, both with LQ=1.6. Other, less concentrated subsectors are included as important components of the advanced manufacturing ecosystem.

Exhibit 2 provides employment, location quotients, and other characteristics for each of the in-demand sectors. As indicated in the figure, in-demand sectors have slightly higher, by 3

⁸ NAICS is the North American Industry Classification System

⁹ Examples of useful work to distinguish shares of industries doing specific types of work include some estimates for clean energy nationally, and Dean Runyan Associates’ estimates for tourism.

¹⁰ Location quotients (LQs) identify, based on employment levels, the relative concentration of an industry in a region (e.g., Oregon) relative to the industry’s concentration across a broader region (e.g., the United States).



percent, payroll per employee than the statewide average, although average payroll does not necessarily reflect wages or salary for a typical employee in a given industry.

Exhibit 2: Oregon Talent Assessment in-demand sectors

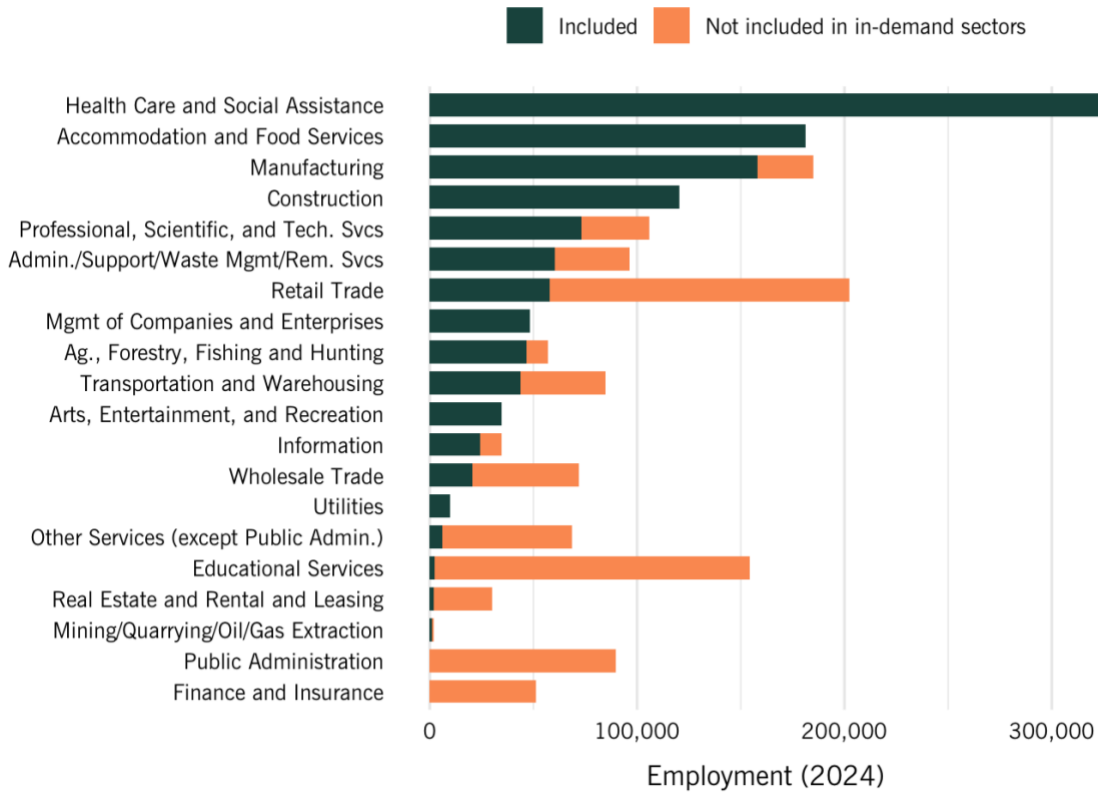
Industry Sector	Employment	Establishments	LQ	Min. Regional LQ	Max Regional LQ	Payroll per Employee	Economic Development		Workforce Development	
							State	Regional	State	Regional
Healthcare	177,435	10,783	0.9	0.77	1.22	\$88,014			x	x
Social Assistance / Care Economy	146,654	15,040	1.4	1.14	2.25	\$43,338		x	x	x
High Tech / Software / IT	121,583	12,696	1.1	0.37	1.73	\$128,212	x	x	x	x
Construction	120,221	19,046	1.2	0.88	1.59	\$82,405			x	x
Business Services	72,337	9,383	1.1	0.21	1.79	\$129,147	x			x
Forestry & Wood Products	49,321	2,289	3.1	0.94	11.06	\$74,769	x	x	x	x
Food & Beverages	40,172	2,055	1.3	0.71	3.30	\$56,133	x	x		x
Advanced Manufacturing	35,826	2,285	0.7	0.15	1.25	\$94,602	x	x	x	x
Design & Media	33,219	6,265	1.0	0.28	1.43	\$102,464	x	x	x	x
Agriculture	42,088	4,097	2.8	0.87	8.99	\$42,879	x	x	x	x
Bioscience	22,787	2,446	0.7	0.15	0.87	\$98,992	x	x		x
Outdoor Gear & Apparel	8,909	678	1.2	0.36	2.49	\$68,494	x	x		
Tourism	304,286	22,566	1.0	0.82	1.51	\$35,590			x	x
Clean Energy / Climate Tech	194,102	22,011	1.1	0.78	1.40	\$101,537		x	x	x
Maritime / Blue Economy	196,226	13,901	0.9	0.81	1.62	\$34,960		x	x	x
<i>Total (No Duplicates)</i>	<i>1,225,318</i>	<i>113,509</i>	<i>1.1</i>			<i>\$71,690</i>				
<i>Oregon Employment</i>	<i>1,952,615</i>	<i>189,671</i>	<i>1.0</i>			<i>\$70,384</i>				

Notes: LQ=location quotient. An “x” indicates at least one state or regional development entity identified the sector as in-demand, target, or priority. Data sources: Oregon Employment Department, QCEW, 2024; BLS; state/regional economic and workforce development reports

Exhibit 3 displays the employment included in in-demand sectors by standard, non-overlapping industry groups, highlighting the types of business activities included and excluded from the in-demand sectors. Exhibit 4 displays the share of employment included in the in-demand sectors for Oregon’s workforce regions, which is lowest in Portland-Metro Area (56 percent) and highest in East Cascades Area (66 percent). The figure indicates that in-demand industries are broadly distributed across the state. Individual sectors are, however, more highly concentrated in some regions than others, as indicated above in Exhibit 2.

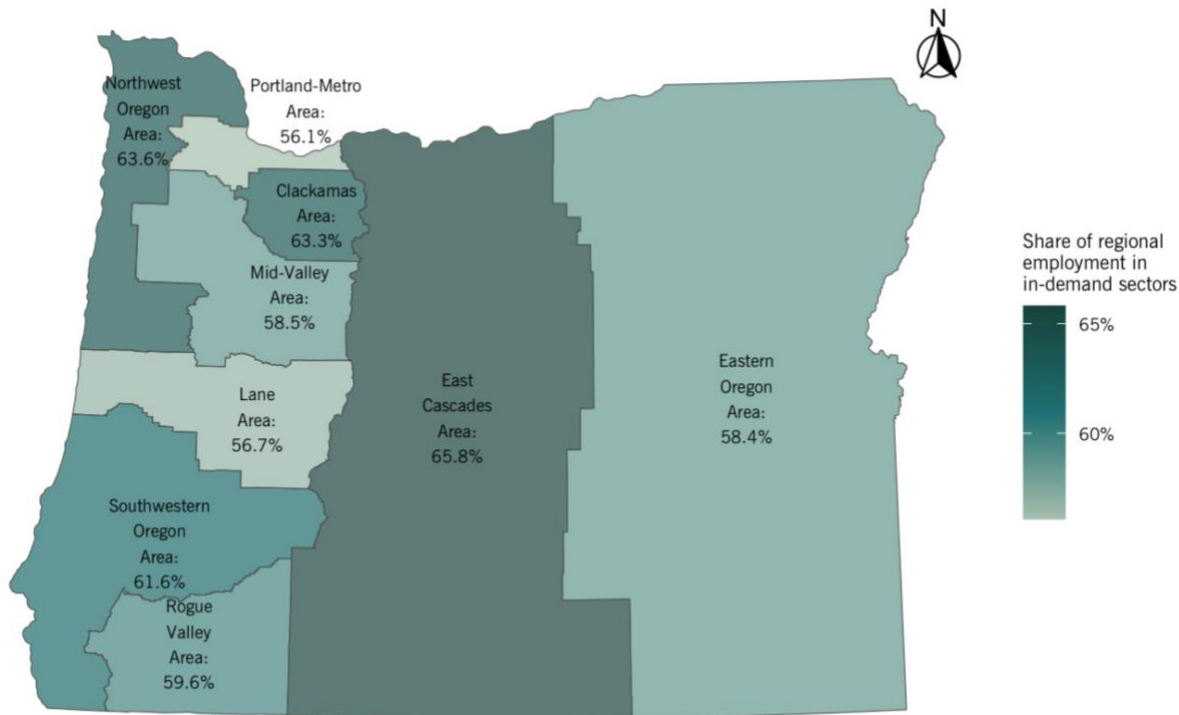


Exhibit 3: Oregon employment, by employment included in in-demand sectors



Data source: Oregon Employment Department, QCEW, 2024

Exhibit 4: Share of regional employment in in-demand sectors



Data source: Oregon Employment Department, QCEW, 2024



Validating the List

As illustrated above, the final list includes all or most of large segments of the economy, although many identified sectors, such as Advanced Manufacturing, include collections of industries defined at a highly disaggregated level of detail. Validating all such definitions was beyond the scope of this Talent Assessment. Instead, for this Assessment, we looked at LQs to assess the appropriateness and comprehensiveness of the identified in-demand sectors. We rely on LQs largely because other industry-specific data such as GDP, which are readily available at the state and substate level for broadly defined sectors, such as construction, are relatively sparse for more-detailed industries, such as shipbuilding and repair (a component of the Maritime/Blue Economy), particularly at the substate level.¹¹

We examined LQs at the state and workforce-region levels by detailed industry for all sectors not already included on the preliminary list.¹² It is conceivable that an as-yet-to-be-identified sector consisting of multiple, linked, detailed industries exists that as a whole deserves extra attention by state and regional workforce developers. We suggest that such sectors, if they exist, are generally better identified by local industry and public sector agencies from the ground up, rather than through the kind of top-down analysis necessary for this Talent Assessment. As a result, we focused on looking for patterns of concentration by detailed industry across multiple regions.

Overall, this effort supports a conclusion that the identified priority sectors successfully describe sectors most would identify as important to state or regional prosperity. We also identified a number of sectors that are relatively concentrated across the state but that are not covered by the list of priority sectors. In some cases, omission is potentially warranted due to characteristics of the workforce. For example, nearly half of employment in the Sporting Goods, Hobby, Musical Instrument, Book, and Miscellaneous Retailers industry (NAICS 459) is retail salespersons, an occupation that typically requires relatively little to no experience for an entry-level position.¹³ Such sectors may have workforce needs the state should support but that did not meet the criteria used in this Talent Assessment. In other cases, circumstances unique to Oregon may result in state or regional sector concentration.

Exhibit 5 identifies four sectors that are highly concentrated ($LQ \geq 1.5$) statewide and that have statewide employment above 10,000 (slightly larger than the smallest sector, Outdoor Gear and Apparel, on the preliminary list). These sectors are diverse and include both public and private-sector industries. As suggested above, industry concentration alone is not sufficient to warrant inclusion but does suggest consideration for additional analysis as a sector of relative importance from an employment perspective.

¹¹ The Oregon employment data used for this analysis are not publicly available but are potentially available to public-sector entities. We obtained these data, on behalf of the HECC, through a data-sharing agreement with the Oregon Employment Department.

¹² Specifically, we looked at the concentration of employment in each geography relative to the nation for all 3- and 4-digit NAICS industries not included in the preliminary list.

¹³ In addition, retail is not a traded-sector industry and thus is often considered a lower priority than manufacturing, a traded-sector industry that brings money and economic activity into a region.



Exhibit 5: Other industry sectors with high location quotients in Oregon

NAICS	INDUSTRY	NUMBER OF REGIONS WITH LQ>1.25	STATE LQ	2025 EMPLOYMENT
459	Sporting, Hobby, Musical Instrument, Book, & Misc. Retail	7	1.50	24,803
813	Religious, Grantmaking, Civic, Professional, and Similar	9	1.63	29,749
923	Admin. of Human Resource Programs	5	1.54	10,794

Note: Oregon consists of 9 workforce regions. Data source: OED

The remainder of this section presents the final set of in-demand sectors identified for this Talent Assessment and provides selected characteristics about each sector.

Workforce Demographics of In-Demand Sectors

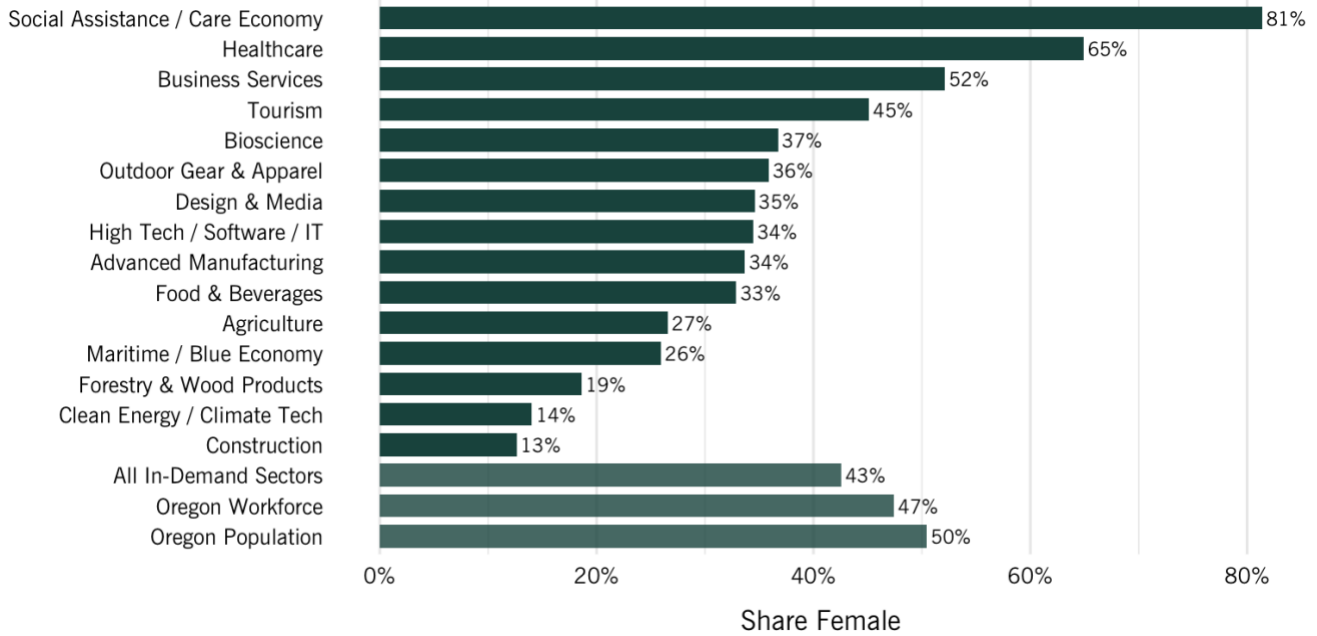
The demographic characteristics across in-demand sectors reflect long-standing and well-known disparities resulting from access to jobs and individuals' occupational choices. As a reflection of state and regional priorities, understanding how a focus on these sectors might enhance or mitigate these disparities is critical to ensure workforce development efforts equitably support individual prosperity for Oregon residents. Identified differences across in-demand sectors and between the in-demand sectors and the rest of Oregon's workforce do not necessarily imply flaws in the State's priorities but rather underscore the need to consider carefully the equity implications of planned workforce development efforts.

Below, we provide a high-level demographic summary of these sectors. As a reflection of state and regional priorities, Exhibit 6 shows the share of employment that is female for each in-demand sector, which ranges from 13 percent in Construction to 81 percent in the Care Economy. Combined, 43 percent of in-demand sector employment is female, compared to 47 percent of Oregon's workforce overall, indicating a slight bias toward industries with relatively more male employment.

Exhibit 7 characterizes in-demand sector employment by race and ethnicity. As in the prior exhibit, this figure suggests a slight bias in aggregate across the in-demand sectors toward a less diverse workforce, with 28 percent of in-demand sector employment identifying as non-Hispanic BIPOC (Black, Indigenous, and People of Color) or Hispanic, compared to 29 percent of Oregon's workforce overall, although the between-sector variation is much greater. Similarly, Exhibit 8 suggests a slight bias in in-demand sector employment toward industries that employ individuals with lower educational attainment compared to Oregon employment overall.

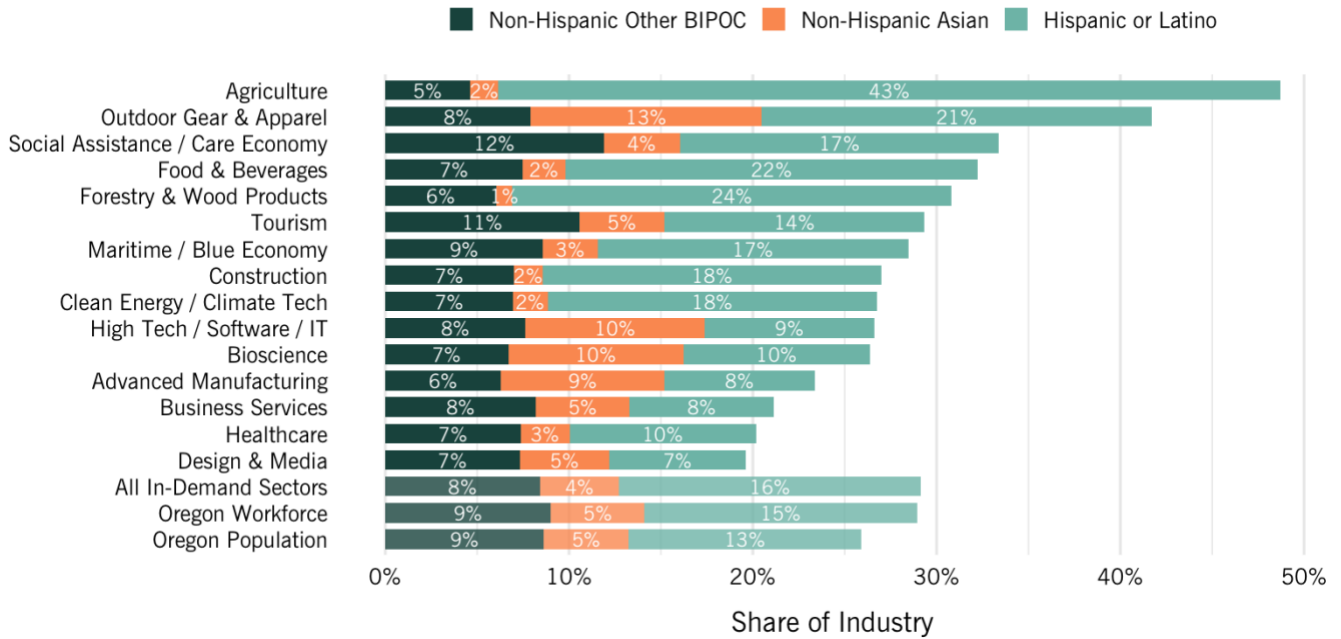


Exhibit 6: Share of employees that are women, by in-demand sector, Oregon



Note: Includes employees ages 16+. Data source: U.S. Census Bureau (2024) ACS 5-year PUMS

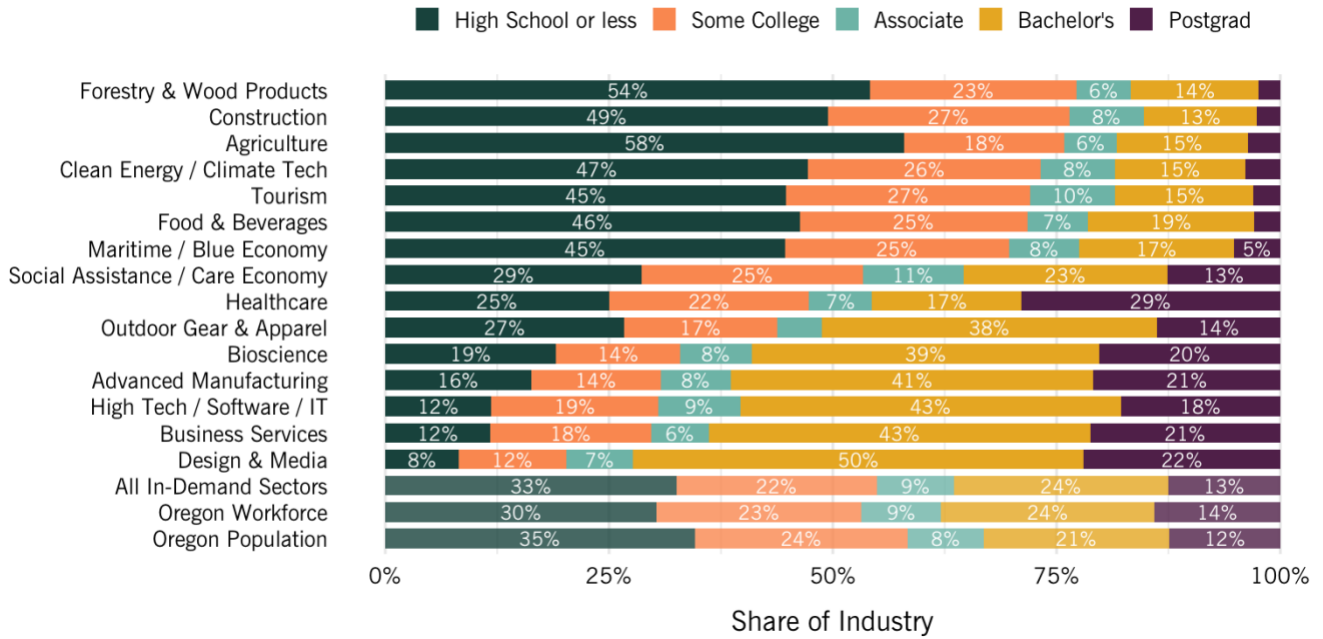
Exhibit 7: Share of employees that are BIPOC, by in-demand sector, Oregon



Note: Includes employees ages 16+. Data source: U.S. Census Bureau (2024) ACS 5-year PUMS



Exhibit 8: Educational attainment of employees in in-demand sectors, Oregon



Note: Includes employees ages 16+. Data source: U.S. Census Bureau (2024) ACS 5-year PUMS

Overall, workforce and economic characteristics of the in-demand sectors do not differ dramatically from those of Oregon’s economy overall. Variation across and within in-demand sectors are more important considerations for efforts to support the workers and employers in these sectors.



4. Priority Occupations

Compilation and analysis of the 15 in-demand sectors provide a characterization of the State's economic and workforce development priorities. However, from a workforce development perspective, not all occupations relied on by an industry are equally important to that industry, and occupations vary considerably in how well they support individuals' paths towards economic prosperity. The information necessary to build workforce strategies to support these sectors, and workers in the rest of the economy, necessarily relies on an understanding of the opportunities available to workers and the training and supports individuals need to access employment in the associated occupations. As such, the priority occupations identified with the methods implemented for this Talent Assessment provide additional, critical structure to inform the State's workforce development strategies.

These occupations should:

- ◆ Provide a meaningful number of job opportunities for employment
- ◆ Support economic self-sufficiency for individuals and families
- ◆ Identify candidates for deeper analysis and/or Workforce Pell eligibility

Approach

Similar to the identification of in-demand sectors, the Talent Assessment methodology seeks to identify occupations that support both economic growth and individual prosperity. As mentioned elsewhere, the methodology will also serve to inform actions related to Workforce Pell-eligible programs. Our approach to occupational identification relies as much as possible on existing definitions and readily available data sources and on selection criteria aligned broadly with those identified in the Workforce Pell legislation. The Talent Assessment methodology proceeds in two steps:

1. Identify occupations that are high-demand, high-skill, and high-wage, based on the criteria defined below
2. Expand the list of identified occupations to include industry-critical occupations identified through additional quantitative analysis or qualitative input from economic and workforce development and industry

Also similar to the list of in-demand sectors, the resulting priority occupation list encompasses a large share of employment in Oregon, covering 54 percent of all employment (33 percent of projected openings) and about 36 percent of employment in the in-demand sectors. A relatively broad, inclusive list such as this provides a useful starting point that describes opportunities that vary in importance depending on specific goals for a strategy. For example, focusing on the lower-wage occupations from the list might be appropriate for



workforce efforts to support the emerging workforce early in their working lives but less appropriate for other purposes.

As an aid to prioritization, the analysis below and appendix to this report provide additional, occupation-specific information decisionmakers can use to rank occupations (e.g., to focus on the highest-wage priority occupations) in the list. Even so, not every potentially relevant data element could be fully considered for this Talent Assessment, and we fully expect the methodology to articulate and incorporate additional elements as interest and conditions evolve.

Criteria and Benchmarks

Exhibit 9 describes the five criteria used to define the priority occupation list and the specific benchmark used to determine whether the criterion is met. It also identifies additional metrics of potential use for ranking occupations within the list. As suggested above, this Talent Assessment does not include information about every proposed metric due to data limitations and other project constraints.

Exhibit 9: Criteria and benchmarks for determining priority occupations

Criteria	Benchmark	Additional metrics
A. In-demand*	Annual openings greater than the statewide median across occupations of 66 (2024 data)	<ul style="list-style-type: none"> • Job postings • OED Job Vacancy Survey
B. High-skill*	<ul style="list-style-type: none"> • Typical entry-level education is postsecondary training (non-degree) or higher; or • Typical entry-level training is apprenticeship; or • Typical entry-level work experience is related work experience or long-term OJT and competitive education requirement is post-secondary training (non-degree) or higher. 	
C. High-wage*	Median annual wage greater than the all-occupations statewide median of \$58,822 (2024 data)	Median wage relative to a living wage
D. Growth potential	Ratio of 75th to 25th percentile wage >1.4 (median across occupations)	<ul style="list-style-type: none"> • Career pathways out of occupation • Other occupational characteristics
E. Industry-critical	Occupational employment is at least 1 percent of a priority sector and the industry accounts for at least 30 percent of employment in the occupation, or expert/industry input indicates the occupation's importance	

*Benchmark aligns with OED definitions



Criteria (A), (B), and (C) align directly with Workforce Pell requirements and their benchmarks align exactly with existing OED definitions. Criterion (D) recognizes that the wage minimum suggested by criterion (C) does not necessarily provide self-sufficiency but that some occupations may provide opportunity for substantial growth in wages with experience. The benchmark, based on the observed occupational wage distribution, serves as a proxy for potential wage advancement within an occupation. Criterion (E) recognizes that standard occupational data and generalized benchmarks such as those in the table can miss important or emerging needs of employers. Our final list includes occupations that satisfy criteria (A) and (B), and either (C) or (D), or that satisfied (E).

Data Sources and Limitations

By design, essentially all data required to evaluate criteria (A)-(D) are produced by OED and publicly available online.¹⁴ Specific sources include 2024–34 occupational projections, occupational wage information, and occupational classification data.¹⁵ OED provided summary data from the Job Vacancy Survey and online job postings data for the additional metric suggested for criterion (A). Other data sources are identified as necessary below. We evaluated criterion (E) with findings from the Talent Assessment engagement sessions and with confidential Quarterly Census of Employment and Wage (QCEW) data obtained through an agreement with the department.

These data come with well-known limitations. Importantly, OED is, reasonably, required to suppress certain data points to preserve individual and business privacy. ECONorthwest, in turn, suppresses output from our QCEW analyses as necessary to comply with OED requirements.

Summary of Criteria

We describe each criterion and benchmark in more detail below, including a brief rationale and summary information about occupations that do or do not meet specific criteria.

A. In-Demand Occupations

Consistent with Workforce Pell requirements and common practice, criterion (A) identifies occupations anticipated to provide a meaningful number of employment opportunities to Oregon residents over time. The selected benchmark aligns with OED’s existing definition of high-demand occupations and, by definition, includes half of all occupations. Because many occupations employ relatively few individuals, however, occupations that meet criterion (A) cover more than 95 percent of the approximately 260,000 openings annually OED projects, on average, over the next decade.

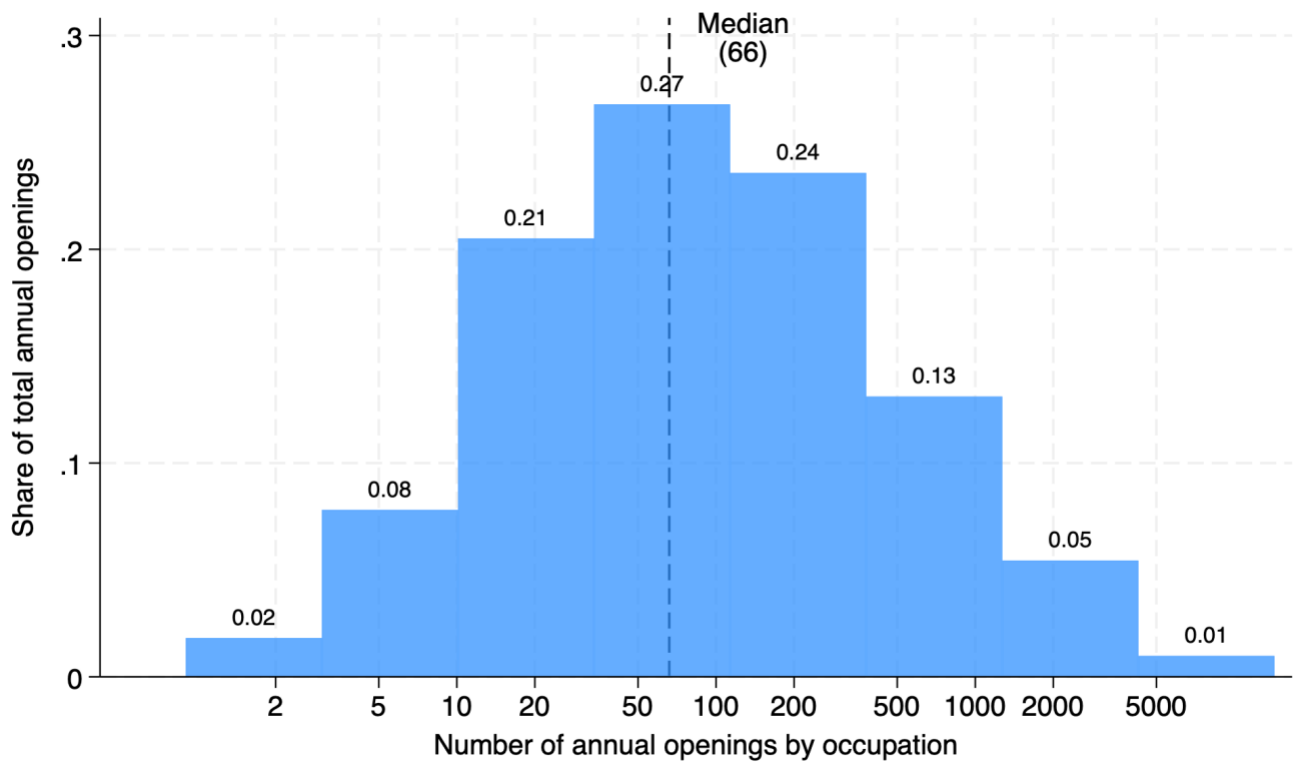
¹⁴ See <https://www.qualityinfo.org/web/guest/data> (accessed April 24, 2026)

¹⁵ Due to required data suppression, not all metrics are available for every occupation. OED provided via special request occupational classification data for occupations that had necessary data suppressed.



Exhibit 10 displays the distribution of openings across occupations as well as the criterion benchmark using a logarithmic scale, indicating the concentration of openings in a relatively small number of occupations. For example, two percent of the more than 800 occupations identified by OED are projected to have only a handful of openings per year (leftmost bar) while one percent of occupations are projected to have thousands of openings per year (rightmost bar), accounting for a much larger share of all openings than the less-common occupations.

Exhibit 10: Distribution of total annual openings across occupations, Oregon



Data source: OED 2024-2034 Occupational Projections

B. High-Skill Occupations

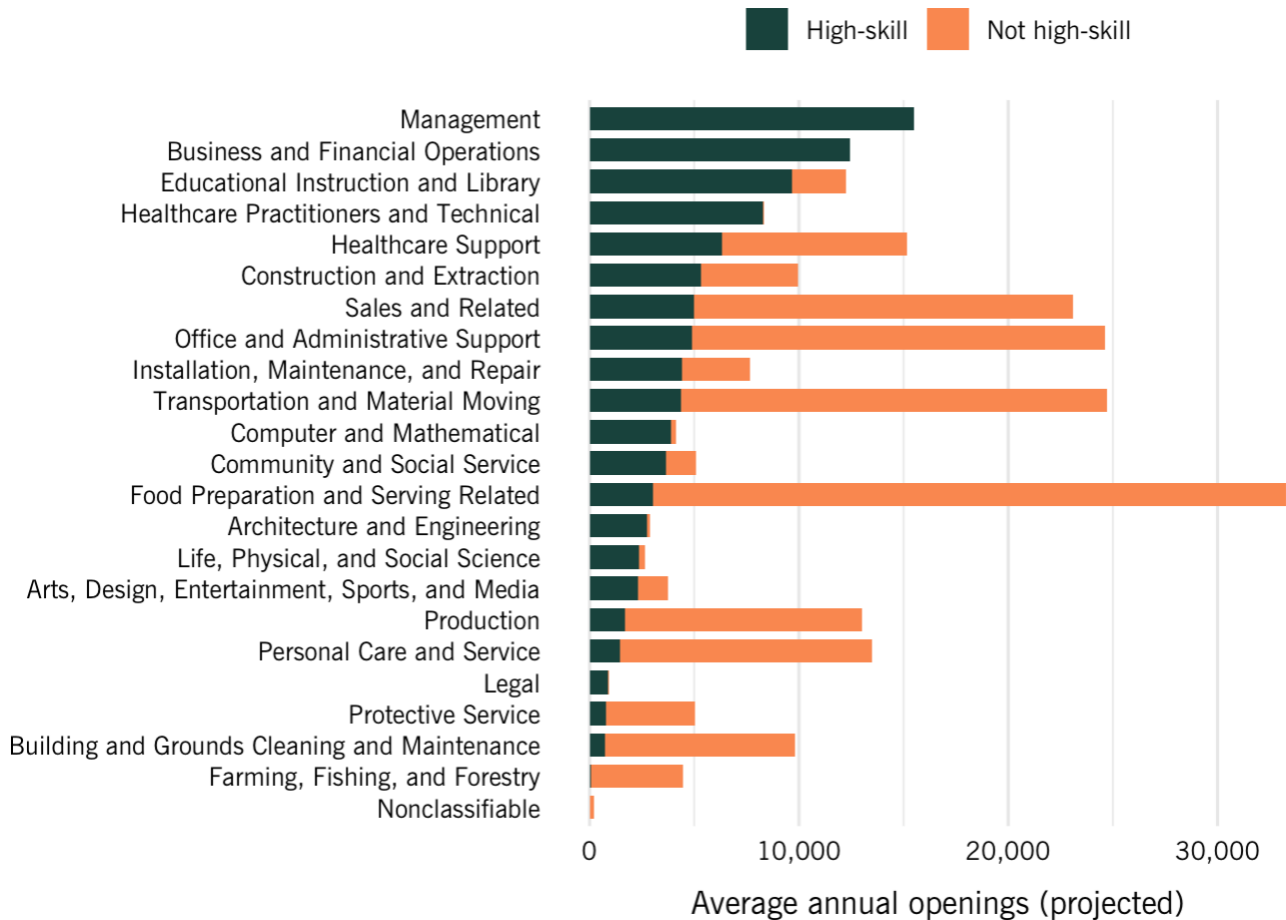
Criterion (B) aligns with Workforce Pell requirements and, again, the benchmark aligns with OED’s existing high-skill definition, which consists of three components, based on several sub-criteria that are based on job education and training requirements. To qualify, an occupation’s:

- ◆ Typical entry-level education is postsecondary training (non-degree) or higher; or
- ◆ Typical entry-level training is apprenticeship; or
- ◆ Typical entry-level work experience is related work experience or long-term on-the-job training (OJT) and competitive education requirement is post-secondary training (non-degree) or higher.



This definition yields 483 high-skill occupations. Exhibit 11 displays the employment associated with these high-skill occupations, by occupational group. All or nearly all occupations in some groups are high-skill (e.g., Management occupations) while many more common occupation types include relatively few high-skill occupations (e.g., Food Preparation and Serving Related occupations). Together, high-skill occupations account for about 40 percent of all annual openings.

Exhibit 11: Employment associated with high-skill occupations, by occupational group, Oregon



Data source: OED 2024-2034 Occupational Projections

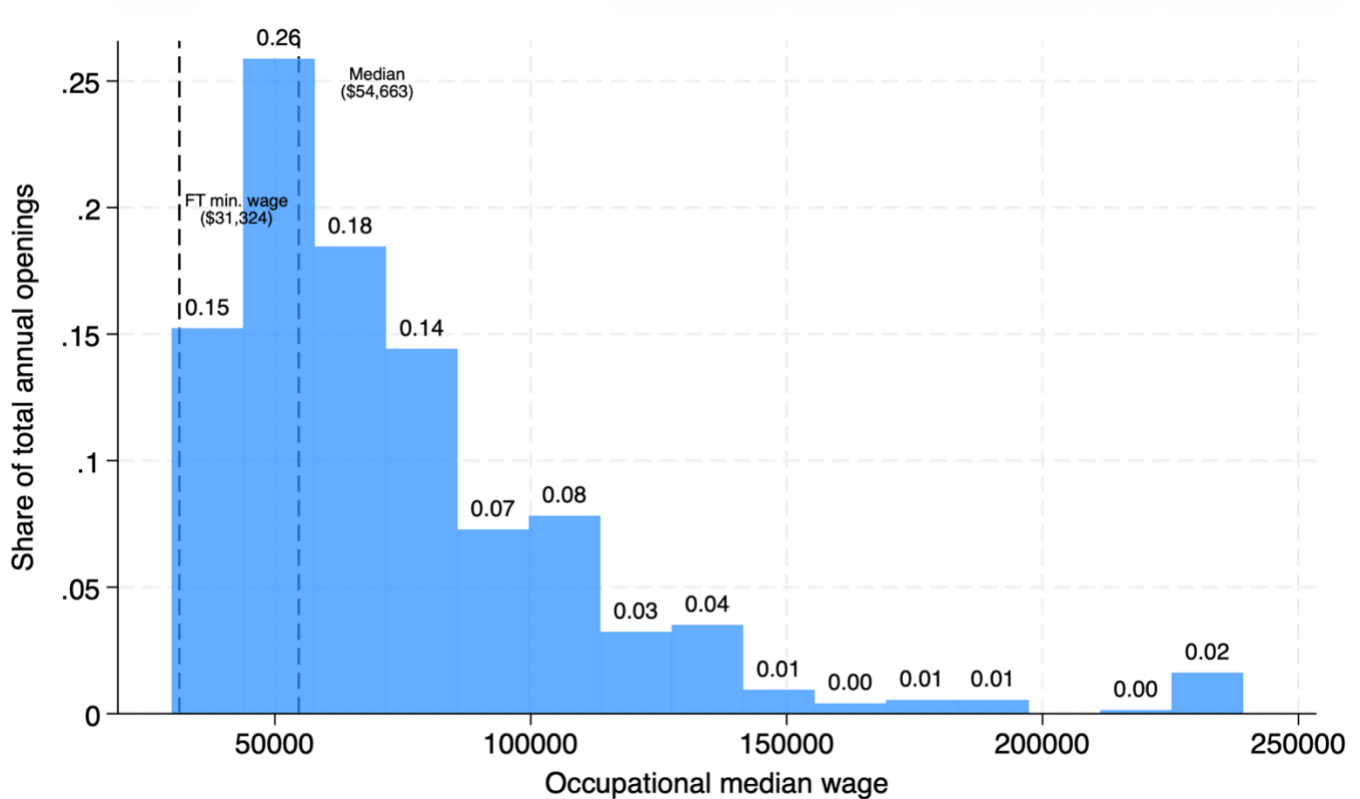
C. High-Wage Occupations

Criterion (C) aligns with Workforce Pell requirements and the selected benchmark aligns with OED’s existing high-wage definition. This criterion is central to assessing whether an occupation is likely to support an individual’s economic prosperity. The criterion benchmark is a median annual wage of \$58,822 in 2024. This is higher than the annual wages from a full-time minimum-wage job (\$31,324), and slightly above the MIT Living Wage estimate for a single adult Oregonian with no children (\$55,037), but far below that for a 3-person family with one child and one adult worker (\$88,899).



In all, 458 occupations meet the high-wage threshold. Exhibit 12 displays the distribution of median wage across occupations (the bars in the chart are labeled with the share of occupations in each wage range). About half of occupations have median wages below the benchmark. In total, however, almost two-thirds of projected openings are in occupations with low median wages because these occupations are relatively common (e.g., waiters).

Exhibit 12: Distribution of median wage across occupations, Oregon



Data source: OED 2024-2034 Occupational Projections and OEWS

D. Growth Potential

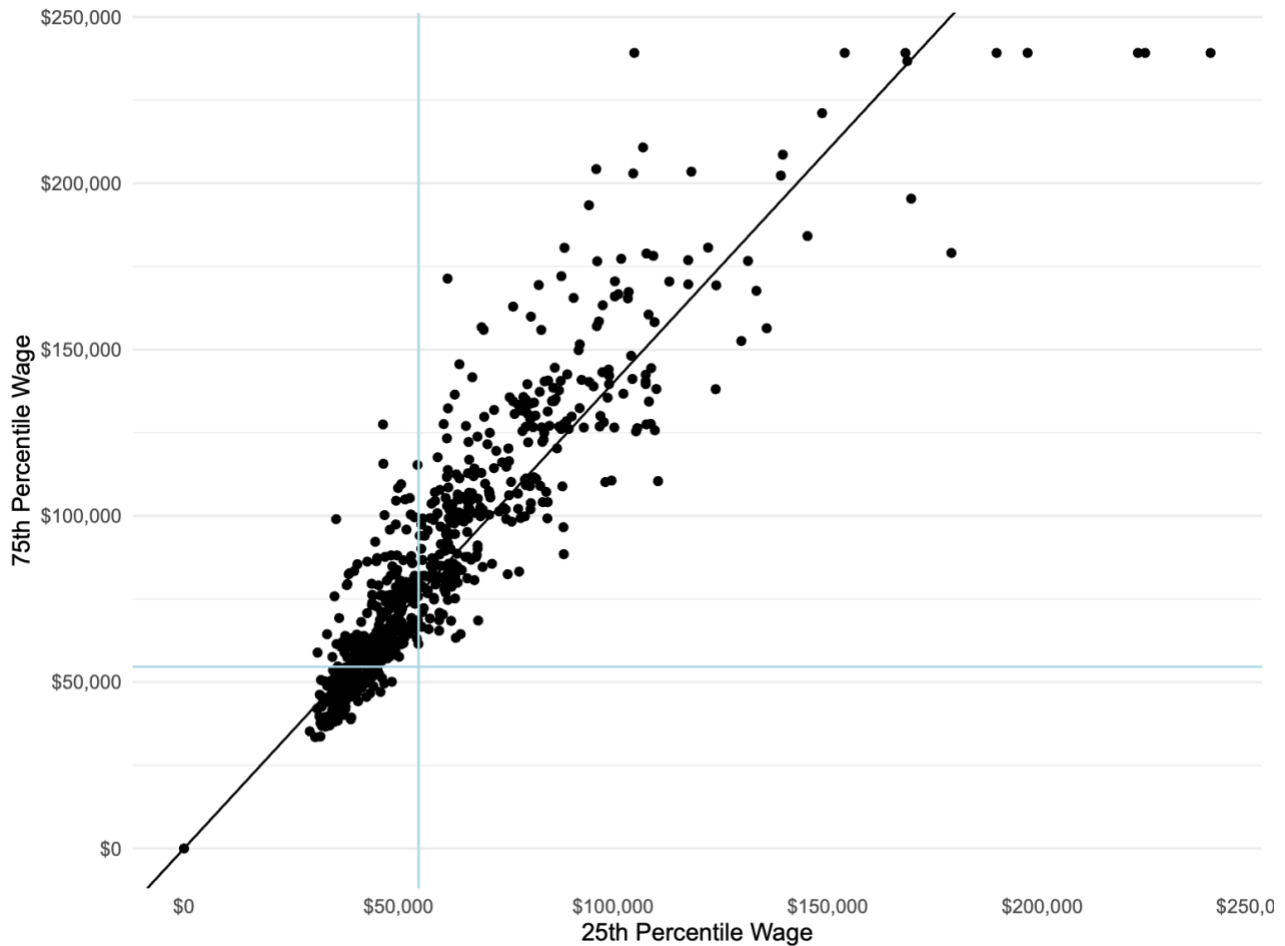
Criterion (D) provides a second perspective on occupational wages. The criterion, which is whether the 75th percentile wage for an occupation exceeds the occupation’s 25th percentile wage by more than 40 percent (i.e., the ratio of these two values exceeds 1.4, which is the median observed across occupations), suggests the possibility of meaningful wage growth as an incumbent gains experience in an occupation.

Exhibit 13 shows the 25th and 75th percentile wages for each occupation. Occupations above the diagonal line in the chart meet the criterion. Those below the line do not. Overall, 314 occupations meet this criterion, accounting for one-quarter of all annual openings. The horizontal and vertical lines identify the overall median wage of criterion (C). Some occupations to the left of the vertical line meet criterion (C). Many occupations in the upper-left quadrant may have low entry-level wages (approximated by the 25th percentile wage) but may provide opportunities for higher-than-median wages as workers gain experience. A small number of occupations that meet criterion (D) have low 75th percentile wages (lower-left



quadrant above the diagonal). These occupations potentially provide meaningful within-occupation advancement opportunities but may not be financially rewarding enough for many individuals as long-term careers.

Exhibit 13: 25th and 75th percentile wage by occupation, Oregon, 2024



Data source: OED Oregon Wage Information, 2024

E. Industry-Critical Occupations

Criterion (E) involves two components that seek to ensure occupations that are important in practice are not omitted from the priority list. The first component involved reviewing employment concentration by occupation and industry. Occupations that account for one percent or more of an in-demand industry’s employment or for which the industry accounts for 30 percent or more of employment in the occupation were considered. We conducted this analysis at the in-demand sector level and for subsectors included in each sector’s definition. This more-granular look is important because critical concentrations of an occupation may not be apparent at a higher-level. The second component added occupations identified through the Talent Assessment engagement.

In all, we added 11 occupations to the priority list. Implications of inclusion for workforce development differ depending on which criteria a critical occupation fails. For example,



emergency medical technicians (EMTs) earn relatively low wages but play a critical role in emergency response, and the State has a strong interest in ensuring an adequate supply of well-trained EMTs. In such cases, making sure EMTs have viable, more-rewarding career pathways is important.

Feedback on the Criteria

As indicated in the Methodology section, we sought feedback on the criteria from the WTDB as well as interviewees. Most of the criteria-specific feedback came from the eight WTDB members who responded to the survey; their responses are summarized below. The comments from interviewees about the criteria were questions about whether and how occupations would be prioritized or ranked, and whether occupations less affected by technology changes might be prioritized because updates to data collection and classification lag changes in technology. Together, the feedback we received about the criteria informed the discussion and rationale presented above as well as the discussion of additional prioritization metrics later in this section.

A) In-demand occupations: Respondents generally supported using OED’s definition. A few expressed interest in restricting the definition (e.g., using the top quartile instead of top half) and/or considering how to incorporate occupations that may not currently meet the criterion but are anticipated to be in-demand in the future.

B) High-skill occupations: Most respondents were comfortable with the OED definition. Some recommended explicitly recognizing CTE, applied competencies, stackable credentials, and emerging skills (e.g., AI fluency) that may not align with traditional credential pathways.

C) High-wage occupations: While some agreed with the benchmark, multiple respondents expressed concern that it is too low. Some recommended using something like MIT’s Living Wage or alternative thresholds (e.g., 75th percentile) and noted that “high wage” language can be misleading compared to “living wage” or growth potential framing.

D) Growth potential: Respondents supported the intent of the benchmark but some found the wage-ratio metric too technical and/or incomplete as a proxy for growth. They suggested complementing it with job-quality and pathway information—how experience, training supports, and employer practices affect advancement—especially in sectors where wage dispersion is common.

E) Industry-critical: Some respondents questioned the specific thresholds used; others wondered if low-wage roles would be prioritized. One recommendation was to combine concentration with scale (e.g., a minimum headcount) to further identify important bottleneck roles.

Additional thoughts (across criteria): Respondents noted the need for an override process if the criteria don’t identify emerging sectors and the need for transparency in decisions about the criteria and any prioritization/weighting. One cautioned against overly rigid high-



wage/high-skill benchmarks that could exclude middle-skill jobs with strong advancement pathways.

Priority Occupation List

After applying criteria (A)-(D) and adding occupations suggested by criterion (E), the priority occupation list includes 209 occupations that encompass about 54 percent of current employment and one-third of all projected openings. Exhibit 14 displays the count of occupations, number of openings, and share of total annual openings under each criterion. Exhibit 15 provides similar information but by occupational group. The appendix provides the full list of included occupations.

Occupations suggested by interviewees that do not meet the high-skill criterion (B) were not included, due to a lack of formal education or training pathways for those occupations. Examples include light truck drivers and childcare workers. Oregon has apprenticeship programs for childcare workers but OED does not currently classify the occupation as high skill.¹⁶

Exhibit 14: Count and characteristics of priority occupations, by criterion, Oregon

CRITERIA	NUMBER OF OCCUPATIONS MEETING	NUMBER OF OPENINGS	SHARE OF TOTAL ANNUAL OPENINGS
A. In demand	402	243,484	96%
B. High skill	483	108,082	42%
C. High wage	458	88,517	34%
D. Growth potential	314	66,743	26%
(C) or (D)	482	95,254	37%
E. Industry-critical	11	5,609	2%
All criteria (deduplicated)	209	84,172	33%

Data sources: OED 2024-2034 occupational projections and reference assignments; OEWS

¹⁶ <https://www.oregon.gov/boli/apprenticeship/pages/trade-details.aspx?trade=Child%20Care%20Development%20Specialist>



Exhibit 15: Count and characteristics of priority occupations, by occupational group, Oregon

OCCUPATIONAL GROUP	NUMBER OF OCCUPATIONS	2024 EMPLOYMENT	AVG. ANNUAL OPENINGS	MEDIAN WAGE (MEAN ACROSS OCCUPATIONS)
Management	28	167,615	15,254	\$114,800
Business and Financial Operations	21	134,196	11,962	\$83,149
Computer and Mathematical	12	55,648	3,655	\$104,010
Architecture and Engineering	16	31,418	2,491	\$95,479
Life, Physical, and Social Science	10	12,226	1,188	\$83,098
Community and Social Service	12	36,664	3,381	\$70,973
Legal	2	13,621	794	\$105,539
Educational Instruction and Library	17	89,680	8,162	\$74,140
Arts, Design, Entertainment, Sports, and Media	12	22,920	2,103	\$83,691
Healthcare Practitioners and Technical	23	99,561	6,470	\$115,435
Healthcare Support	5	36,925	5,567	\$63,432
Protective Service	5	12,552	1,015	\$90,642
Food Preparation and Serving Related	1	3,880	514	\$61,984
Building and Grounds Cleaning and Maintenance	1	2,521	287	\$64,251
Personal Care and Service	1	750	0	\$53,477
Sales and Related	7	39,120	3,311	\$82,484
Office and Administrative Support	5	25,583	2,454	\$63,660
Construction and Extraction	9	56,685	5,243	\$85,134
Installation, Maintenance, and Repair	13	41,706	3,930	\$74,750
Production	5	21,080	2,199	\$66,572
Transportation and Material Moving	4	37,810	4,193	\$75,222
Total	209	942,161	84,172	\$89,675

Data sources: OED 2024-2034 occupational projections and reference assignments; OEWS



Exhibit 16 shows the variation across occupational groups of the share of priority occupation employment in in-demand sectors. Some occupational groups are highly represented in in-demand sectors (e.g., healthcare occupation groups) while some groups are employed largely outside of the in-demand sectors (e.g., protective service and personal care and service occupations).

Exhibit 16: Share of priority occupation employment in in-demand sectors, by occupational group (total occupational group employment in parentheses), Oregon

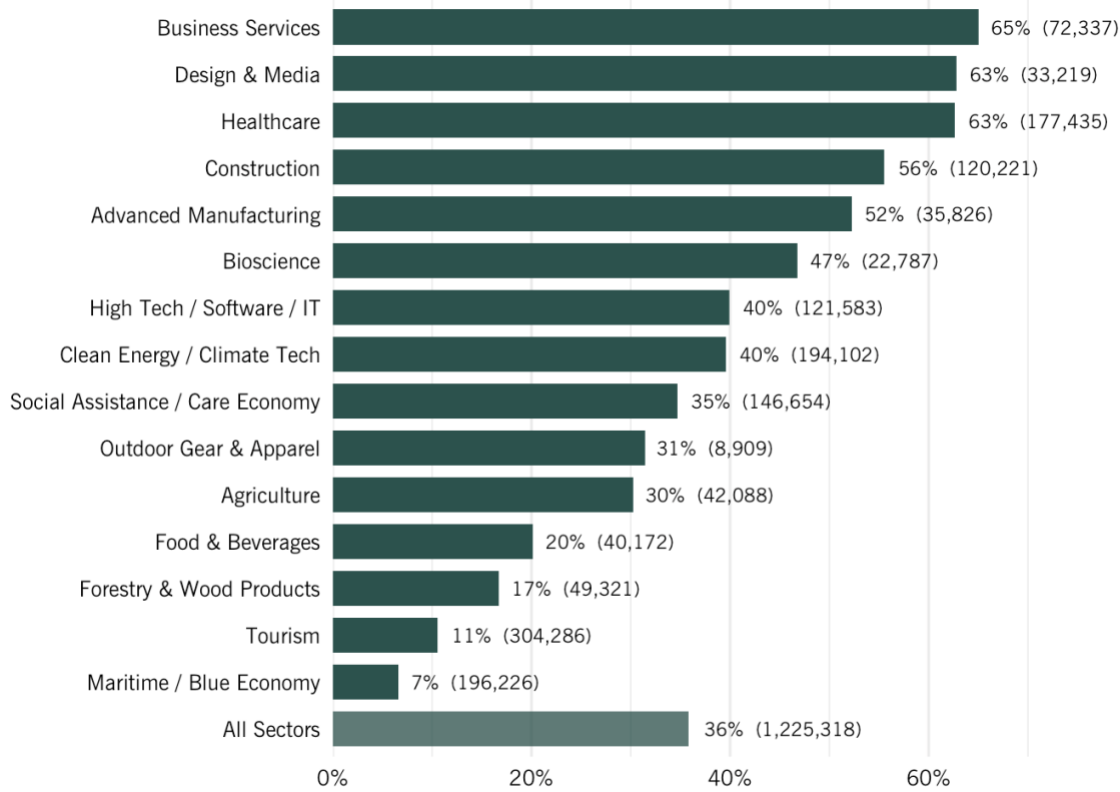


Note: Total Oregon employment of 2.2 million includes self-employment. Data sources: BLS Industry-Occupation Matrix, 2024; OED 2024-2034 Occupational Projections

Exhibit 17 displays the share of employment in each in-demand sector that the priority occupations include. These occupations clearly skew more heavily towards some sectors than others. The exhibit does not indicate the importance of a sector or level of workforce challenges faced by a sector, but it does suggest the potential nature of the challenges. Tourism, for example, has a high share of low-skill, low-wage employment and struggles with recruitment and retention as a result. Advanced Manufacturing, on the other hand, is more reliant on highly trained workers and training pathway constraints play a consequently larger role.



Exhibit 17: Share of in-demand sector employment in priority occupations, by sector (total sector employment in parentheses), Oregon

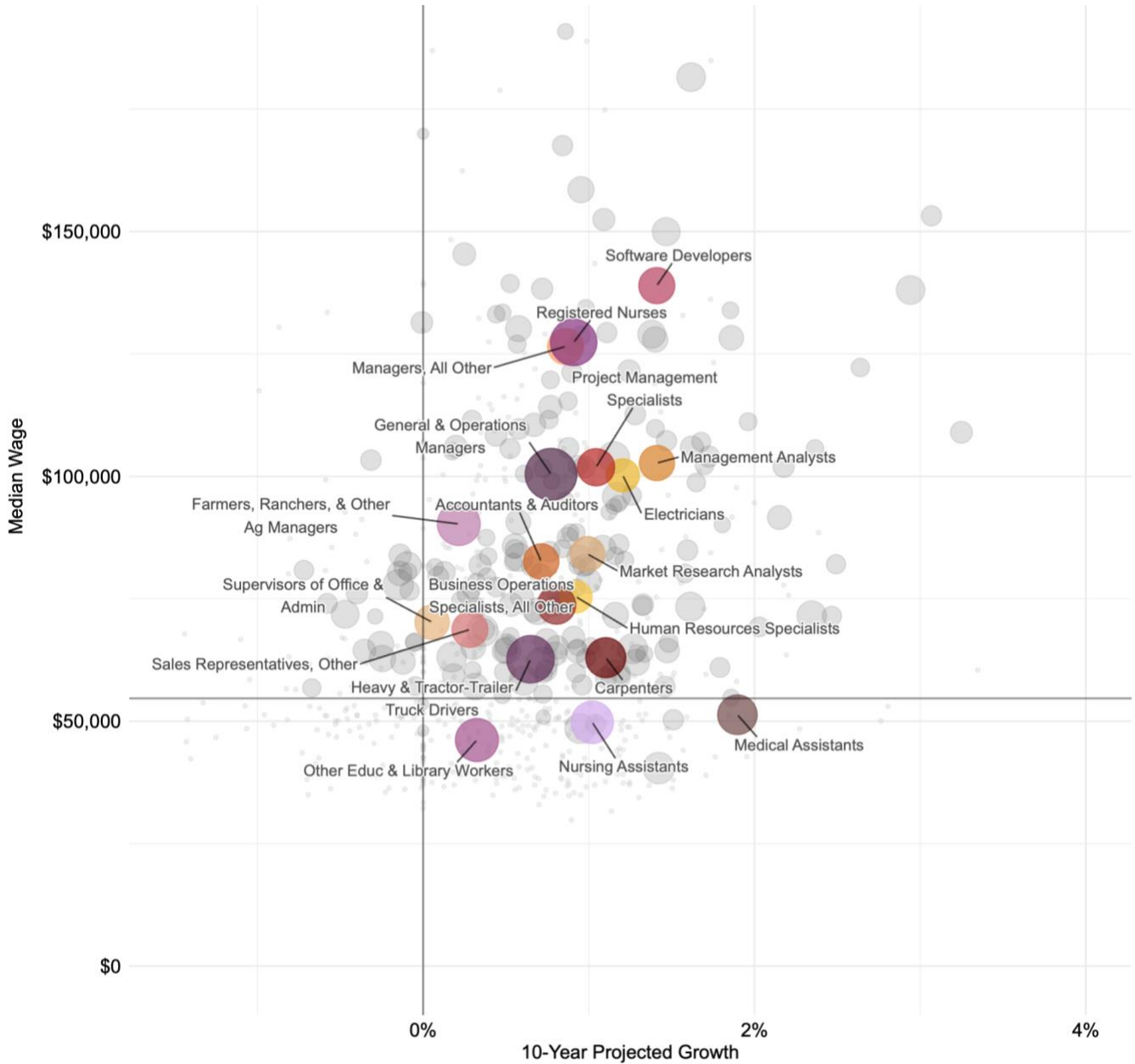


Data sources: BLS Industry-Occupation Matrix, 2024; OED 2024-2034 Occupational Projections

As indicated earlier, the priority occupation list provides a starting point for focusing workforce development efforts. The list criteria are based largely on data from a single year coupled with long-term employment projections. This longer-term perspective provides an appropriate means of assessing broad workforce needs as is intended for the Talent Assessment, but it won't, by definition, capture shorter-term workforce dynamics that the workforce system can address, and the long-term projections themselves can suggest different approaches. For example, rapidly growing occupations might indicate a need for more training capacity, whereas slower growing or declining priority occupations that are still critical for the foreseeable future might require better, rather than new, training capacity. Exhibit 18 illustrates the variation in expected growth across priority occupations with a sizeable number of projected openings. The next section describes additional metrics that could help further prioritize occupation-specific workforce development efforts.



Exhibit 18: Median wage by 10-year projected growth (AAGR) for priority occupations; labeled occupations have at least 500 openings per year (bubble size is openings)



Data source: OED Occupation Projections, 2024-2034. Note: Smallest light grey dots represent all other occupations. Data are suppressed for about 120 non-priority occupations and one priority occupation (Chief Executives). Three priority occupations are outliers and are not shown (Nurse Practitioners, Family Medicine Physicians, and Physicians, All Other).

Additional Prioritization Metrics

The priority occupation list identifies occupations that meet a minimum set of well-defined criteria. Decisionmakers will, however, need to prioritize within this list to allocate scarce resources towards a subset of the priority occupations that meet specific needs. For example, efforts to support a specific in-demand sector should focus on occupations most



important to that sector. To best support emerging needs of employers the state also has an interest in identifying occupations that are in high demand *right now*, even if future demand is more modest. Finally, workers have a clear interest in training that opens opportunities beyond just the next job and in jobs with reasonable working conditions (e.g., regular scheduling) and benefits.

This section describes data that, when applied, can help prioritize within the identified occupations. Some related data elements are included in the appendix for each priority occupation. However, the purpose for identifying a subset of priority occupations will determine the most appropriate prioritization indicators from among many potentially useful sources, and many potentially useful indicators (e.g., job vacancy data) should be evaluated with the most recent data available at the time rather than relying on a static report. The description below provides a starting point for future consideration rather than a comprehensive inventory.

Occupational concentration in in-demand sectors

Much as industry or sector location quotients measure the relative concentration of an industry or sector in a region, calculating occupational concentrations in a sector can indicate the relative importance of an occupation to a given sector. A workforce strategy that targets an in-demand sector could rank the priority occupation list by occupational concentration in that sector using a location quotient-like metric, included in the appendix, that indicates whether an occupation is more or less concentrated in the sector than across all employment.¹⁷ Higher values of this metric can suggest the importance of sector-specific skills. Occupational concentration should be balanced against an occupation's share of sector employment. The occupation tables in the appendix provide both occupational concentration and occupational shares for each sector.

For this Assessment we relied primarily on a national industry-occupation matrix because the corresponding matrix for Oregon available from OED contains significant redactions that make a comprehensive assessment challenging. Sensitivity tests suggest that, where comparisons are possible, the national matrix provides similar results as the OED matrix. However, where possible we recommend using OED's matrix as it reflects Oregon-specific conditions not captured in the national data.

Short-term labor market dynamics

The gap analysis described in the next section helps to identify where occupational demand exceeds the capacity of local education and training providers, using long-term occupational projections and credential output of the State's postsecondary institutions. Supplementing with near-term indicators can help identify potential, more acute, workforce needs. We reviewed three such indicators for this Assessment:

¹⁷ Specifically, an occupation's share of sector employment divided by the occupation's share of total employment.



- **Growth in occupational median wage.** Rapidly rising wages can suggest a low supply of appropriately skilled workers.
- **Job Vacancy Survey (JVS) data.** OED conducts a quarterly survey of employers that asks about positions employers have open and the difficulty employers have in filling each identified opening, and hourly wage. OED provided a JVS data extract for this Assessment.
- **Help Wanted Online (HWOL) data.** OED has access to a database of online job postings that can be analyzed to identify trends in employer need, as expressed in the postings. OED provided an HWOL data extract for this Assessment.

Each of these sources can provide occupation-specific information useful for prioritizing workforce investments. Each also comes with important limitations, some of which we discuss below. Many additional metrics derived from these data, beyond those identified below, are possible, and we recommend further exploration on this front in the future.

The appendix includes two potential measures for each priority occupation: growth rates in occupational median wages and the ratio of HWOL job postings to occupational employment for 2023 to 2025. The HWOL metric provides one measure of employer need relative to workforce size.¹⁸ Because the extent to which employers create online job postings for a position likely varies by type of occupation, change over time is likely more useful than specific levels.

As an example, the State might want to prioritize occupations from the priority list with both strong wage growth and demonstrated employer need for candidates. Applying the two metrics described above, we find five occupations that had top-quartile median wage growth between 2023 and 2024, top-quartile growth in HWOL postings per employee in the occupation, and at least ten HWOL postings per year, identified in Exhibit 19.

Exhibit 19: High wage-growth / high-postings growth priority

OCCUPATION	2024 EMPLOYMENT	AVG. ANNUAL OPENINGS	MEDIAN WAGE GROWTH 2023-24	PCT. INCREASE IN POSTINGS PER OCC. EMP. 2023 TO 2024
Computer Network Support Specialists	2,037	141	5%	30%
Environmental Science and Protection Technicians, Including Health	441	72	13%	14%
Industrial Engineering Technologists and Technicians	927	81	15%	137%
Insurance Sales Agents	5,333	404	9%	9%

¹⁸ We included HWOL as the example, rather than JVS data, because postings counts were available for many more occupations than for JVS. We recommend considering both sources to assess near-term employer needs.



Veterinary Technologists and Technicians	1,656	191	7%	12%
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Data sources: OED occupational projections, OEWS, and HWOL

Career pathways

The Assessment priority occupation methodology incorporates a measure of potential wage advancement—the ratio of an occupation’s 75th percentile wage to the 25th percentile wage. While useful, this within-occupation wage advancement is only a small piece of how individuals advance in their work life. Developing clear, meaningful career pathways that articulate education, training, and employment progressions is critical to creating adequate and appropriate education and training capacity. Clear communication of these pathways to potential workers can help to broaden the pool of potential workers while providing resources for upward mobility, particularly for critical occupations with relatively low wages that might best serve as a stepping-stone to self-sufficiency rather than as an end point, such as childcare workers and nursing aides. On the training side, well-articulated pathways that include stackable credentials benefit workers and employers by providing evidence of skill development as individuals work towards their goals. Such pathways also align with Workforce Pell requirements.

As with job quality below, developing occupation-specific descriptions of education, training, and career pathways was not possible for this assessment but should be pursued in the future. OED currently has access to information about progressions from one occupation to the next. Such data, coupled with data regarding Oregon’s postsecondary pathways, could provide the building blocks necessary to do so.

Job quality

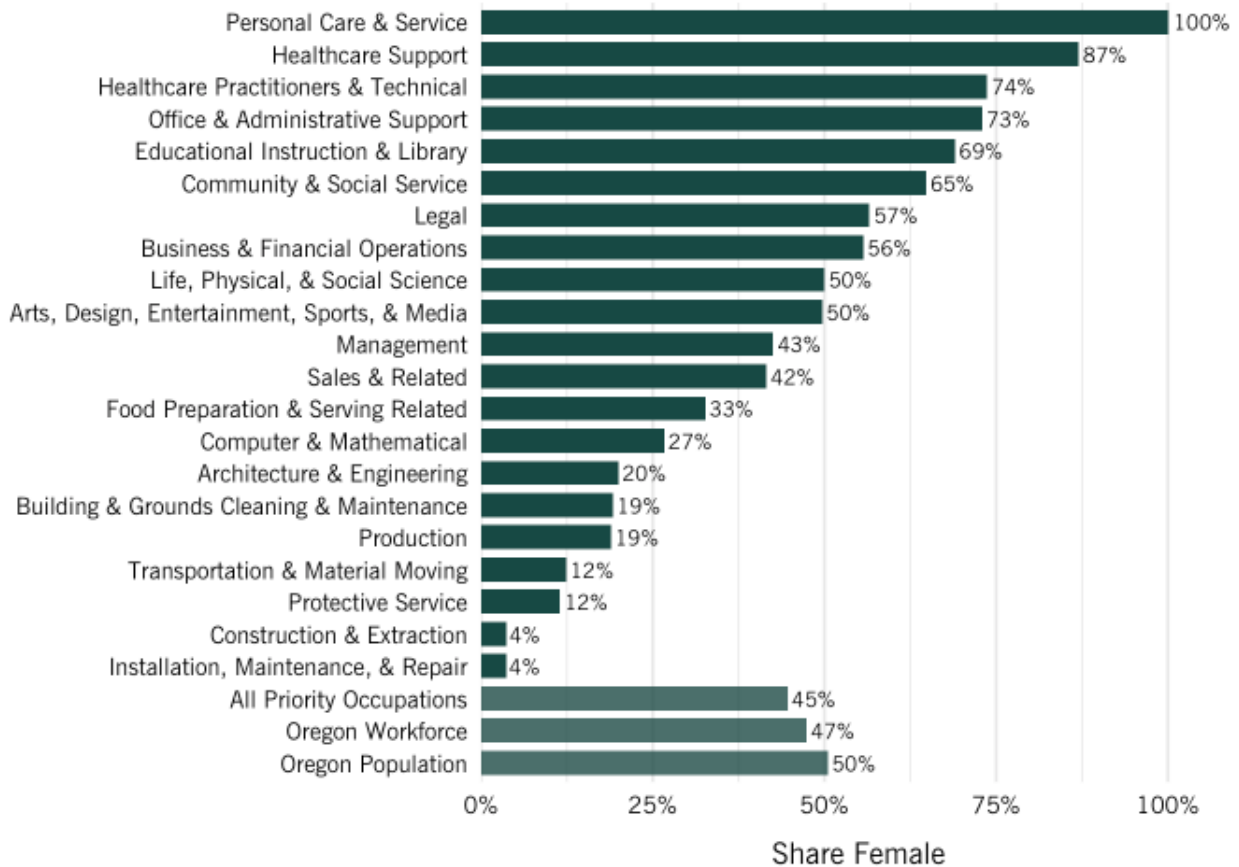
Beyond wages, job attributes such as regular and predictable scheduling and comprehensive benefits packages play an important role in the extent to which a given job adequately supports a worker’s financial self-sufficiency and broader well-being. Data regarding job quality attributes are less commonly available and less standardized than commonly used occupational characteristics such as median wages, but are increasingly recognized as important considerations for workforce development strategy, as illustrated in many of the workforce strategies reviewed for this project. Developing occupation-specific metrics for job quality was not possible for this Assessment. We recommend developing such information as a useful next step to enhance the Talent Assessment methodology. The federal Occupational O*NET program collects a large number of occupational characteristics, including type and location of work, level of exposure to hazardous substances, and many others, and could serve as a useful starting point, supplemented with other, less comprehensive data sources.



Occupational Demographics

As with the in-demand sectors, examining the demographics of workers in the identified priority occupations highlights pre-existing disparities and suggests opportunities to broaden access to these occupations. Exhibit 20 and Exhibit 21, paralleling Exhibit 6 and Exhibit 7, show the share of employment in priority occupations by gender and race/ethnicity, respectively, for broad occupational groups. Also paralleling the analysis by sector, Exhibit 20 suggests the priority occupations are, as a group, slightly biased towards roles with smaller shares of female employment, relative to the workforce as a whole. In contrast, Exhibit 21 indicates that these occupations are less diverse than the overall workforce, whereas the in-demand sectors as a group comprise a workforce with a very similar distribution of workers across broad race/ethnicity groups. Because nearly all of the priority occupations provide relatively high wages, the differences noted above underscore the need to carefully consider equity in developing the associated training pathways to ensure workforce investments do not inadvertently reinforce preexisting disparities.

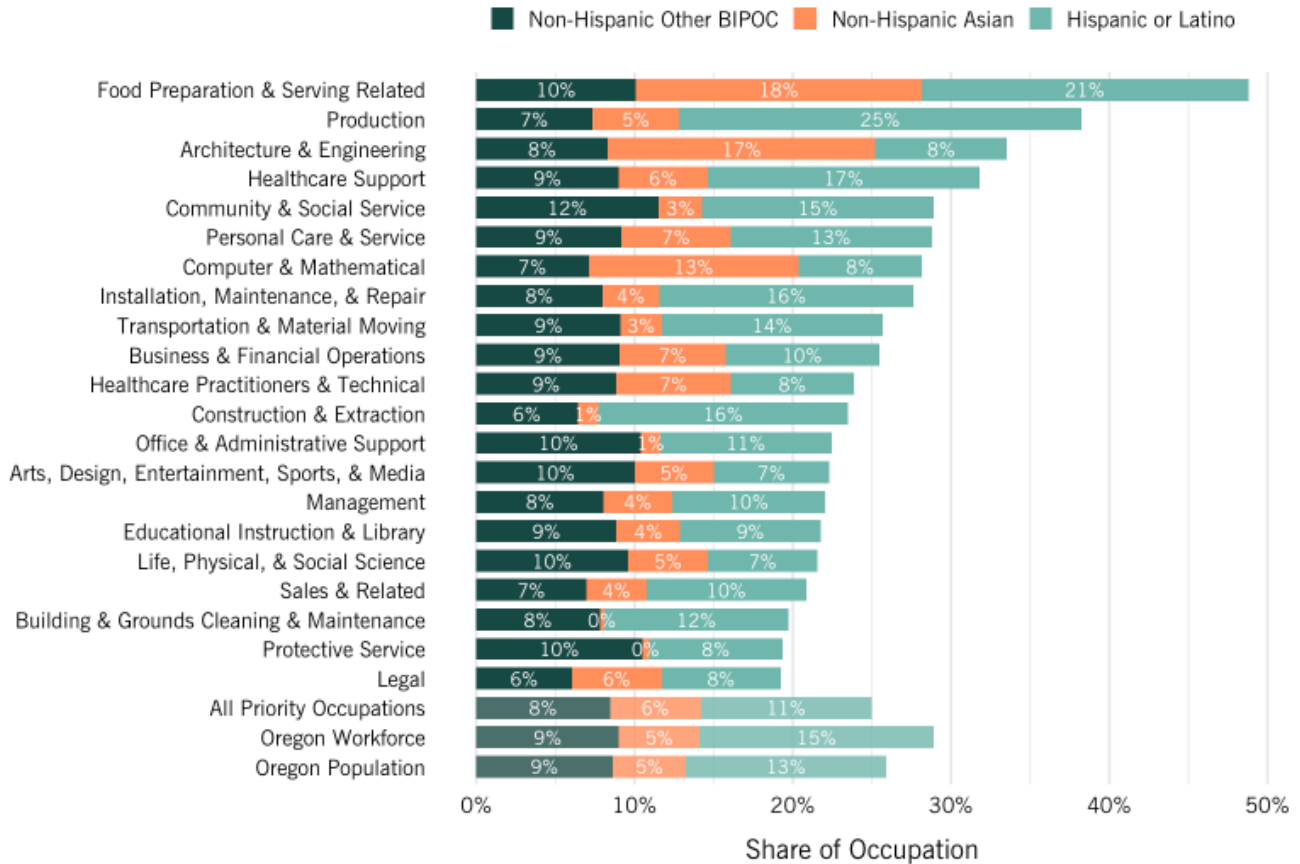
Exhibit 20: Share of priority occupation employees that are women, by occupational group, Oregon, 2024



Note: Includes employees ages 16+. Data source: U.S. Census Bureau (2024) ACS 5-year PUMS



Exhibit 21: Share of priority occupation employees that are BIPOC, by occupational group, Oregon, 2024



Note: Includes employees ages 16+. Data source: U.S. Census Bureau (2024) ACS 5-year PUMS

Exhibit 22 suggests differences in priority occupations, relative to Oregon’s overall workforce, in the educational attainment of incumbent workers. Although attainment varies considerably across occupational groups, workers in the priority occupations are about 60 percent more likely to have a post-graduate degree, about 33 percent more likely to have a bachelor’s degree, and about 40 percent less likely to have no college experience, compared to Oregon’s overall workforce.

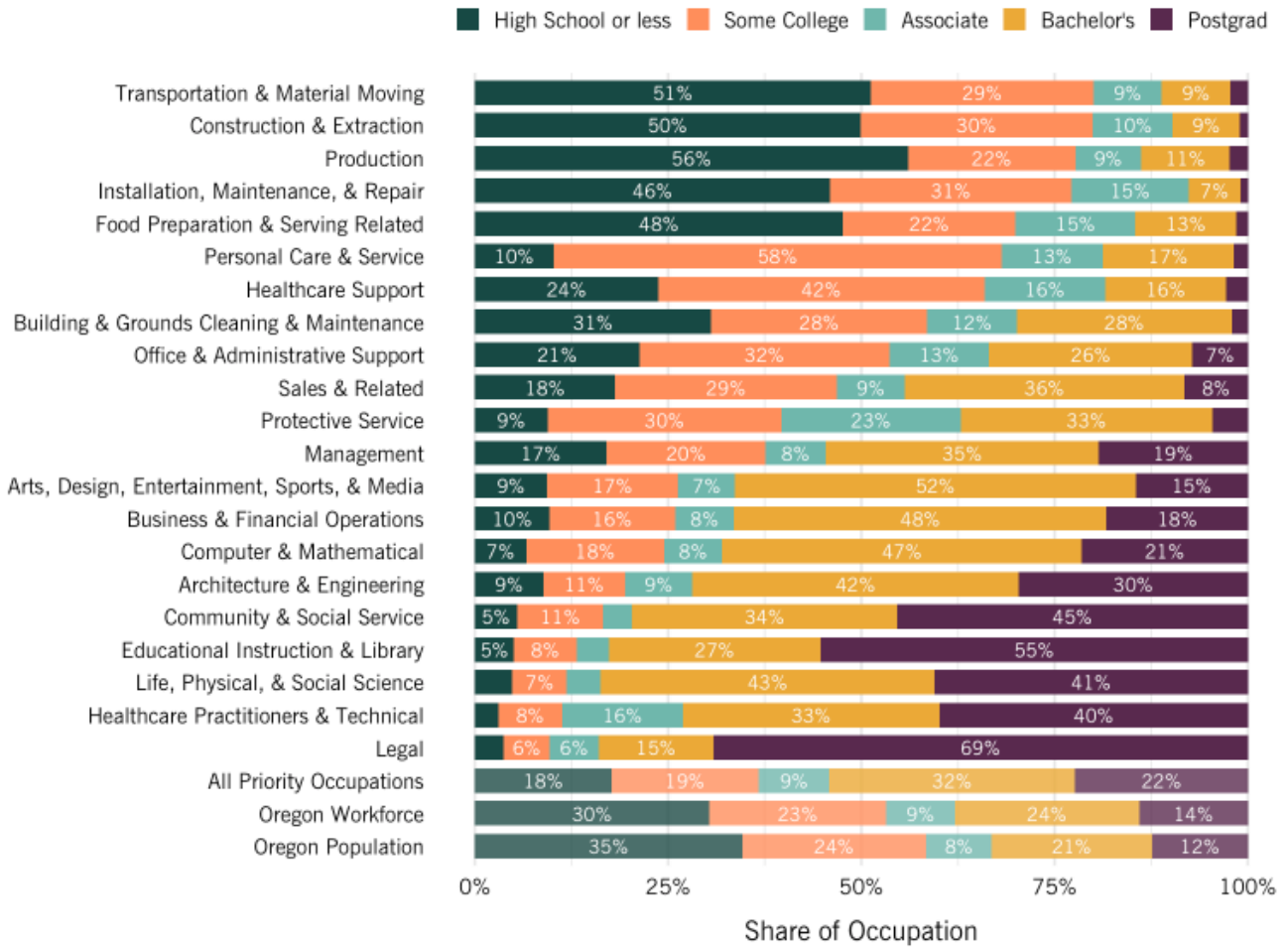
This is due to the high-skill selection criterion but is nonetheless important to quantify because of the intersection of attainment, gender, and race/ethnicity. As Exhibit 23 illustrates, occupations with higher educational requirements tend to have less diverse workers and also tend to pay higher wages. A basic regression analysis indicates that a one percentage point increase in the share of an occupation that is BIPOC is associated with a 6.5 percentage point reduction in the share of the occupation with an associate degree or higher. Similarly, a one percentage point increase in the share BIPOC is associated with median wages that are \$1,002 lower, on average.¹⁹ In other words, under current conditions, BIPOC workers tend, on average, to find employment in occupations that

¹⁹ Coefficients were statistically significant with $p < 0.1$ and $p < 0.01$, respectively. Regressions were weighted by occupational employment.



require less education and pay lower wages than do non-Hispanic white workers, an important consideration for the workforce system at large.

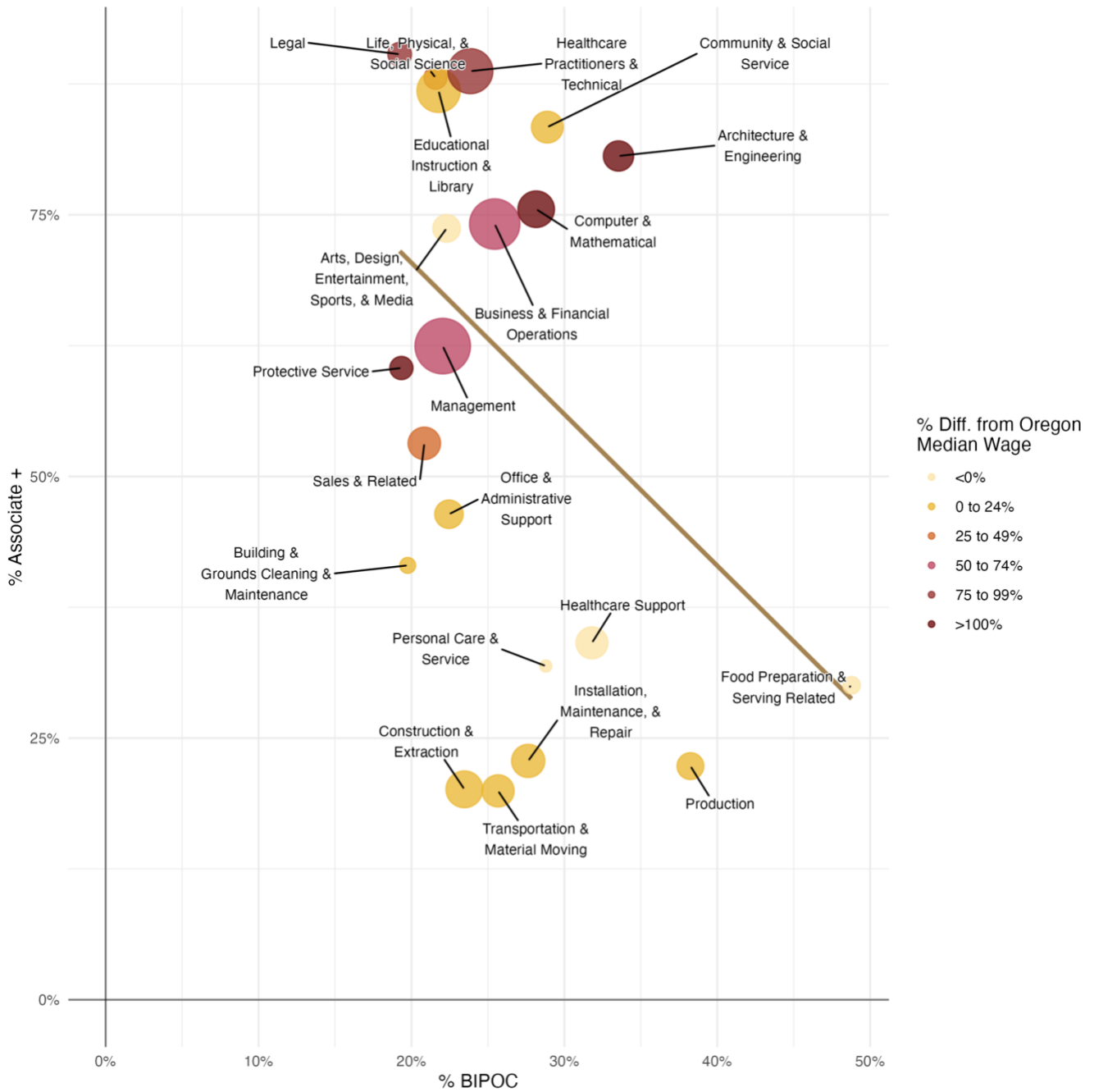
Exhibit 22: Educational attainment of priority-occupation employees, by occupational group, Oregon, 2024



Note: Includes employees ages 16+. Data source: U.S. Census Bureau (2024) ACS 5-year PUMS



Exhibit 23: Less racial/ethnic diversity among jobs with higher wages and educational attainment rates, Oregon, 2024



Note: The bubble size is occupational employment. The trend line is weighted by occupation group employment. Data sources: U.S. Census Bureau (2024) ACS 5-year PUMS; OED 2024-2034 Occupational Projections



5. Gap Analysis

The economy is complex and always evolving. No single approach to occupational analysis, when applied broadly to all types of jobs, will capture all relevant detail for a specific purpose, and no single data source contains all data elements of potential interest for all such reasonable purposes. As stated in the introduction, a central goal for this Assessment was to establish a transparent, replicable methodology that can be improved over time and extended for specific purposes as needed. The goal for the gap analysis presented in this section is similar, to present a framework for characterizing the relative supply of and demand for skillsets associated with the priority occupations as a building block for application-specific analysis that is inevitably needed to implement change in the field.

In this section we first present an analysis based on readily available data that lacks important details. For example, we were not able to obtain detailed apprenticeship information from BOLI for this project, even as apprenticeships are critical to training workers for many priority occupations, particularly in the construction trades, but also in other sectors. Future Assessments should build on and enhance the approach described below.

The section concludes with a summary of the main themes and findings from the engagement phase of the project, which identify gaps, challenges, and opportunities in Oregon's workforce system.

Credential Supply Relative to Anticipated Occupational Demand

The preceding section describes anticipated employer demand for the priority occupations. Pairing this information with data about the supply of trained individuals quantifies the relative capacity of the state's education and training pathways to meet identified needs, providing an important input into short and long-term workforce development strategies. We focus below on the supply of postsecondary credentials for the postsecondary programs associated with each of the priority occupations. We also present information about migration, which can support or deplete local training pathways, depending on net flow of trained individuals in or out of the state. Finally, we describe the demographics of the workforce relative to those of postsecondary completers. Doing so in part underscores longstanding barriers to full participation in the workforce by some populations but this, in turn, highlights areas of focus for efforts that seek to broaden access to priority occupations. Addressing the apparent disparities benefits workers, who may ultimately gain better access to rewarding training and careers, and employers, who benefit from a broader pool of job applicants to recruit from.

To compare credential supply to occupational demand we first connect each priority occupation with one or more postsecondary instruction programs. Some occupations on the



list, such as reinforcing iron and rebar worker, have no associated Classification of Instructional Programs (CIP) code, although an apprenticeship exists and the occupation meets the high-skill criteria. Other occupations are associated with multiple programs, such as project management specialist, which is associated with management programs in distinct fields like business, science, and construction. Some programs, in turn, are relevant to multiple occupations. We relied for this analysis on a national crosswalk that does not necessarily align exactly with programs and occupations in the Oregon data. Future assessments should work to further align these data to the Oregon context for priority occupations.

The second step identifies the number of postsecondary certificates and degrees associated with each occupation that were awarded by Oregon institutions on average, over the most recent five years of data available (2020-2024).²⁰ We assign these credentials to the associated occupation separately for the education levels (entry-level, competitive) associated with the occupation. The final step calculates the ratio of the credential count to the number of job openings associated with the identified programs. We use this broader measure of openings because an employer seeking an individual with a given credential must compete with all other employers seeking the same, even if they are hiring for different occupations and roles.

The result provides one measure of relative system capacity to train needed workers. Exhibit 24 aggregates the result across education level. The appendix provides similar output for each priority occupation separately. Numbers in the chart less than 1.0 indicate that the number of relevant credentials awarded annually falls below the anticipated average number of openings annually over the next decade—lower numbers indicate more scarcity of credentials relative to openings (in practice we see very few examples where the gap metric is greater than 1.0). For a variety of reasons, described throughout this section, the gap metric is not a definitive assessment of capacity but is suggestive of relative shortages and is a better measure for individual occupations.

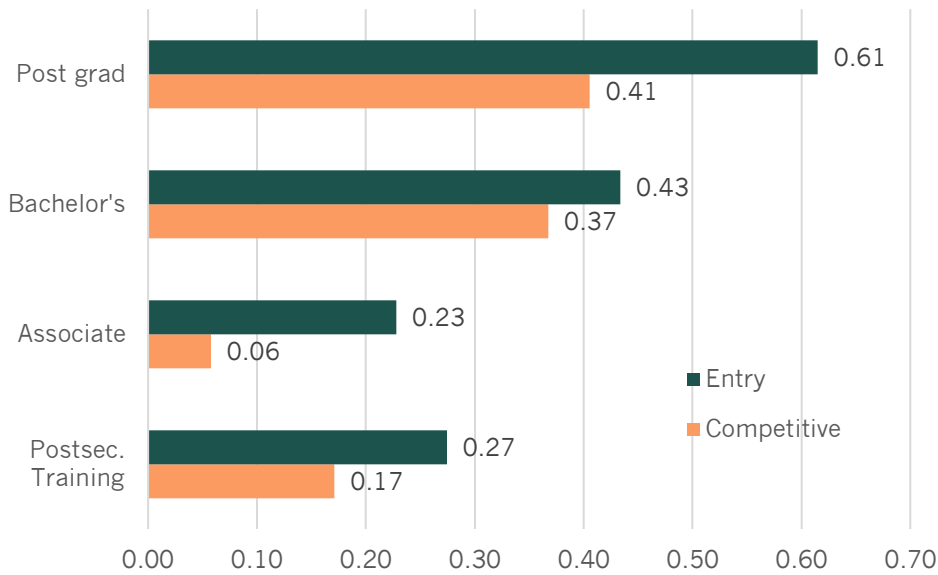
Across educational categories, credentials at the entry-level education level are relatively more plentiful than at the competitive level.²¹ Further, we find relatively better supply for more advanced credentials, indicating that the largest strains on training capacity occur at the community college level, although the gap metric varies substantially across occupations within a credential level.

²⁰ The analysis also includes a limited amount of data on apprenticeship completions from the U.S. Department of Labor.

²¹ Note that the occupations captured in the exhibit's "entry" metrics can differ considerably from those in the "competitive" metrics. For example, we have 23 occupations with an entry-level education level of associate degree and 26 with a competitive education level of associate degree. Only seven occupations have associate degree as both their entry-level and competitive education levels. In addition, the associated number of openings and credentials awarded can vary considerably between entry-level and competitive for the same credential level (e.g., associate degree).



Exhibit 24: Completions per CIP-associated opening, by entry-level and competitive education levels



Data sources: OED 2024-2034 Occupational Projections; NCES IPEDS 2020-2024; U.S. DOL 2024

Exhibit 25 provides additional perspective, aggregating the gap metric by occupational group and education level. Some occupational groups have associated postsecondary programs but few or no options within Oregon (very small numbers in the exhibit). The highest number in the exhibit, 1.34, is for a single legal occupation that has an entry-level education of professional degree: lawyers. This does not mean Oregon graduates too many lawyers but rather suggests that, if all graduating lawyers sought work in Oregon, many would likely be unemployed for a period of time.

Exhibit 25: Completions per CIP-associated opening, by occupational group

	Entry-level education				Competitive education level			
	Postsecondary training	Associate degree	Bachelor's degree	Post-graduate	Postsecondary training	Associate degree	Bachelor's degree	Post-graduate
All priority occupations	0.27	0.23	0.43	0.61	0.17	0.06	0.37	0.41
Management	0.00	0.21	0.40	0.35	0.01	0.03	0.40	0.13
Business & Financial Operations		0.00	0.17				0.20	0.16
Computer & Mathematical	0.31	0.00	0.13				0.16	0.02
Architecture & Engineering	0.55	0.11	0.44			0.20	0.01	0.28
Life, Physical, & Social Science		0.17	0.24	0.31			0.19	0.26
Community & Social Service	0.43		0.10	0.83	0.43		0.26	0.30
Legal	0.00	0.11		1.34			0.00	1.34
Educational Instruction & Library		0.07	0.43	0.70	0.01		0.02	0.48
Arts, Design, Entertainment, Sports, & Media	0.12	0.32	0.53		0.12		0.42	0.00
Healthcare Practitioners & Technical	0.20	0.23	0.29	0.44	0.22	0.22	0.36	0.33
Healthcare Support	0.20	0.28			0.20	0.28		
Protective Service	0.10					0.14	0.11	
Food Preparation & Serving Related	0.08				0.02			
Building & Grounds Cleaning & Maintenance					0.10			
Personal Care & Service	0.57				0.57			
Sales & Related	0.01		0.01		0.01	0.00	0.00	
Office & Administrative Support	0.00					0.02	0.00	
Construction & Extraction					0.29	0.09		
Installation, Maintenance, & Repair	0.20				0.05	0.13		
Production	0.15				0.11	0.00	0.03	
Transportation & Material Moving	0.01	0.33			0.01		0.00	

Note: Blanks indicate no associated programs of study for the priority occupations in a group. Data sources: OED 2024-2034 Occupational Projections; NCES IPEDS 2020-2024; U.S. DOL 2024



In addition to the technical limitations in the data, the gap metric is best treated as a guide to potential shortages and for additional analysis relevant to specific programmatic options. First, no one has a clear crystal ball. OED employment projections are based on the Department's best guess about the future but predicting precisely the demand for over 800 specific occupations is an impossible task, let alone disaggregating these projections by region or other dimensions—they are however, the best information we have. At present, employer demand might be more uncertain than usual, due in part to artificial intelligence changing how work is organized; inputs and assumptions should be updated as economic and labor market conditions change.

The credential award data are a historical census of awards and therefore relatively more precise, but measuring the supply of newly trained workers for specific occupations is also challenging. Migration, addressed in part below, can ease or widen workforce gaps as regional supply depends on who moves into the area and who leaves, and workers do not necessarily seek or find employment where trained. Further, employers compete for talent in an increasingly global labor market, particularly for jobs requiring degrees.

Educational requirements assigned to occupations by OED, BLS, or others are also not perfect. Employers often hire workers with more, less, or different training than formal occupational classifications suggest and instructional-program-to-occupation crosswalks are imperfect. Many occupations do not have a single direct path from program to employment. Finally, as noted above, the credential award data provide incomplete information about known training pathways. Pathways such as industry certifications, credential stacking, and employer-sponsored training can add to supply in ways formal postsecondary completion data don't capture.

Despite these limitations, this type of gap analysis nonetheless helps to identify opportunities to align training programs with future workforce needs through program expansion or new program development. The analysis highlights likely pressure points; however, not all apparent credential gaps require strategic investment. Rather, the analysis provides a data-informed framework to identify emerging issues, interpret employer concerns, and guide workforce planning.

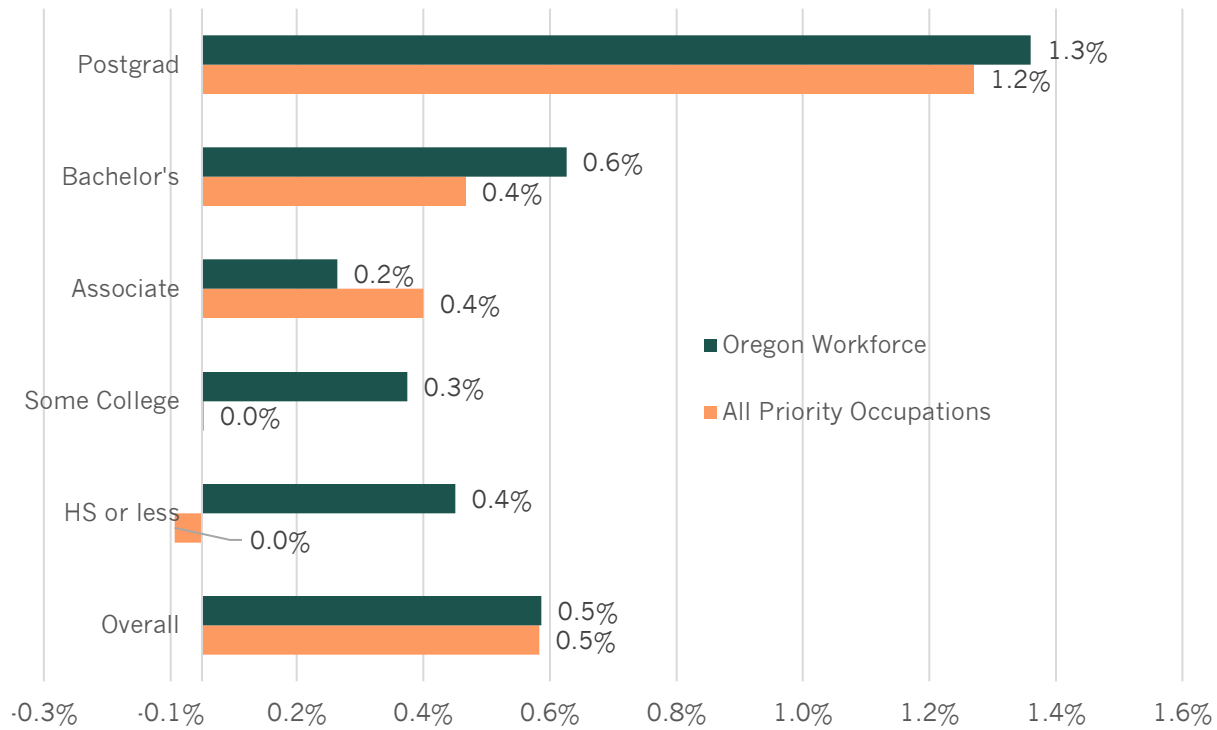
Migration

Exhibit 26 addresses the potential effects of interstate migration on the availability of trained workers. We used ACS data to estimate the share of Oregon's workforce in a priority occupation that moved into Oregon in the prior year as well as the share that moved out of the state in the prior year. The net of these two flows suggests the extent to which interstate migration expands or contracts the pool of available talent on an annual basis. The available data are not sufficient to provide estimates for very many individual occupations and so results are aggregated by educational attainment of the workers. The exhibit suggests that migration of employed workers increases worker supply in priority occupations and across the broader workforce, easing some of the constraints suggested by Exhibit 25, but net in-migration of workers is relatively small except for individuals with postgraduate degrees, and



is essentially zero for individuals with some college or less among priority occupations.²² As with other metrics, net migration likely varies considerably for specific occupations.

Exhibit 26: Net in-migration for priority occupations as a share of current priority occupation employment, by educational attainment of workers



Note: Net in-migration calculated as the number of individuals employed in a priority occupation in Oregon who moved to Oregon in the prior year minus the number of individuals employed outside Oregon who moved out of the state in the prior year, divided by current Oregon employment in priority occupations. Data source: ACS 5-year PUMS, 2024

Demographics

Exhibit 27 and Exhibit 28 compare workforce demographics to those of postsecondary completers of programs associated with the priority occupations. In general, completers are more often women and more racially diverse than employees in the priority occupations associated with the relevant postsecondary programs. Bachelor’s-level occupations for women are the most obvious exception. This suggests a potential disconnect in the pathway from education to career for many individuals.

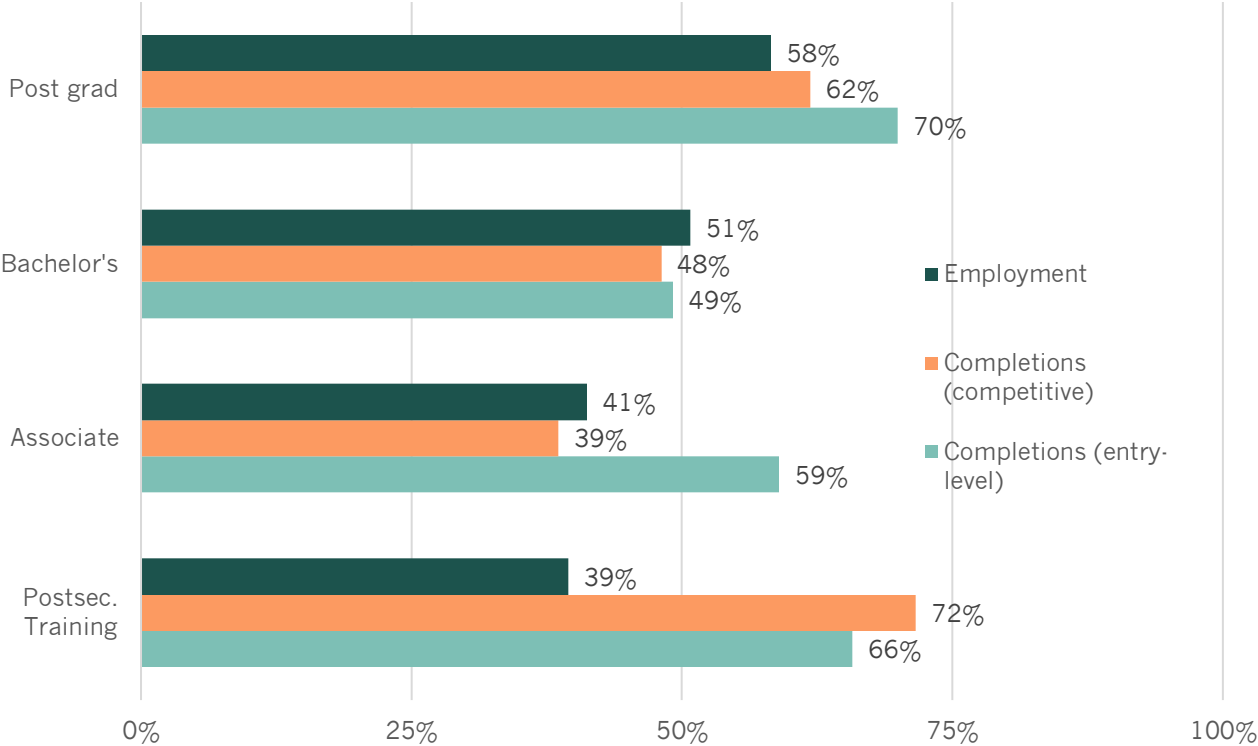
One factor driving this result is likely that the population has diversified and employment has not caught up because less-diverse, older, incumbent workers have not aged out of the labor force. However, findings from the engagement for this Assessment, prior Talent Assessments, and other workforce studies commissioned by the HECC suggest significant barriers in access to training and employment among historically underserved populations.

²² Note that the data do not provide a full picture regarding the potential supply of workers for a given occupation. For example, those who are unemployed and those who work remotely for an Oregon employer if out of state, or remotely for a non-Oregon employer if living in the state.



Understanding and addressing these barriers benefits not only individuals from these populations but also employers, who may be able to overcome existing workforce challenges with a broader pool of potential workers to draw from.

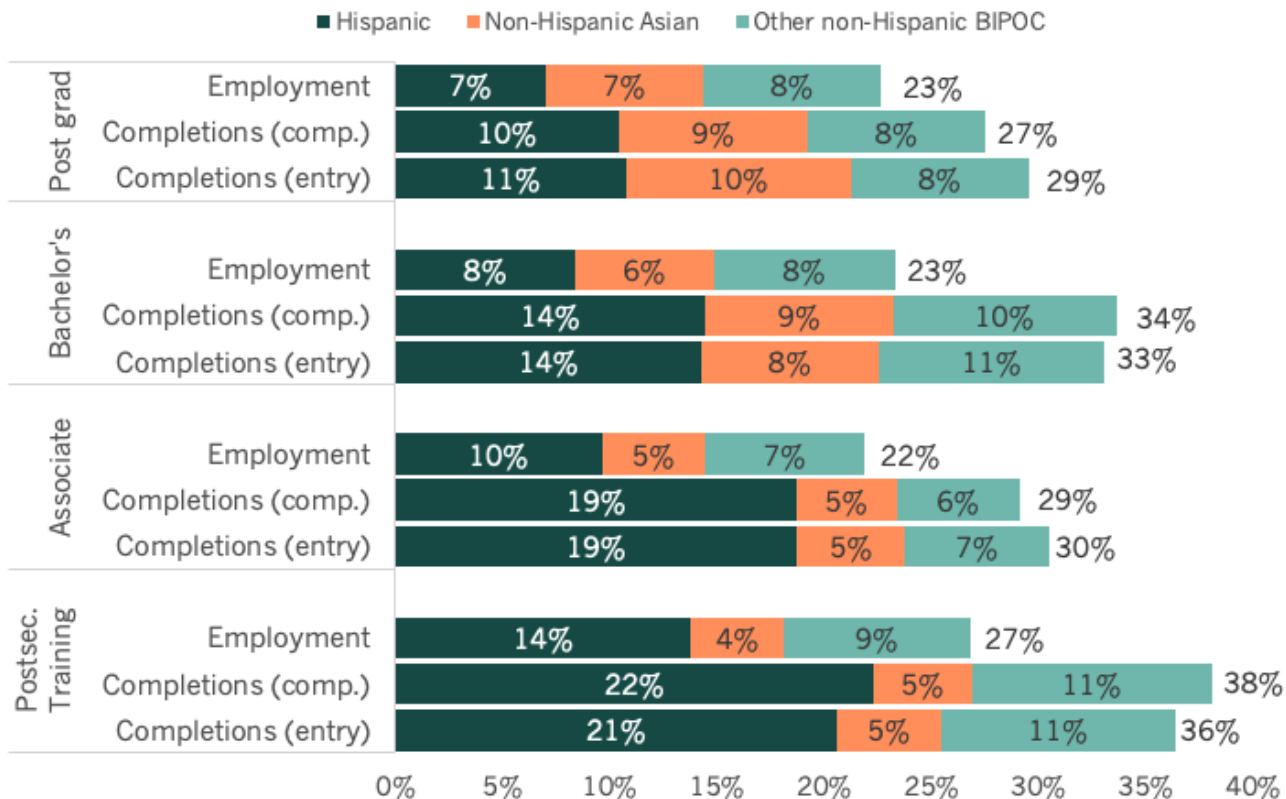
Exhibit 27: Gender (share that are women) among employees in priority occupations versus recent recipients of relevant postsecondary credentials, by priority occupations' education level



Data sources: OED 2024-2034 Occupational Projections; NCES IPEDS 2020-2024; U.S. DOL 2024



Exhibit 28: Race/ethnicity among employees in priority occupations versus recent recipients of relevant postsecondary credentials, by priority occupations' education level



Data sources: OED 2024-2034 Occupational Projections; NCES IPEDS 2020-2024; U.S. DOL 2024

Engagement Findings

As described earlier, the brief engagement phase for this Assessment involved interviews with about 20 individuals, mostly employers working in a variety of industries across Oregon, with a moderate emphasis on the technology sector.²³ Interviewees had a diversity of roles in their respective industries, including executives, technical leaders, recruiters, and hiring managers. This section describes the main themes and findings from those interviews, in three categories. The appendix provides the list of interview questions.

Contextual Factors

Wages are a critical constraint in manufacturing, small business, and entry-level roles.

Particularly in lower wage roles, participants noticed more attrition, as wage competition led to job hopping. One interviewee said, “The trend is simple. Those employers who pay more end up with a more sustainable program. When you pay more you also expect more from your workforce.”

²³ About half of interview participants were based in the Portland metro area, concentrated in technology, clean energy, and semiconductor roles, with the other half from regions across Oregon, including southern Oregon, the Columbia Gorge, and rural or statewide firms or positions not tied to a specific location.



Employers identified a gap in finding workers with mid-level experience. Interviewees noted that entry-level jobs are easier to fill but more difficult to retain because of a lack of job readiness, while retention challenges with mid-high-level jobs are based more on career growth, incentives, and cost of living. Participants also noted difficulty finding employees in skilled trades and technical roles, highlighting shortages in engineering and specialized manufacturing jobs.

Factors beyond training shape the efficacy of workforce development programs.

Constraints underlying workforce programs include housing affordability, lack of childcare, and weak pipelines from K-12 to industry. These limit both worker participation and employer expansion. One interviewee said, “Affordable housing is the number one issue for employees at this facility. The second is transportation and the third is child-care, as a high number of current employees are single parents.” Another indicated that “housing costs are probably the biggest place-based challenge for workers.”

Childcare and early childhood education are foundational to Oregon’s economy, as they enable labor force participation across all industries—“the work that makes all other work possible.” Yet the sector faces persistent capacity constraints driven by staffing shortages in entry-level roles. Interviewees attributed hiring challenges to low compensation and limited benefits amid rising cost of living, long hours, and unclear career pathways, even as the work demands high levels of relationship-building, social-emotional, and cultural competency skills and, increasingly, business acumen in small-center settings. Moreover, narratives that downplay the expertise needed for childcare work reinforce inequities. Many childcare providers are women of color and among the lowest paid; the sector’s stability—and that of the statewide economy—would benefit from clearer advancement pathways, acknowledgment of the sector’s role, and higher compensation of childcare work.

Program-Level Focus

Early exposure and education are key. One interviewee said, “The educational system (K-12 and community colleges in particular) should engage industry earlier and more often. The skills being taught do not match what industry needs. Students don't seem to be able to see non-college pathways to high-wage careers.” Another said, “Local welding training programs do not train more-advanced welding and fabrication techniques.... Perhaps these skills will always be taught by industry, rather than the educational system. Basic skills that schools do teach, and could do more of / do better, include blueprint reading, welding symbol

“Where we’re struggling as a state [is] we’re not starting young enough. Oregon isn’t filling the pipeline – need to look down into K-12 to adequately steer young people into career. Keep up awareness that traditional college is important but also that [career and technical education] is equally important. For as impactful as Silicon Forest is to Oregon, the [CTE] programs don’t seem to be as robust or built out. Should be a priority focus in the Portland metro in particular.”

–Semiconductor Industry Professional



reading, geometry and trigonometry. K-12 schools in particular need to make mathematics important to non-college-bound students. Explain why and how someone not going to college might use geometry to build a good career; include presentations from area employers.”

Workforce development programs should emphasize essential employability skills and focus on industry needs. One participant said, “Inability of entry-level employees to exhibit soft skills has affected retention rates. There are not a lot of employees that self-select out of the company, it is usually due to the employee not being able to exhibit skills such as showing up to work on time and being reliable.” Another reported they’re “not struggling with technical skills, really the struggle is interpersonal – how do you handle conflict in the workplace? How do you maintain composure in the face of adversity, high pressure and stress. Basic ‘how to work in a workplace’ is missing...people can hide behind skillsets.”

Education and training programs often lag industry needs. Interviewees also indicated that education curricula, both K-12 and college, fails to meet industry needs in a timely manner. As a result, employer-led training, short-cycle programs tied to real projects, and incumbent worker upskilling are seen as the only mechanisms to keep pace. Additionally, even when candidates are credentialed, graduates often lack applied experiences to sufficiently complete their job role. Further, employers noted there were not enough robust training programs to bridge that gap. Participants pointed toward apprenticeships and training programs as successful interventions, however, noted that many fail due to inconsistent demand, poor design, and weak employer alignment.

Skills are becoming increasingly important compared with traditional credentials.

Participants reported a shift away from credentials toward applied skills as the primary hiring consideration. The extent to which credentials matter depends on the field, with participants from more technical fields (i.e., engineering, business development, and licensed trades) citing the importance of credentials. While the AI landscape is still evolving, participants noted that AI and digital fluency broadly is becoming a baseline expectation across roles across different industries. Overall, employers are prioritizing human skills such as problem-solving, communication, and reliability. In the tech sector, employers indicated that human skills are consistently the largest deficit in their workforce.

“Credentials are not important. Skills are important. If a credential program is to be created for the welding/fabrication industry, ensure that it actually means something, that people who secure that credential actually have the skills the credential claims. That hasn't always been the case.”

–Manufacturing Industry Professional

Training and financial incentives often improve retention rates; however, they require significant investment from employers. One interviewee explained, “Generally speaking, a lack in internal resources for [training] can drive people to leave. If they don’t have clarity in their job or trajectory, they won’t perform as well and are more likely to seek other opportunities.” Another said, “Long-term incentives have been a good way to retain mid-



senior engineers (e.g., equity, bonuses) making them feel like they are part of the company's success."

System Improvements

Data can and should better, and more frequently, inform workforce decision-making.

Participants reiterated the importance of real-time data to make informed decisions around hiring, training, and overall workforce development, while noting that suppression of data for rural areas limits its usefulness. Participants noted that emerging needs are not captured in the data (e.g., AI integration and hybrid occupations). Beyond the frequency with which data are updated, participants wanted better tracking of outcome data (i.e., placement, wage progression, and skill acquisition). One interviewee said, "The question [is] how AI will affect and accelerate changes in the identified data – is data out of date as soon as it's published? Do we prioritize occupations that are less subject to the tech driven (AI in particular) changes? Are occupations filtered by durability in the workplace?"

The workforce development system is too fragmented. Interviewees, especially those familiar with statewide or local workforce development initiatives, expressed frustration with fragmentation and siloing in Oregon's workforce development system. Participants advocated for a statewide, unified, cross-sector workforce development coordination model, driven in part by the insights of the Talent Assessment, with the authority to consolidate input and standardize practices while recognizing the autonomy of local workforce development boards. One interviewee commented, "We do a lot of studies and not enough implementation." Training program failures often stem from misaligned incentives and poor metrics (e.g., apprenticeships without sustained employer demand). Failures are most visible in new sectors (e.g., clean tech) and cross-cutting areas (e.g., AI) where the pace of training programs lags the rate at which those fields are evolving.

The Talent Assessment should drive policy decisions and action. Interviewees hoped that the Assessment will be used to lead large-scale institutional change (e.g., starting career pipelines during K-12). Participants also wanted the Talent Assessment to prioritize employer-driven training, incumbent worker upskilling, and trades pipeline. Finally, interviewees wanted the Assessment to incorporate broad factors that influence the employee and employer landscape (e.g., tax policy, housing costs, and business climate) as these factors directly influence employer location decisions and thus labor demand.

"Workforce development systems should use this [Assessment] information to rethink how they are currently allocating resources and funds. More emphasis and funding should be put directly into the hands of employers for employer managed training."

–Forestry and Wood Products Industry Professional



6. Conclusions and Recommendations

Conclusions

The 2026 Oregon Talent Assessment provides a methodological foundation for a more aligned workforce strategy. Using the methodology, the Assessment identified 15 in-demand sectors, 209 priority occupations, potential credential gaps, and equity considerations to guide future investment. The methodology intentionally casts a relatively wide net to thoroughly describe the range of industries Oregon invests in and range of occupations that support the state's prosperity. As a result, the sector and occupational lists provide a menu of options rather than a prescriptive road map. The report proposes and discusses additional metrics that should be used to support decision making, including indicators of scarcity such as recent wage growth, job vacancy, and job postings, as well as measures of job quality.

The Assessment demonstrates the need for—and begins to provide—stronger alignment in terminology and approach to identifying priority sectors and occupations, estimating training capacity, and addressing employer needs and the barriers workers face. Oregon should maintain and refine the Assessment's repeatable methodology, use the findings to move from analysis to implementation, and focus investments on training quality, public-private partnerships, articulating and developing advancement pathways, and supportive services. Equity, access, job quality, and retention should shape every strategy so more Oregonians can enter, advance, and remain in careers that offer competitive wages, stability, and opportunity.

Recommendations

The following recommendations are based on the analysis and findings described in this report, organized into three categories: System Alignment, Data and Methodology, and Gap Mitigation and Equity Improvements. The work plan for this Assessment did not include a strategy or action plan with responsible actors or timelines but we recommend the development of such a plan. This Assessment is concluding just prior to planned transitions occurring in Oregon's workforce system, that of some workforce programs, including Title 1 and WTDB programs, transferring from HECC to OED as part of the OED Customer Service and Workforce Strategies Action Plan.²⁴ These changes are intended to better integrate statewide workforce strategy with the State's core labor market infrastructure—employment services and labor market information—while maintaining strong alignment with education and training partners.

²⁴ <https://www.oregon.gov/employ/Agency/Pages/Customer-Service-Workforce-Strategies-Action-Plan.aspx>



The transition aligns with several of the recommendations below and reinforces the emphasis on using OED’s projections and other workforce datasets as a foundational base for this methodology and translating findings into coordinated actions across workforce, education, and economic development systems. A strategy or action plan should include actors, timelines, and accountability frameworks for each component, to ensure continuous improvement in Oregon’s workforce system.

System Alignment

Work toward a statewide, unified, cross-sector workforce development coordination model that considers the roles of the Workforce and Talent Development Board, state agency leadership, the Governor, and other workforce partners, driven in part by the insights of the Talent Assessment, with the authority to consolidate input and standardize practices while recognizing the autonomy of local workforce development boards. The model should ensure coordination with state economic development agencies and efforts to ensure alignment of public-sector initiatives that support economic prosperity.

Use the Talent Assessment to drive implementation across systems. Use the Assessment to set shared priorities across education, workforce, and economic development agencies, with clear ownership and follow-through. That work should also account for housing, childcare, transportation, and other barriers that limit worker participation and employer expansion.

Put essential employability skills and digital fluency at the center. Employers consistently pointed to reliability, communication, problem-solving, conflict management, and workplace readiness as major gaps, and they increasingly view AI and digital fluency as baseline expectations. Workforce programs should emphasize these skills alongside technical content. The Oregon Employability Skills Curriculum, a collaboration across industry and education experts in Oregon, is an open-access resource designed to help Oregonians learn and develop skills through hands-on learning and in-class experiences as they transition from school to the workforce.²⁵

Move toward skills-first pathways while protecting credential quality. Employers increasingly hire for demonstrated skills, but credentials still matter in many fields. Oregon educators and training programs should collaborate with employers to understand in-demand skill sets and job-relevant competencies and how to teach them well while maintaining the integrity of occupation-specific education and training.

Align education and industry earlier, especially in CTE and technical fields. Employer involvement in K-12 (especially high school) and postsecondary curriculum design could help bridge some of the gaps described by industry representatives. Students also need

²⁵ <https://www.oregonemployabilityskills.org/>



earlier exposure to noncollege pathways and clearer examples of how classroom learning connects to real careers.²⁶

Expand work-based learning and employer-led training. Engagement participants stressed the need to invest more in CTE, apprenticeships, short-cycle training, and incumbent worker upskilling, prioritizing programs with sustained employer demand and clear measures of quality. Programs that are weakly designed or poorly aligned with employers are less likely to produce durable results.

Focus on retention and advancement in mid-level and hard-to-fill roles. Employers described persistent gaps in mid-career talent, skilled trades, engineering, and specialized manufacturing, and they linked retention to wages, training, career growth, and long-term incentives. Oregon should prioritize evidence-based strategies that help employers keep and grow talent, not just recruit entry-level workers.

Data and Methodology

Continue to improve data collection about industry structure, composition, and training and education pathways. Accurate, comprehensive accounting of sectors' operations is key to workforce planning and attracting and informing future workforce investments. Several in-demand sectors, such as tourism and clean energy/clean tech, are reasonably easy to define in plain language but not easily characterized using standard industrial and occupational classification systems, and are applied with different definitions across the state. Through collaboration among state and regional workforce and economic development entities, standardizing and refining data collection for these sectors would improve accuracy and reliability of efforts like this Assessment. OED has devoted resources to more precisely defining employment in the forestry and wood products sector than is possible with standard data sources alone. Similar efforts to standardize definitions across in-demand sectors would support system alignment.

Continue coordinating with OED on terminology and benchmarks to improve statewide consistency and support Workforce Pell efforts. Clarity and alignment of terminology across agencies are fundamental to streamlining and improving workforce development in Oregon, and resolving current misalignment should be a priority. The high-wage definition, for example, was seen by some as too low, and by others as excluding important occupations. One suggested approach to the latter concern would provide an exception to the high-wage definition, in which credentials that do not lead directly to a high-wage occupation are nonetheless part of an articulated pathway that is associated with a high-wage occupation. More generally, addressing the former concern, the State should work to align expectations and definitions rather than commit to alternative, potentially conflicting,

²⁶ See the Oregon Semiconductor Talent Assessment for an example of an educational ladder framework intended to illustrate pathways between education and industry.
https://www.oregon.gov/highered/strategy-research/Documents/Reports/Semiconductor_Talent_Assessment_Jan2024.pdf



criteria. This alignment is also critical to facilitating development of and maintaining Workforce Pell-eligible programs.

Continue working with BOLI, ODE, and OED on data access. As noted earlier, we requested from BOLI but did not receive data regarding pre-apprenticeship and apprenticeship program participation and completion. Understanding pre-apprenticeship and apprenticeship program participation and completion and how well the programs support employment in relevant sectors is key to assessing available career pathways as well as program effectiveness. In addition, there is little publicly available information regarding students who participate in and complete CTE programs (previous requests for detailed program enrollment data have resulted in counts of program counts and aggregated enrollment estimates). In addition, the research team recommends continuation of conversation with OED about addressing the data gaps in publicly available industry and occupation data to increase reliability and transparency of the Assessment methodology.

Continue efforts to link and analyze CTE, apprenticeship, postsecondary, and employment data. Oregon has made progress in recent years linking the large educational, training, and employment databases held by the state. These linkages provide a powerful resource for understanding the adequacy and effectiveness of public education and training programs in supporting workforce needs and individuals' employment success. But significant work remains. Understanding how well the state's CTE programs support employment in relevant sectors, for example, can provide concrete information about whether programs effectively foster high school students' interests in those sectors. Deeper and more consistent analysis of pathways, from high school through employment in in-demand sectors, will facilitate system-level improvements. Postsecondary institutions, and others, require ready access to this type of linked data as they pursue Workforce Pell eligibility.

Conduct quantitative analyses of participant-level education and employment outcomes for selected Oregon programs. The best information regarding program effectiveness would come from analysis of Oregon-specific, individual-level participation and outcome data that allows direct assessment of employment outcomes. This analysis would allow for development of a portfolio of consistent outcome metrics tailored to the needs of specific sectors (e.g., employment during a fixed period after entering or exiting a pathway; specific retention metrics and wage progression appropriate for career advancement). It would also facilitate monitoring of Workforce Pell-eligible programs. These analyses typically require tailored data-sharing agreements.

Improve data transparency and career navigation tools. Centralized, standardized workforce data repositories, career planning tools, and consistent language around skills and positions help workers seamlessly navigate postsecondary options and career transitions. Much of the necessary data exist but require additional synthesis and standardization to facilitate external communication.

Develop an Oregon Talent Dashboard to serve as a central repository of useful metrics derived from centralized, common workforce datasets. The Oregon Workforce Partnership suggests metrics, next steps, and an example dashboard in their recommendations in



advance of the 2027 legislative session.²⁷ Examples of states with occupational or talent dashboards include Virginia and Colorado.²⁸

Gap Mitigation and Equity Improvements

Address credential shortages. The Talent Assessment is a tool to guide workforce development efforts in Oregon. Findings provide a starting point for identifying bottlenecks in talent development and should spur additional research by the workforce development system into occupations for which statewide and local credential production may fall short of state and local needs for training. Addressing shortages extends beyond just program development and expansion. Analysis can suggest opportunities to reduce barriers to training and employment that broaden the potential talent pool, potentially addressing equity gaps for BIPOC and women workers.

Improve job quality, support worker well-being, and articulate career advancement pathways: Many employers across industries cite difficulty attracting and retaining talent due to low wages and unfavorable working conditions. These challenges can be addressed in part through a focus on job quality and in some cases by actively supporting employee mental health and workplace resilience, but more importantly, through development and articulation of transparent career advancement pathways.

Streamline licensure and bureaucratic processes: In sectors facing staffing bottlenecks, such as healthcare and behavioral health, consider reducing licensing requirements—while maintaining an appropriate focus on health, safety, and transparency—and administrative regulations to accelerate labor market entry for qualified candidates.

Prioritize diversity, equity, and inclusion. Focus on training and recruitment opportunities for women, communities of color, veterans, and rural residents where data suggest significant underrepresentation in the workforce. Although men are not typically considered underserved, as is made clear in the Assessment data, they are considerably underrepresented in many occupations and academic programs. Exact parity across all domains is not a reasonable goal, but regions and collaboratives can set goals to strengthen pathways for any underrepresented group. Other possible actions include refining internal hiring practices, deploying culturally responsive training, and establishing affinity groups. Understanding and addressing barriers to education, training, and employment benefits not only individuals from these populations but also employers, who may be able to overcome existing workforce challenges with a broader pool of potential workers to draw from.

Mitigate structural barriers with wraparound supports. To enable workers—especially those from underserved populations—to initiate and sustain employment or training, it may

²⁷ *Recommendations to Advance Oregon's Prosperity Roadmap and Modernize Oregon's Workforce Leadership*, <https://oregonworkforcepartnership.org/roadmap/>

²⁸ <https://voee.org/virginia-high-demand-dashboard/>
<https://coloradotalentdashboard.com/demand/top-jobs-and-careers/>



be necessary to subsidize or provide direct wraparound services. These critical supports may include affordable childcare, transit and transportation, and housing assistance.

Enhance financial support for training and upskilling: Strategies to offset the costs of education include expanding tuition reimbursement, offering scholarships, funding micro-credentials, and directly investing in the joint upskilling of incumbent or displaced workers.

Next Step

As described above, the recommended next step is developing a strategy or action plan that accounts for planned workforce-system transitions and clearly assigns responsibilities, timelines, and accountability for each component to support continuous improvement in Oregon's workforce system.



7. Appendices

Contents:

- ◆ Exhibit A-1: In-demand sector definitions
- ◆ Exhibit A-2: Priority occupations
- ◆ Exhibits A-3 and A-4: Employment in priority occupations by competitive and typical entry-level education levels, by occupational group
- ◆ Interview guide and questions



Exhibit A-1: In-demand sector definitions

Industry Name	NAICS	Sector
Pharmaceutical and Medicine Manufacturing	325400	Advanced Manufacturing
Primary Metal Manufacturing	331000	Advanced Manufacturing
Forging and Stamping	332100	Advanced Manufacturing
Spring and Wire Product Manufacturing	332600	Advanced Manufacturing
Agriculture, Construction, and Mining Machinery Manufacturing	333100	Advanced Manufacturing
Other Industrial Machinery Manufacturing	333248	Advanced Manufacturing
Commercial and Service Industry Machinery Manufacturing	333300	Advanced Manufacturing
Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing	333400	Advanced Manufacturing
Metalworking Machinery Manufacturing	333500	Advanced Manufacturing
Engine, Turbine, and Power Transmission Equipment Manufacturing	333600	Advanced Manufacturing
Other General Purpose Machinery Manufacturing	333900	Advanced Manufacturing
Electromedical and Electrotherapeutic Apparatus Manufacturing	334510	Advanced Manufacturing
Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing	334511	Advanced Manufacturing
Aerospace Product and Parts Manufacturing	336400	Advanced Manufacturing
Medical Equipment and Supplies Manufacturing	339100	Advanced Manufacturing
Drugs and Druggists' Sundries Merchant Wholesalers	424200	Advanced Manufacturing
Testing Laboratories	541380	Advanced Manufacturing
Research and Development in the Physical, Engineering, and Life Sciences	541710	Advanced Manufacturing
Crop Production	111000	Agriculture
Animal Production and Aquaculture	112000	Agriculture
Support Activities for Crop Production	115100	Agriculture
Support Activities for Animal Production	115200	Agriculture
Wet corn milling	311221	Bioscience
Soybean and other oilseed processing	311224	Bioscience
Ethyl Alcohol Manufacturing	325193	Bioscience
Nitrogenous organic fiber manufacturing	325311	Bioscience
Phosphatic fertilizer manufacturing	325312	Bioscience
Fertilizer (mixing only) manufacturing	325314	Bioscience
Pesticide and other agricultural chemical manufacturing	325320	Bioscience
Medicinal and botanical manufacturing	325411	Bioscience
Pharmaceutical preparation manufacturing	325412	Bioscience
In-vitro diagnostic substance manufacturing	325413	Bioscience
Other biological manufacturing	325414	Bioscience
Electromedical and Electrotherapeutic Apparatus Manufacturing	334510	Bioscience
Analytical Laboratory Instrument Manufacturing	334516	Bioscience
Irradiation apparatus manufacturing	334517	Bioscience
Surgical and medical instrument manufacturing	339112	Bioscience
Surgical appliance and supplies manufacturing	339113	Bioscience
Dental equipment and supplies manufacturing	339114	Bioscience
Medical, dental, and hospital equipment and supplies wholesalers	423450	Bioscience
Drugs and druggists' sundries merchant wholesalers	424210	Bioscience
Farm supplies merchant wholesalers	424910	Bioscience
Testing Laboratories	541380	Bioscience
Research and Development in Biotechnology (except Nanobiotechnology)	541714	Bioscience
Research and Development in the Physical, Engineering, and Life Sciences (except Nanotechnology and Biotechnology)	541715	Bioscience
Medical laboratories	621511	Bioscience
Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)	533100	Business Services
Management, Scientific, and Technical Consulting Services	541600	Business Services
Management of Companies and Enterprises	551100	Business Services
Telephone Call Centers	561420	Business Services
Other Travel Arrangement and Reservation Services	561590	Business Services
Convention and Trade Show Organizers	561920	Business Services



Exhibit A-1: In-demand sector definitions, continued

Crude Petroleum Extraction	211120	Clean Energy / Climate Tech
Natural Gas Extraction	211130	Clean Energy / Climate Tech
Drilling Oil and Gas Wells	213111	Clean Energy / Climate Tech
Support Activities for Oil and Gas Operations	213112	Clean Energy / Climate Tech
Support Activities for Coal Mining	213113	Clean Energy / Climate Tech
Hydroelectric Power Generation	221111	Clean Energy / Climate Tech
Fossil Fuel Electric Power Generation	221112	Clean Energy / Climate Tech
Nuclear Electric Power Generation	221113	Clean Energy / Climate Tech
Solar Electric Power Generation	221114	Clean Energy / Climate Tech
Wind Electric Power Generation	221115	Clean Energy / Climate Tech
Geothermal Electric Power Generation	221116	Clean Energy / Climate Tech
Biomass Electric Power Generation	221117	Clean Energy / Climate Tech
Other Electric Power Generation	221118	Clean Energy / Climate Tech
Electric Bulk Power Transmission and Control	221121	Clean Energy / Climate Tech
Electric Power Distribution	221122	Clean Energy / Climate Tech
Natural Gas Distribution	221210	Clean Energy / Climate Tech
Water, Sewage and Other Systems	221300	Clean Energy / Climate Tech
Construction of Buildings	236000	Clean Energy / Climate Tech
Water and Sewer Line and Related Structures Construction	237110	Clean Energy / Climate Tech
Oil and Gas Pipeline and Related Structures Construction	237120	Clean Energy / Climate Tech
Power and Communication Line and Related Structures Construction	237130	Clean Energy / Climate Tech
Land Subdivision	237210	Clean Energy / Climate Tech
Highway, Street, and Bridge Construction	237310	Clean Energy / Climate Tech
Other Heavy and Civil Engineering Construction	237990	Clean Energy / Climate Tech
Poured Concrete Foundation and Structure Contractors	238110	Clean Energy / Climate Tech
Structural Steel and Precast Concrete Contractors	238120	Clean Energy / Climate Tech
Framing Contractors	238130	Clean Energy / Climate Tech
Masonry Contractors	238140	Clean Energy / Climate Tech
Glass and Glazing Contractors	238150	Clean Energy / Climate Tech
Roofing Contractors	238160	Clean Energy / Climate Tech
Siding Contractors	238170	Clean Energy / Climate Tech
Other Foundation, Structure, and Building Exterior Contractors	238190	Clean Energy / Climate Tech
Electrical Contractors and Other Wiring Installation Contractors	238210	Clean Energy / Climate Tech
Plumbing, Heating, and Air-Conditioning Contractors	238220	Clean Energy / Climate Tech
Other Building Equipment Contractors	238290	Clean Energy / Climate Tech
Drywall and Insulation Contractors	238310	Clean Energy / Climate Tech
Painting and Wall Covering Contractors	238320	Clean Energy / Climate Tech
Flooring Contractors	238330	Clean Energy / Climate Tech
Tile and Terrazzo Contractors	238340	Clean Energy / Climate Tech
Finish Carpentry Contractors	238350	Clean Energy / Climate Tech
Other Building Finishing Contractors	238390	Clean Energy / Climate Tech
Site Preparation Contractors	238910	Clean Energy / Climate Tech
All Other Specialty Trade Contractors	238990	Clean Energy / Climate Tech
Engineered Wood Member Manufacturing	321215	Clean Energy / Climate Tech
Reconstituted Wood Product Manufacturing	321219	Clean Energy / Climate Tech
Wood Window and Door Manufacturing	321911	Clean Energy / Climate Tech
Petroleum Refineries	324110	Clean Energy / Climate Tech
Petrochemical Manufacturing	325110	Clean Energy / Climate Tech
Industrial Gas Manufacturing	325120	Clean Energy / Climate Tech
Ethyl Alcohol Manufacturing	325193	Clean Energy / Climate Tech
All Other Basic Organic Chemical Manufacturing	325199	Clean Energy / Climate Tech
Plastics Material and Resin Manufacturing	325211	Clean Energy / Climate Tech
Polystyrene Foam Product Manufacturing	326140	Clean Energy / Climate Tech
All Other Plastics Product Manufacturing	326199	Clean Energy / Climate Tech
Tire Retreading	326212	Clean Energy / Climate Tech
Mineral Wool Manufacturing	327993	Clean Energy / Climate Tech
Alumina and Aluminum Production and Processing	331300	Clean Energy / Climate Tech
Steel Investment Foundries	331512	Clean Energy / Climate Tech



Exhibit A-1: In-demand sector definitions, continued

Prefabricated Metal Building and Component Manufacturing	332311	Clean Energy / Climate Tech
Fabricated Structural Metal Manufacturing	332312	Clean Energy / Climate Tech
Plate Work Manufacturing	332313	Clean Energy / Climate Tech
Metal Window and Door Manufacturing	332321	Clean Energy / Climate Tech
Sheet Metal Work Manufacturing	332322	Clean Energy / Climate Tech
Power Boiler and Heat Exchanger Manufacturing	332410	Clean Energy / Climate Tech
Metal Tank (Heavy Gauge) Manufacturing	332420	Clean Energy / Climate Tech
Ball and Roller Bearing Manufacturing	332991	Clean Energy / Climate Tech
Semiconductor Machinery Manufacturing	333242	Clean Energy / Climate Tech
Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing	333400	Clean Energy / Climate Tech
Turbine and Turbine Generator Set Units Manufacturing	333611	Clean Energy / Climate Tech
Speed Changer, Industrial High-Speed Drive, and Gear Manufacturing	333612	Clean Energy / Climate Tech
Mechanical Power Transmission Equipment Manufacturing	333613	Clean Energy / Climate Tech
Other Engine Equipment Manufacturing	333618	Clean Energy / Climate Tech
Air and Gas Compressor Manufacturing	333912	Clean Energy / Climate Tech
Measuring, Dispensing, and Other Pumping Equipment Manufacturing	333914	Clean Energy / Climate Tech
Elevator and Moving Stairway Manufacturing	333921	Clean Energy / Climate Tech
Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing	333924	Clean Energy / Climate Tech
Industrial Process Furnace and Oven Manufacturing	333994	Clean Energy / Climate Tech
Semiconductor and Other Electronic Component Manufacturing	334400	Clean Energy / Climate Tech
Electromedical and Electrotherapeutic Apparatus Manufacturing	334510	Clean Energy / Climate Tech
Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing	334511	Clean Energy / Climate Tech
Automatic Environmental Control Manufacturing for Residential, Commercial, and Appliance Use	334512	Clean Energy / Climate Tech
Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables	334513	Clean Energy / Climate Tech
Totalizing Fluid Meter and Counting Device Manufacturing	334514	Clean Energy / Climate Tech
Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals	334515	Clean Energy / Climate Tech
Analytical Laboratory Instrument Manufacturing	334516	Clean Energy / Climate Tech
Other Measuring and Controlling Device Manufacturing	334519	Clean Energy / Climate Tech
Electric Lighting Equipment Manufacturing	335100	Clean Energy / Climate Tech
Household Appliance Manufacturing	335200	Clean Energy / Climate Tech
Electrical Equipment Manufacturing	335300	Clean Energy / Climate Tech
Battery Manufacturing	335910	Clean Energy / Climate Tech
Current-Carrying Wiring Device Manufacturing	335931	Clean Energy / Climate Tech
Noncurrent-Carrying Wiring Device Manufacturing	335932	Clean Energy / Climate Tech
All Other Miscellaneous Electrical Equipment and Component Manufacturing	335999	Clean Energy / Climate Tech
Motor Vehicle Manufacturing	336100	Clean Energy / Climate Tech
Motor Vehicle Body and Trailer Manufacturing	336200	Clean Energy / Climate Tech
Motor Vehicle Parts Manufacturing	336300	Clean Energy / Climate Tech
Railroad Rolling Stock Manufacturing	336510	Clean Energy / Climate Tech
Petroleum Bulk Stations and Terminals	424710	Clean Energy / Climate Tech
Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)	424720	Clean Energy / Climate Tech
Urban Transit Systems	485100	Clean Energy / Climate Tech
School and Employee Bus Transportation	485400	Clean Energy / Climate Tech
School and Employee Bus Transportation	485410	Clean Energy / Climate Tech
Other Transit and Ground Passenger Transportation	485900	Clean Energy / Climate Tech
Architectural Services	541310	Clean Energy / Climate Tech
Landscape Architectural Services	541320	Clean Energy / Climate Tech
Engineering Services	541330	Clean Energy / Climate Tech
Drafting Services	541340	Clean Energy / Climate Tech
Building Inspection Services	541350	Clean Energy / Climate Tech
Testing Laboratories	541380	Clean Energy / Climate Tech
Environmental Consulting Services	541620	Clean Energy / Climate Tech
Other Scientific and Technical Consulting Services	541690	Clean Energy / Climate Tech
Scientific Research and Development Services	541700	Clean Energy / Climate Tech
Landscaping Services	561730	Clean Energy / Climate Tech
Waste Collection	562100	Clean Energy / Climate Tech
Hazardous Waste Treatment and Disposal	562211	Clean Energy / Climate Tech
Solid Waste Combustors and Incinerators	562213	Clean Energy / Climate Tech
Other Nonhazardous Waste Treatment and Disposal	562219	Clean Energy / Climate Tech
Remediation Services	562910	Clean Energy / Climate Tech
Materials Recovery Facilities	562920	Clean Energy / Climate Tech
Septic Tank and Related Services	562991	Clean Energy / Climate Tech
All Other Miscellaneous Waste Management Services	562998	Clean Energy / Climate Tech
General Automotive Repair	811111	Clean Energy / Climate Tech



Exhibit A-1: In-demand sector definitions, continued

Construction	230000	Construction
Motion Picture and Video Production	512110	Design & Media
Teleproduction and Other Postproduction Services	512191	Design & Media
Sound Recording Studios	512240	Design & Media
Architectural Services	541310	Design & Media
Landscape Architectural Services	541320	Design & Media
Engineering Services	541330	Design & Media
Drafting Services	541340	Design & Media
Geophysical Surveying and Mapping Services	541360	Design & Media
Surveying and Mapping (except Geophysical) Services	541370	Design & Media
Industrial Design Services	541420	Design & Media
Graphic Design Services	541430	Design & Media
Other Specialized Design Services	541490	Design & Media
Advertising, Public Relations, and Related Services	541800	Design & Media
Marketing Research and Public Opinion Polling	541910	Design & Media
Translation and Interpretation Services	541930	Design & Media
All Other Professional, Scientific, and Technical Services	541990	Design & Media
Food Manufacturing	311000	Food & Beverages
Beverage Manufacturing	312100	Food & Beverages
Glass Container Manufacturing	327213	Food & Beverages
Food Product Machinery Manufacturing	333241	Food & Beverages
Dairy Product (except Dried or Canned) Merchant Wholesalers	424430	Food & Beverages
Fish and Seafood Merchant Wholesalers	424460	Food & Beverages
Meat and Meat Product Merchant Wholesalers	424470	Food & Beverages
Fresh Fruit and Vegetable Merchant Wholesalers	424480	Food & Beverages
Wine and Distilled Alcoholic Beverage Merchant Wholesalers	424820	Food & Beverages
Forestry and Logging	113000	Forestry & Wood Products
Support Activities for Forestry	115300	Forestry & Wood Products
Wood Product Manufacturing	321000	Forestry & Wood Products
Paper Manufacturing	322000	Forestry & Wood Products
Adhesive Manufacturing	325520	Forestry & Wood Products
Sawmill, Woodworking, and Paper Machinery Manufacturing	333243	Forestry & Wood Products
Wood Kitchen Cabinet and Countertop Manufacturing	337110	Forestry & Wood Products
Wood Office Furniture Manufacturing	337211	Forestry & Wood Products
Custom Architectural Woodwork and Millwork Manufacturing	337212	Forestry & Wood Products
Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers	423310	Forestry & Wood Products
Paper and Paper Product Merchant Wholesalers	424100	Forestry & Wood Products
Ambulatory Health Care Services	621000	Healthcare
Hospitals	622000	Healthcare
Semiconductor Machinery Manufacturing	333242	High Tech / Software / IT
Computer and Peripheral Equipment Manufacturing	334100	High Tech / Software / IT
Communications Equipment Manufacturing	334200	High Tech / Software / IT
Audio and Video Equipment Manufacturing	334300	High Tech / Software / IT
Semiconductor and Other Electronic Component Manufacturing	334400	High Tech / Software / IT
Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing	334511	High Tech / Software / IT
Automatic Environmental Control Manufacturing for Residential, Commercial, and Appliance Use	334512	High Tech / Software / IT
Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables	334513	High Tech / Software / IT
Totalizing Fluid Meter and Counting Device Manufacturing	334514	High Tech / Software / IT
Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals	334515	High Tech / Software / IT
Analytical Laboratory Instrument Manufacturing	334516	High Tech / Software / IT
Other Measuring and Controlling Device Manufacturing	334519	High Tech / Software / IT
Manufacturing and Reproducing Magnetic and Optical Media	334600	High Tech / Software / IT
Electrical Equipment Manufacturing	335300	High Tech / Software / IT
Other Electrical Equipment and Component Manufacturing	335900	High Tech / Software / IT
Computer and Computer Peripheral Equipment and Software Merchant Wholesalers	423430	High Tech / Software / IT
Motion Picture and Video Production	512110	High Tech / Software / IT
Teleproduction and Other Postproduction Services	512191	High Tech / Software / IT
Sound Recording Studios	512240	High Tech / Software / IT
Software Publishers	513200	High Tech / Software / IT
Media Streaming Distribution Services, Social Networks, and Other Media Networks and Content Providers	516210	High Tech / Software / IT
Data Processing, Hosting, and Related Services	518000	High Tech / Software / IT
Internet Publishing and Broadcasting and Web Search Portals	519130	High Tech / Software / IT
Web Search Portals and All Other Information Services	519290	High Tech / Software / IT
Computer Systems Design and Related Services	541500	High Tech / Software / IT
Employment Services	561300	High Tech / Software / IT



Exhibit A-1: In-demand sector definitions, continued

Finfish Farming and Fish Hatcheries	112511	Maritime / Blue Economy
Shellfish Farming	112512	Maritime / Blue Economy
Other Aquaculture	112519	Maritime / Blue Economy
Finfish Fishing	114111	Maritime / Blue Economy
Shellfish Fishing	114112	Maritime / Blue Economy
Other Marine Fishing	114119	Maritime / Blue Economy
Crude Petroleum Extraction	211120	Maritime / Blue Economy
Natural Gas Extraction	211130	Maritime / Blue Economy
Construction Sand and Gravel Mining	212321	Maritime / Blue Economy
Industrial Sand Mining	212322	Maritime / Blue Economy
Drilling Oil and Gas Wells	213111	Maritime / Blue Economy
Support Activities for Oil and Gas Operations	213112	Maritime / Blue Economy
Other Heavy and Civil Engineering Construction	237990	Maritime / Blue Economy
Seafood Product Preparation and Packaging	311710	Maritime / Blue Economy
Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing	334511	Maritime / Blue Economy
Ship Building and Repair	336611	Maritime / Blue Economy
Boat Building and Repair	336612	Maritime / Blue Economy
Sporting and Athletic Goods Manufacturing	339920	Maritime / Blue Economy
Fish and Seafood Merchant Wholesalers	424460	Maritime / Blue Economy
Boat Dealers	441222	Maritime / Blue Economy
Fish and Seafood Retailers	445250	Maritime / Blue Economy
Deep Sea Freight Transportation	483111	Maritime / Blue Economy
Deep Sea Passenger Transportation	483112	Maritime / Blue Economy
Coastal and Great Lakes Freight Transportation	483113	Maritime / Blue Economy
Coastal and Great Lakes Passenger Transportation	483114	Maritime / Blue Economy
Scenic and Sightseeing Transportation, Water	487210	Maritime / Blue Economy
Scenic and Sightseeing Transportation, Other	487990	Maritime / Blue Economy
Port and Harbor Operations	488310	Maritime / Blue Economy
Marine Cargo Handling	488320	Maritime / Blue Economy
Navigational Services to Shipping	488330	Maritime / Blue Economy
Other Support Activities for Water Transportation	488390	Maritime / Blue Economy
General Warehousing and Storage	493110	Maritime / Blue Economy
Refrigerated Warehousing and Storage	493120	Maritime / Blue Economy
Farm Product Warehousing and Storage	493130	Maritime / Blue Economy
Recreational Goods Rental	532284	Maritime / Blue Economy
Geophysical Exploration and Mapping Services	541360	Maritime / Blue Economy
Sports and Recreation Instruction	611620	Maritime / Blue Economy
Zoos and Botanical Gardens	712130	Maritime / Blue Economy
Nature Parks and Other Similar Institutions	712190	Maritime / Blue Economy
Marinas	713930	Maritime / Blue Economy
Amusement and Recreation Services Not Elsewhere Classified	713990	Maritime / Blue Economy
Hotels (except Casino Hotels) and Motels	721110	Maritime / Blue Economy
Bed and Breakfast Inns	721191	Maritime / Blue Economy
RV (Recreational Vehicle) Parks and Campgrounds	721211	Maritime / Blue Economy
Full-Service Restaurants	722511	Maritime / Blue Economy
Limited-Service Eating Places	722513	Maritime / Blue Economy
Cafeterias, Grill Buffets, and Buffets	722514	Maritime / Blue Economy
Snack and Nonalcoholic Beverage Bars	722515	Maritime / Blue Economy
Textile Mills	313000	Outdoor Gear & Apparel
Other Textile Product Mills	314900	Outdoor Gear & Apparel
Apparel Manufacturing	315000	Outdoor Gear & Apparel
Leather and Allied Product Manufacturing	316000	Outdoor Gear & Apparel
Cutlery and Handtool Manufacturing	332200	Outdoor Gear & Apparel
Small Arms Ammunition Manufacturing	332992	Outdoor Gear & Apparel
Small Arms, Ordnance, and Ordnance Accessories Manufacturing	332994	Outdoor Gear & Apparel
Motorcycle, Bicycle, and Parts Manufacturing	336991	Outdoor Gear & Apparel
Sporting and Athletic Goods Manufacturing	339920	Outdoor Gear & Apparel
Sporting and Recreational Goods and Supplies Merchant Wholesalers	423910	Outdoor Gear & Apparel
Apparel, Piece Goods, and Notions Merchant Wholesalers	424300	Outdoor Gear & Apparel



Exhibit A-1: In-demand sector definitions, continued

Nursing and Residential Care Facilities	623000	Social Assistance / Care Economy
Social Assistance	624000	Social Assistance / Care Economy
Food and Beverage Stores	445000	Tourism
Gasoline Stations	457100	Tourism
Air Transportation	481000	Tourism
Rail Transportation	482000	Tourism
Water Transportation	483000	Tourism
Transit and Ground Passenger Transportation	485000	Tourism
Scenic and Sightseeing Transportation	487000	Tourism
Support Activities for Transportation	488000	Tourism
Passenger Car Rental	532110	Tourism
Travel Arrangement and Reservation Services	561500	Tourism
Arts, Entertainment, and Recreation	710000	Tourism
Accommodation	721000	Tourism
Food Services and Drinking Places	722000	Tourism



Exhibit A-2: Priority occupations

Occupation code	Occupation title	Entry-level education	Competitive education	2024 employment	Median wage	Avg. annual openings 2024-2034	Completions per related opening (entry-level)	Completions per related opening (competitive)	Employment share female (orange denotes unreliable)	Employment share BIPOC (orange denotes unreliable)	Completions share female	Completions share BIPOC
11-1011	Chief Executives	Bachelor's	Bachelor's	2,156	N/A	158	0.11	0.13	31%	13%	45%	31%
11-1021	General & Operations Managers	Bachelor's	Bachelor's	42,610	\$ 100,422	3,738	0.11	0.13	35%	20%	45%	31%
11-2021	Marketing Managers	Bachelor's	Bachelor's	5,752	\$ 158,538	509	0.16	0.31	63%	25%	57%	43%
11-2022	Sales Managers	Bachelor's	Bachelor's	6,169	\$ 130,166	497	0.12	0.14	32%	17%	47%	32%
11-2032	Public Relations Managers	Bachelor's	Bachelor's	2,162	\$ 121,243	184	0.36	0.36	71%	16%	67%	32%
11-2033	Fundraising Managers	Bachelor's	Bachelor's	901	\$ 99,050	75	0.05	0.07	71%	16%	64%	36%
11-3012	Admin Services Managers	Bachelor's	Bachelor's	3,768	\$ 110,510	334	0.11	0.11	84%	28%	46%	31%
11-3013	Facilities Managers	Bachelor's	Bachelor's	2,078	\$ 105,664	185	0.10	0.10	14%	27%	45%	30%
11-3021	Computer & Information Systems Managers	Bachelor's	Bachelor's	8,193	\$ 181,522	693	0.20	0.17	27%	24%	24%	33%
11-3031	Financial Managers	Bachelor's	Bachelor's	7,424	\$ 149,968	636	0.04	0.05	59%	27%	30%	33%
11-3051	Industrial Production Managers	Bachelor's	Bachelor's	3,496	\$ 108,368	259	0.11	0.11	21%	23%	44%	31%
11-3061	Purchasing Managers	Bachelor's	Bachelor's	1,134	\$ 133,099	89	0.00	0.00	44%	21%	50%	100%
11-3071	Transportation, Storage, & Distribution Managers	Associate	Bachelor's	2,878	\$ 101,878	261	0.41	0.12	19%	25%	46%	31%
11-3121	Human Resources Managers	Bachelor's	Bachelor's	2,770	\$ 138,299	231	0.06	0.07	83%	22%	51%	30%
11-9013	Farmers, Ranchers, & Other Ag Managers	HSD	Bachelor's	21,487	\$ 90,272	2,312		0.07	23%	26%	71%	18%
11-9021	Construction Managers	Associate	Bachelor's	6,893	\$ 129,022	634	0.39	0.10	8%	14%	45%	31%
11-9031	Preschool & Daycare Admin	Associate	Bachelor's	1,521	\$ 55,536	113	0.00	0.00	63%	21%	77%	28%
11-9032	Kindergarten -Secondary Admin	Master's	Master's	3,870	\$ 131,412	249	0.29	0.29	63%	21%	77%	28%
11-9033	Education Administrators, Postsecondary	Master's	Post-grad	2,101	\$ 111,530	144	0.25	0.71	63%	21%	78%	27%
11-9041	Architectural & Engineering Managers	Bachelor's	Bachelor's	4,337	\$ 169,957	341	0.35	0.54	11%	24%	28%	27%
11-9051	Food Service Managers	HSD	Associate	6,203	\$ 64,792	799		0.03	50%	27%	60%	21%
11-9072	Entertainment & Rec Managers	Bachelor's	Bachelor's	1,012	\$ 73,611	138	0.11	0.11	50%	28%	46%	31%
11-9081	Lodging Managers	HSD	Associate	1,247	\$ 73,320	138		0.02	57%	18%	58%	17%
11-9111	Medical & Health Services Managers	Bachelor's	Master's	6,285	\$ 138,050	686	0.04	0.24	70%	24%	72%	42%
11-9121	Natural Sciences Managers	Bachelor's	Master's	1,371	\$ 139,381	114	0.28	0.11	67%	29%	57%	31%
11-9141	Community Association Managers	HSD	PS non-deg.	4,049	\$ 73,819	348		0.01	53%	20%	41%	34%
11-9151	Social & Community Service Managers	Bachelor's	Bachelor's	3,780	\$ 83,658	335	0.12	0.14	71%	31%	54%	32%
11-9199	Managers, All Other	Bachelor's	Bachelor's	16,305	\$ 126,506	1,397	0.30	0.37	41%	22%	57%	30%
13-1020	Buyers & Purchasing Agents	Bachelor's	Bachelor's	8,073	\$ 75,338	839			52%	33%		
13-1031	Claims Adjusters, Examiners, & Investigators	HSD	Bachelor's	2,835	\$ 80,829	160			59%	27%		
13-1041	Compliance Officers	Bachelor's	Bachelor's	4,961	\$ 85,758	413	0.20	0.21	58%	19%	69%	24%
13-1051	Cost Estimators	Bachelor's	Bachelor's	2,897	\$ 80,413	244	0.14	0.16	14%	19%	39%	30%
13-1071	Human Resources Specialists	Bachelor's	Bachelor's	11,121	\$ 75,400	1,010	0.06	0.06	73%	29%	50%	30%
13-1075	Labor Relations Specialists	Bachelor's	Bachelor's	1,022	\$ 105,123	82	0.03	0.03	73%	29%	65%	42%
13-1081	Logisticians	Bachelor's	Bachelor's	3,149	\$ 91,582	367	0.07	0.07	32%	23%	48%	30%
13-1082	Project Management Specialists	Bachelor's	Bachelor's	18,975	\$ 101,858	1,541	0.10	0.11	49%	24%	46%	31%
13-1111	Management Analysts	Bachelor's	Master's	13,310	\$ 102,710	1,314	0.09	0.23	47%	21%	46%	30%
13-1121	Meeting, Convention, & Event Planners	Bachelor's	Bachelor's	2,138	\$ 60,424	221	0.00	0.00	84%	21%	67%	33%
13-1131	Fundraisers	Bachelor's	Bachelor's	1,731	\$ 62,899	145	0.17	0.26	87%	16%	63%	40%
13-1141	Benefits Specialists	Bachelor's	Bachelor's	1,158	\$ 82,493	92	0.07	0.08	84%	43%	47%	30%
13-1151	Training & Development Specialists	Bachelor's	Bachelor's	4,937	\$ 71,635	485	0.02	0.03	63%	32%	76%	35%
13-1161	Market Research Analysts	Bachelor's	Master's	13,218	\$ 84,136	1,284	0.07	0.00	58%	31%	56%	43%
13-1199	Business Operations Specialists, All Other	Bachelor's	Bachelor's	17,305	\$ 73,715	1,678	0.06	0.06	58%	27%	50%	30%
13-2011	Accountants & Auditors	Bachelor's	Bachelor's	16,217	\$ 82,618	1,330	0.18	0.20	59%	25%	55%	34%
13-2020	Property Appraisers & Assessors	Associate	Bachelor's	1,006	\$ 67,350	84			52%	28%		
13-2051	Financial & Investment Analysts	Bachelor's	Master's	2,911	\$ 109,678	199	0.04	0.13	46%	26%	34%	31%
13-2052	Personal Financial Advisors	Bachelor's	Bachelor's	2,522	\$ 81,661	176	0.05	0.05	35%	17%	24%	31%
13-2061	Financial Examiners	Bachelor's	Bachelor's	883	\$ 94,390	70	0.27	0.28	55%	0%	55%	34%
13-2072	Loan Officers	Bachelor's	Bachelor's	3,827	\$ 76,107	229	0.05	0.06	57%	24%	24%	31%



Exhibit A-2: Priority occupations, continued

Occupation code	Occupation title	Entry-level education	Competitive education	2024 employment	Median wage	Avg. annual openings 2024-2034	Completions per related opening (entry-level)	Completions per related opening (competitive)	Employment share female (orange denotes unreliable)	Employment share BIPOC (orange denotes unreliable)	Completions share female	Completions share BIPOC
15-1211	Computer Systems Analysts	Bachelor's	Bachelor's	5,188	\$ 114,150	334	0.06	0.06	42%	28%	21%	29%
15-1212	Information Security Analysts	Bachelor's	Bachelor's	1,372	\$ 122,221	116	0.17	0.17	13%	26%	23%	33%
15-1231	Computer Network Support Specialists	PS non-deg.	Bachelor's	2,037	\$ 72,238	141	0.31	0.26	29%	30%	23%	33%
15-1232	Computer User Support Specialists	PS non-deg.	Bachelor's	9,089	\$ 62,795	523	0.00	0.00	29%	30%	0%	0%
15-1241	Computer Network Architects	Bachelor's	Bachelor's	1,212	\$ 134,368	72	0.07	0.06	8%	17%	22%	32%
15-1244	Network & Computer Systems Admin.	Bachelor's	Bachelor's	4,411	\$ 103,314	196	0.11	0.10	13%	15%	23%	32%
15-1252	Software Developers	Bachelor's	Bachelor's	21,353	\$ 138,944	1,407	0.32	0.32	18%	31%	23%	33%
15-1253	Software Quality Assurance Analysts	Bachelor's	Bachelor's	2,987	\$ 105,810	203	0.34	0.33	43%	44%	22%	32%
15-1254	Web Developers	Bachelor's	Bachelor's	1,138	\$ 81,702	74	0.35	0.31	40%	28%	23%	33%
15-1255	Web & Digital Interface Designers	Bachelor's	Bachelor's	1,482	\$ 101,650	105	0.21	0.24	39%	28%	29%	32%
15-2031	Operations Research Analysts	Bachelor's	Master's	2,624	\$ 101,941	225	0.01	0.04	59%	24%	43%	27%
15-2051	Data Scientists	Bachelor's	Bachelor's	2,755	\$ 108,992	258	0.12	0.17	37%	20%	28%	31%
17-1011	Architects, Except Landscape & Naval	Bachelor's	Master's	2,345	\$ 86,154	171	0.12	0.18	32%	17%	66%	47%
17-1022	Surveyors	Bachelor's	Bachelor's	637	\$ 90,126	56	0.09	0.09	10%	13%	0%	7%
17-2051	Civil Engineers	Bachelor's	Master's	4,149	\$ 105,872	325	0.26	0.15	20%	23%	23%	29%
17-2071	Electrical Engineers	Bachelor's	Master's	2,992	\$ 112,632	204	0.29	0.37	11%	50%	17%	24%
17-2072	Electronics Engineers, Except Computer	Bachelor's	Master's	1,168	\$ 133,453	68	0.37	0.26	11%	50%	13%	28%
17-2081	Environmental Engineers	Bachelor's	Master's	744	\$ 133,910	71	0.03	0.02	24%	12%	50%	20%
17-2112	Industrial Engineers	Bachelor's	Master's	5,933	\$ 127,941	450	0.04	0.10	32%	35%	20%	20%
17-2141	Mechanical Engineers	Bachelor's	Master's	3,101	\$ 104,042	224	0.53	0.17	11%	19%	17%	28%
17-2199	Engineers, All Other	Bachelor's	Master's	2,553	\$ 129,355	179	0.09	0.11	20%	43%	25%	22%
17-3011	Architectural & Civil Drafters	PS non-deg.	Associate	1,435	\$ 69,264	162	0.54	0.09	36%	34%	30%	31%
17-3019	Drafters, All Other	PS non-deg.	Associate	839	\$ 60,445	75	0.55	0.09	10%	16%	17%	29%
17-3022	Civil Engineering Techs	Associate	Associate	941	\$ 88,525	90	0.02	0.04	23%	38%	37%	40%
17-3023	Electrical Engineering Techs	Associate	Associate	2,310	\$ 79,498	207	0.09	0.09	19%	19%	10%	36%
17-3024	Electro-Mechanical Techs	Associate	Associate	262	\$ 50,814	24	0.13	0.11	23%	38%	12%	32%
17-3026	Industrial Engineering Techs	Associate	Associate	927	\$ 78,458	81	0.54	0.54	23%	38%	21%	26%
17-3029	Other Engineering Techs	Associate	Associate	1,082	\$ 77,168	103	0.04	0.03	23%	38%	21%	19%
19-1023	Zoologists & Wildlife Biologists	Bachelor's	Master's	917	\$ 87,464	73	0.21	0.02	43%	15%	73%	21%
19-1031	Conservation Scientists	Bachelor's	Master's	890	\$ 88,525	83	0.10	0.08	24%	8%	63%	18%
19-1032	Foresters	Bachelor's	Master's	1,173	\$ 79,414	102	0.78	0.39	24%	8%	56%	17%
19-1042	Medical Scientists, Except Epidemiologists	Post-grad	Post-grad	1,802	\$ 102,253	123	0.16	0.16	65%	44%	69%	37%
19-2041	Environmental Scientists & Specialists	Bachelor's	Master's	1,414	\$ 96,096	150	0.38	0.06	51%	22%	69%	23%
19-3039	Psychologists, All Other	Master's	Post-grad	1,392	\$ 85,197	105	0.79	0.79	70%	14%	76%	32%
19-3051	Urban & Regional Planners	Bachelor's	Master's	1,140	\$ 94,910	95	0.04	0.08	64%	24%	67%	23%
19-4042	Environmental Science & Protection Techs	Associate	Bachelor's	441	\$ 54,808	72	0.06	0.49	3%	3%	66%	21%
19-4099	All Other Science Techs	Associate	Bachelor's	1,314	\$ 57,408	180	0.28	0.09	48%	28%	67%	41%
19-5011	Occupational Health & Safety Specialists	Bachelor's	Bachelor's	1,743	\$ 84,906	206	0.00	0.00	36%	21%	64%	18%
21-1012	Guidance Counselors	Master's	Master's	3,196	\$ 76,024	259	0.55	0.55	73%	32%	81%	33%
21-1013	Marriage & Family Therapists	Master's	Master's	1,252	\$ 82,056	145	0.40	0.28	90%	22%	80%	35%
21-1018	Mental Health Counselors	Bachelor's	Bachelor's	6,945	\$ 71,552	758			79%		37%	
21-1021	Child, Family, & School Social Workers	Bachelor's	Master's	6,354	\$ 64,480	573	0.05	0.20	63%	29%	82%	35%
21-1022	Healthcare Social Workers	Bachelor's	Master's	2,270	\$ 87,464	220	0.09	0.21	82%	26%	82%	35%
21-1023	Mental Health & Substance Abuse Social Workers	Master's	Master's	2,346	\$ 73,778	244	0.29	0.21	83%	17%	82%	35%
21-1029	Social Workers, All Other	Bachelor's	Master's	3,651	\$ 65,083	336	0.09	0.21	79%	26%	82%	35%
21-1091	Health Education Specialists	Bachelor's	Master's	884	\$ 75,816	102	0.21	0.20	45%	44%	80%	37%
21-1092	Probation Officers	Bachelor's	Bachelor's	1,341	\$ 85,218	121	0.09	0.13	40%	45%	82%	35%
21-1094	Community Health Workers	PS non-deg.	PS non-deg.	1,646	\$ 57,034	207	0.43	0.43	45%	44%	80%	39%
21-2011	Clergy	Bachelor's	Post-grad	4,609	\$ 65,104	418	0.03	0.52	23%	27%	33%	22%
21-2021	Directors, Religious Activities & Education	Bachelor's	Bachelor's	1,758	\$ 48,069	175	0.06	0.10	65%	25%	65%	38%
23-1011	Lawyers	Post-grad	Post-grad	8,691	\$ 145,371	300	1.34	1.34	43%	15%	62%	21%
23-2011	Paralegals & Legal Assistants	Associate	Bachelor's	4,930	\$ 65,707	494	0.11	0.00	87%	30%	90%	31%



Exhibit A-2: Priority occupations, continued

Occupation code	Occupation title	Entry-level education	Competitive education	2024 employment	Median wage	Avg. annual openings 2024-2034	Completions per related opening (entry-level)	Completions per related opening (competitive)	Employment share female (orange denotes unreliable)	Employment share BIPOC (orange denotes unreliable)	Completions share female	Completions share BIPOC
25-1071	Health Specialties Teachers, Postsecondary	Master's	Post-grad	4,264	\$ 128,286	412	1.01	0.81	53%	28%	74%	37%
25-1121	Art, Drama, & Music Teachers, Postsecondary	Master's	Post-grad	1,062	\$ 76,829	80	0.11	0.88	53%	28%	62%	29%
25-1194	CTE Teachers, Postsecondary	Master's	Post-grad	1,126	\$ 81,453	81	0.05	0.05	53%	28%	37%	23%
25-1199	Other Postsecondary Teachers	Master's	Post-grad	3,457	\$ 68,718	264	0.04	0.29	53%	28%	61%	34%
25-2011	Preschool Teachers, Except Special Educ	Associate	Bachelor's	7,020	\$ 40,414	938	0.09	0.04	98%	35%	83%	40%
25-2012	Kindergarten Teachers, Except Special Educ	Bachelor's	Master's	1,349	\$ 76,643	149	0.03	0.15	98%	35%	78%	33%
25-2021	Elementary School Teachers	Bachelor's	Master's	12,838	\$ 77,855	829	0.10	0.16	77%	18%	81%	34%
25-2022	Middle School Teachers	Bachelor's	Master's	6,199	\$ 80,171	401	0.02	0.13	77%	18%	69%	29%
25-2031	Secondary School Teachers	Bachelor's	Master's	9,866	\$ 81,759	605	0.96	0.25	55%	15%	58%	31%
25-2052	Special Educ Teachers, Kindergarten & Elementary	Bachelor's	Master's	1,620	\$ 80,451	111			80%	14%		
25-2059	Special Education Teachers, All Other	Bachelor's	Master's	1,068	\$ 83,683	80	0.06	0.73	80%	14%	82%	25%
25-3021	Self-Enrichment Teachers	HSD	PS non-deg.	5,953	\$ 48,506	787		0.01	63%	21%	83%	31%
25-3031	Substitute Teachers, Short-Term	Bachelor's	Master's	4,314	\$ 57,054	527			63%	21%		
25-3099	Teachers & Instructors, All Other	Bachelor's	Master's	1,311	\$ 73,137	160	0.02	0.01	63%	21%	76%	40%
25-4022	Librarians & Media Collections Specialists	Master's	Master's	1,676	\$ 77,397	165	0.00	0.00	70%	23%	0%	0%
25-9031	Instructional Coordinators	Bachelor's	Master's	2,679	\$ 81,869	260	0.00	0.11	69%	29%	81%	30%
25-9099	Other Educ & Library Workers	Bachelor's	Bachelor's	23,878	\$ 46,155	2,314			69%	29%		
27-1011	Art Directors	Bachelor's	Bachelor's	2,650	\$ 152,443	267	0.47	0.23	45%	26%	63%	33%
27-1014	Special Effects Artists & Animators	Bachelor's	Bachelor's	1,252	\$ 111,592	120	0.42	0.22	45%	26%	60%	32%
27-1022	Fashion Designers	Bachelor's	Bachelor's	1,346	\$ 128,731	136	0.03	0.03	60%	17%	75%	33%
27-1024	Graphic Designers	Associate	Bachelor's	3,651	\$ 65,520	290	0.47	0.16	48%	25%	60%	34%
27-1025	Interior Designers	Associate	Bachelor's	1,275	\$ 65,998	135	0.16	0.14	96%	18%	88%	27%
27-2012	Producers & Directors	Bachelor's	Bachelor's	1,441	\$ 82,784	125	1.53	1.09	32%	21%	56%	26%
27-3031	Public Relations Specialists	Bachelor's	Bachelor's	4,831	\$ 66,331	440	0.31	0.33	53%	24%	68%	32%
27-3041	Editors	Bachelor's	Bachelor's	1,018	\$ 74,755	89	0.20	0.20	54%	17%	63%	26%
27-3043	Writers & Authors	Bachelor's	Bachelor's	2,200	\$ 79,955	230	0.39	0.38	67%	15%	60%	28%
27-4011	Audio & Video Technicians	PS non-deg.	PS non-deg.	815	\$ 55,307	66	0.12	0.12	5%	16%	10%	21%
27-4021	Photographers	HSD	Bachelor's	1,684	\$ 57,158	136		0.20	56%	33%	63%	29%
27-4032	Film & Video Editors	Associate	Bachelor's	757	\$ 63,710	72	0.32	0.09	23%	18%	55%	24%
29-1021	Dentists, General	Post-grad	Post-grad	1,339	\$ 190,840	47	0.15	0.15	27%	29%	53%	43%
29-1051	Pharmacists	Post-grad	Post-grad	3,933	\$ 167,544	184	0.28	0.28	57%	38%	65%	57%
29-1071	Physician Assistants	Master's	Master's	2,096	\$ 153,192	182	0.18	0.18	79%	22%	71%	38%
29-1122	Occupational Therapists	Master's	Post-grad	1,605	\$ 109,762	103	0.08	0.08	87%	15%	84%	35%
29-1123	Physical Therapists	Post-grad	Post-grad	3,480	\$ 107,266	187	0.17	0.17	65%	29%	66%	32%
29-1126	Respiratory Therapists	Associate	Bachelor's	1,747	\$ 98,738	120	0.41	0.17	67%	27%	73%	34%
29-1127	Speech-Language Pathologists	Master's	Post-grad	1,859	\$ 107,058	136	0.17	0.17	94%	15%	89%	28%
29-1131	Veterinarians	Post-grad	Post-grad	1,742	\$ 105,706	88	0.15	0.15	78%	16%	85%	15%
29-1141	Registered Nurses	Bachelor's	Bachelor's	46,378	\$ 127,358	2,828	0.29	0.36	85%	23%	83%	35%
29-1171	Nurse Practitioners	Master's	Master's	2,642	\$ 148,533	269	0.10	0.07	89%	17%	88%	30%
29-1215	Family Medicine Physicians	Post-grad	Post-grad	1,952	\$ 239,200	71	0.36	0.36	40%	27%	64%	36%
29-1229	Physicians, All Other	Post-grad	Post-grad	4,476	\$ 239,200	152	0.36	0.36	40%	27%	64%	36%
29-1291	Acupuncturists	Master's	Post-grad	1,158	\$ 65,354	72	0.99	0.67	70%	18%	81%	25%
29-1292	Dental Hygienists	Associate	Bachelor's	3,662	\$ 121,514	278	0.21	0.33	90%	16%	93%	36%
29-2010	Clinical Laboratory Techs	Bachelor's	Bachelor's	3,384	\$ 81,806	253			78%	32%		
29-2032	Diagnostic Medical Sonographers	Associate	Bachelor's	1,392	\$ 111,155	101	0.01	0.97	59%	28%	93%	34%
29-2034	Radiologic Techs	Associate	Bachelor's	2,799	\$ 102,232	176	0.31	0.29	63%	11%	74%	26%
29-2042	Emergency Medical Technicians	PS non-deg.	PS non-deg.	1,951	\$ 49,379	166	0.71	0.71	47%	28%	35%	23%
29-2055	Surgical Technologists	PS non-deg.	Associate	1,405	\$ 81,578	95	0.04	0.28	74%	20%	80%	34%
29-2056	Veterinary Techs	Associate	Associate	1,656	\$ 50,294	191	0.18	0.18	95%	24%	75%	24%
29-2061	Licensed Practical & Vocational Nurses	PS non-deg.	PS non-deg.	4,492	\$ 78,645	422	0.16	0.16	83%	28%	85%	39%
29-2072	Medical Records Specialists	PS non-deg.	PS non-deg.	2,755	\$ 58,822	216	0.44	0.44	91%	22%	87%	25%
29-2099	Health Techs, All Other	PS non-deg.	PS non-deg.	1,658	\$ 59,821	135	0.21	0.21	67%	31%	70%	30%



Exhibit A-2: Priority occupations, continued

Occupation code	Occupation title	Entry-level education	Competitive education	2024 employment	Median wage	Avg. annual openings 2024-2034	Completions per related opening (entry-level)	Completions per related opening (competitive)	Employment share female (orange denotes unreliable)	Employment share BIPOC (orange denotes unreliable)	Completions share female	Completions share BIPOC
31-1131	Nursing Assistants	PS non-deg.	PS non-deg.	14,307	\$ 49,774	2,217	0.02	0.02	85%	38%	81%	51%
31-2021	Physical Therapist Assistants	Associate	Associate	827	\$ 71,490	151	0.28	0.28	84%	22%	56%	17%
31-9011	Massage Therapists	PS non-deg.	PS non-deg.	3,923	\$ 85,218	549	0.35	0.35	79%	19%	69%	29%
31-9091	Dental Assistants	PS non-deg.	PS non-deg.	5,525	\$ 59,363	813	0.32	0.32	95%	32%	83%	54%
31-9092	Medical Assistants	PS non-deg.	PS non-deg.	12,343	\$ 51,314	1,837	0.35	0.35	89%	31%	88%	52%
33-1012	First-Line Supervisors of Police & Detectives	HSD	Bachelor's	1,411	\$ 127,005	101		0.11	14%	4%	68%	43%
33-1021	Supervisors of Firefighting Workers	HSD	Bachelor's	1,134	\$ 100,526	80		0.03	3%	11%	26%	19%
33-1091	First-Line Supervisors of Security Workers	HSD	Bachelor's	977	\$ 59,675	102		0.00	16%	18%	0%	0%
33-2011	Firefighters	PS non-deg.	Associate	3,856	\$ 75,358	316	0.10	0.21	10%	27%	30%	26%
33-3051	Police & Sheriff's Patrol Officers	HSD	Associate	5,174	\$ 90,646	416		0.10	13%	16%	47%	39%
35-1011	Chefs & Head Cooks	PS non-deg.	PS non-deg.	3,880	\$ 61,984	514	0.02	0.02	33%	49%	55%	41%
37-1012	Supervisors of Landscaping Workers	HSD	PS non-deg.	2,521	\$ 64,251	287		0.10	19%	20%	64%	21%
39-5094	Skincare Specialists	PS non-deg.	PS non-deg.	1,172	\$ 53,477	201	0.57	0.57	100%	29%	97%	30%
41-1012	Supervisors of Non-Retail Sales Workers	HSD	Associate	3,597	\$ 83,907	272		0.00	35%	23%		
41-3021	Insurance Sales Agents	PS non-deg.	Bachelor's	5,333	\$ 62,088	404			56%	24%		
41-3031	Financial Services Agents	Bachelor's	Bachelor's	4,593	\$ 64,438	298	0.01	0.01	40%	24%	17%	33%
41-4011	Sales Representatives, Tech. & Sci. Products	Bachelor's	Bachelor's	3,243	\$ 106,080	292	0.00	0.00	26%	22%		
41-4012	Sales Representatives, Other	HSD	Associate	15,342	\$ 68,723	1,399		0.00	26%	22%	54%	58%
41-9021	Real Estate Brokers	PS non-deg.	PS non-deg.	5,919	\$ 72,446	547	0.01	0.01	61%	16%	41%	34%
41-9031	Sales Engineers	Bachelor's	Bachelor's	1,093	\$ 119,704	99			7%	14%		
43-1011	Supervisors of Office & Admin	HSD	Associate	13,125	\$ 70,200	1,233		0.02	74%	22%	77%	35%
43-4031	Court, Municipal, & License Clerks	HSD	PS non-deg.	1,847	\$ 60,050	195			76%	31%		
43-5061	Production, Planning, & Expediting Clerks	HSD	Bachelor's	3,095	\$ 59,426	288			53%	22%		
43-6011	Executive Admin Assistants	HSD	Associate	6,608	\$ 71,822	626		0.01	84%	22%	97%	23%
43-6012	Legal Secretaries & Admin Assistants	PS non-deg.	Associate	908	\$ 56,805	112	0.00	0.00	100%	3%	50%	100%
47-1011	Supervisors of Construction Trades	HSD	PS non-deg.	10,628	\$ 103,834	948		0.02	4%	22%	14%	32%
47-2031	Carpenters	HSD	PS non-deg.	21,942	\$ 62,962	1,889		0.06	4%	36%	0%	38%
47-2111	Electricians	HSD	PS non-deg.	10,812	\$ 100,194	1,110		0.36	4%	16%	25%	0%
47-2121	Glaziers	HSD	PS non-deg.	720	\$ 65,104	67		0.01			0%	0%
47-2152	Plumbers, Pipefitters, & Steamfitters	HSD	PS non-deg.	6,636	\$ 95,846	646		0.16	3%	12%	11%	33%
47-2171	Reinforcing Iron & Rebar Workers	HSD	HSD	504	\$ 93,829	44						
47-2211	Sheet Metal Workers	HSD	PS non-deg.	3,107	\$ 67,101	288			3%	10%		
47-2221	Structural Iron & Steel Workers	HSD	PS non-deg.	553	\$ 92,706	52						
47-4011	Construction & Building Inspectors	HSD	Associate	1,783	\$ 84,635	202		0.09	9%	21%	12%	15%
49-1011	Supervisors of Mechanics & Installers	HSD	PS non-deg.	7,417	\$ 83,470	657		0.12	13%	26%	23%	18%
49-2022	Telecommunications Equipment Installers	PS non-deg.	PS non-deg.	2,127	\$ 74,048	173			2%	30%		
49-2098	Security & Fire Alarm Systems Installers	PS non-deg.	PS non-deg.	1,152	\$ 80,184	135	0.00	0.00	4%	18%	25%	0%
49-3011	Aircraft Mechanics & Service Technicians	PS non-deg.	Associate	1,045	\$ 83,762	96	0.21	0.24	1%	19%	2%	16%
49-3023	Automotive Service Technicians & Mechanics	PS non-deg.	Associate	7,990	\$ 58,261	715	0.17	0.13	3%	27%	18%	34%
49-3031	Bus & Truck Mechanics	HSD	PS non-deg.	4,828	\$ 64,355	417		0.08	2%	26%	9%	30%
49-3041	Farm Equipment Mechanics & Service Techs	HSD	PS non-deg.	768	\$ 63,898	75		0.00	0%	15%	50%	50%
49-3042	Mobile Heavy Equipment Mechanics	HSD	PS non-deg.	2,611	\$ 73,944	238		0.01	0%	15%	0%	25%
49-3092	Recreational Vehicle Service Technicians	PS non-deg.	Associate	612	\$ 59,467	89			2%	54%		
49-9021	HVAC Mechanics	PS non-deg.	PS non-deg.	3,891	\$ 64,418	403	0.12	0.12	3%	27%	2%	54%
49-9041	Industrial Machinery Mechanics	HSD	PS non-deg.	7,064	\$ 73,362	735		0.05	7%	39%	16%	24%
49-9051	Electrical Power-Line Installers & Repairers	PS non-deg.	PS non-deg.	1,312	\$ 126,506	114	0.12	0.10	1%	5%	13%	10%
49-9052	Telecommunications Line Installers & Repairers	HSD	PS non-deg.	889	\$ 66,082	83			3%	16%		
51-1011	Supervisors of Production & Operating Workers	HSD	Bachelor's	9,186	\$ 68,474	922		0.03	18%	40%	43%	27%
51-4041	Machinists	HSD	PS non-deg.	3,268	\$ 63,752	360		0.10	2%	28%	17%	32%
51-4111	Tool & Die Makers	PS non-deg.	Associate	380	\$ 71,386	37						
51-8031	Wastewater Treatment Plant Ops	PS non-deg.	PS non-deg.	1,215	\$ 66,186	109	0.18	0.18	8%	21%	30%	0%
51-9141	Semiconductor Processing Technicians	HSD	Associate	7,031	\$ 63,066	771			25%	41%		



Exhibit A-2: Priority occupations, continued

Occupation code	Occupation title	Entry-level education	Competitive education	2024 employment	Median wage	Avg. annual openings 2024-2034	Completions per related opening (entry-level)	Completions per related opening (competitive)	Employment share female (orange denotes unreliable)	Employment share BIPOC (orange denotes unreliable)	Completions share female	Completions share BIPOC
53-1047	Supervisors of Transportation	HSD	Associate	8,766	\$ 61,922	927			19%	20%		
53-2012	Commercial Pilots	Associate	Bachelor's	915	\$ 115,352	114	0.33	0.00	4%	11%	16%	11%
53-2031	Flight Attendants	HSD	Bachelor's	1,016	\$ 60,963	169			87%	22%		
53-3032	Heavy & Tractor-Trailer Truck Drivers	PS non-deg.	PS non-deg.	27,113	\$ 62,650	2,984	0.01	0.01	11%	27%	10%	23%



Exhibit A-3: Employment in priority occupations by competitive education level, by occupational group, Oregon, 2024

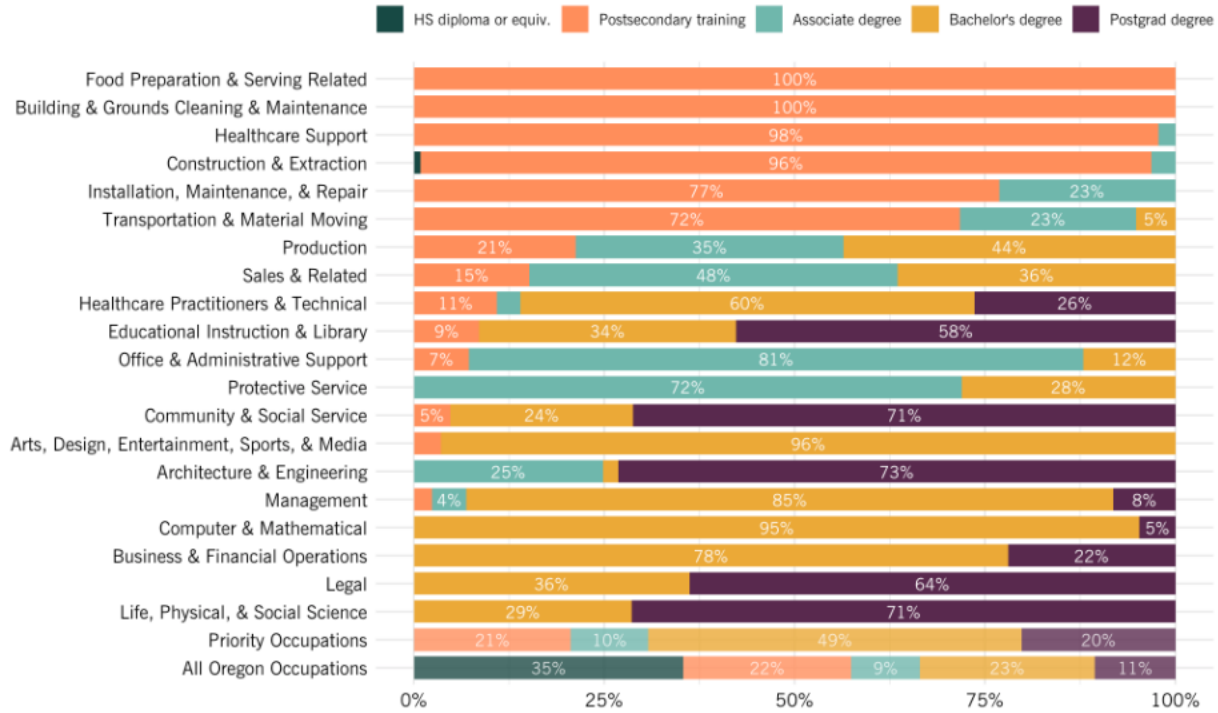
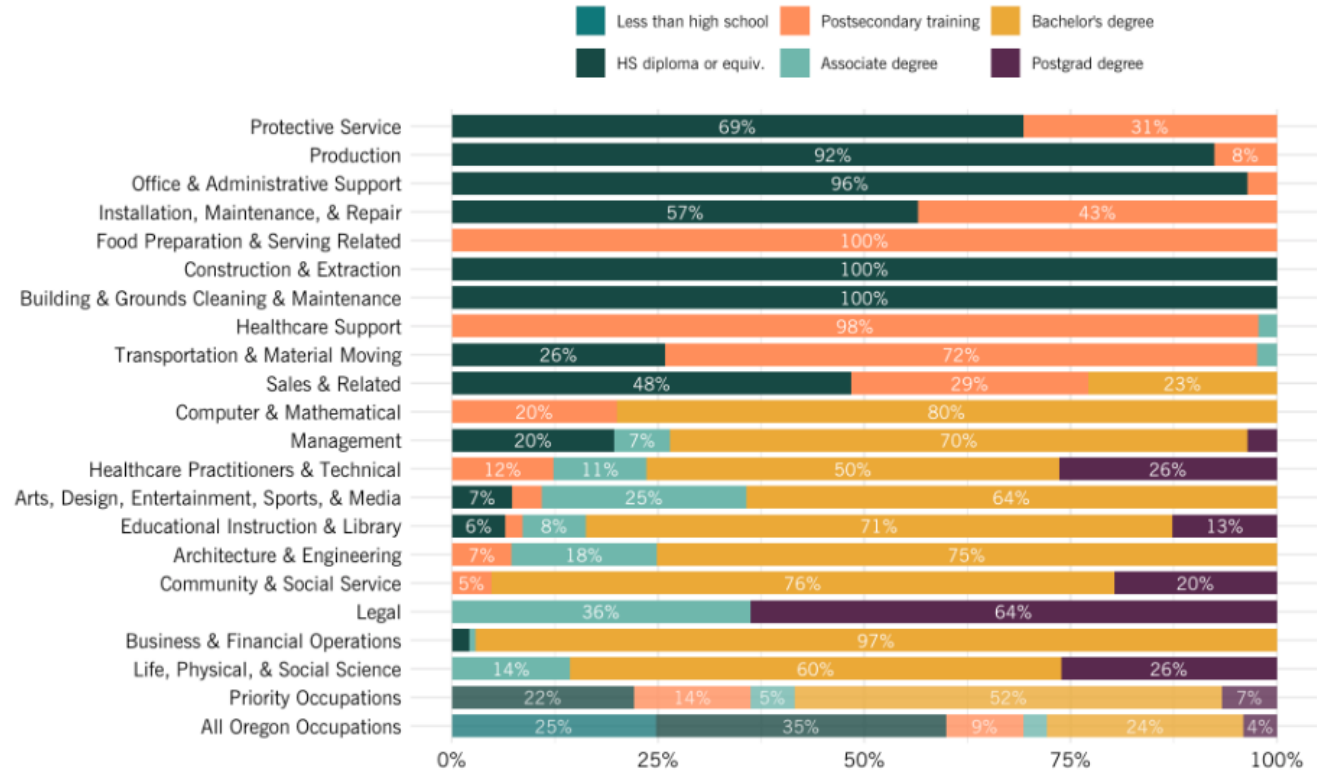


Exhibit A-4: Employment in priority occupations by typical entry-level education level, by occupational group, Oregon, 2024



Oregon Talent Assessment Interview Guide

Thank you for your willingness to lead an interview to inform the Oregon Talent Assessment. This guide provides interview questions and a report-out template you can use to take notes during the interview, after which you can paste your responses into a survey form (link provided below) and submit responses within three days of the interview. The Talent Assessment research team (ECOnorthwest) will receive and compile all responses.

Purpose

The primary purpose of the 2026 Oregon Talent Assessment is to develop a methodology for identifying key industry sectors and occupations for use in future biennial Assessments. In this phase of the project, project representatives are interviewing employers, industry associations, and workforce professionals using a shared set of questions. The research team will review the notes from these interviews, identify themes, and use the findings to shape the project's analysis and recommendations.

The purpose of these conversations is to discuss whether the preliminary findings reflect current workforce conditions and to identify important gaps in the data, including emerging occupations and skill needs not yet reflected in available data. The interview input will help strengthen the final Assessment and improve future workforce planning in Oregon.

Interview Format

**Interviewees received a slide deck with preliminary findings in advance to reference throughout the interview.*

- Questions (25-45 minutes):
 1. Using the provided preliminary results as a starting point and a reference, please provide your reflections on the following workforce topics/challenges, specific either to your industry/region, other industries/regions, or the larger statewide workforce:
 - a. Occupations most difficult to fill and/or retain (e.g., which are / are not on the list?)
 - b. In-demand skills (e.g., what skills are most in-demand and/or difficult to find?)
 - c. Credentials and training programs (e.g., are certain credentials or credential types particularly beneficial in your firm/industry/region? are certain training programs/pathways especially effective?)

- d. Wages (e.g., how does wage competition affect your firm/industry/region?)
 - e. Retention (e.g., what factors affect retention rates in your firm/industry/region?)
 - f. Place-based or other topics/challenges (e.g., child care, transportation, housing)
2. Do the preliminary results, or the underlying framework/criteria, raise additional questions or concerns for you?
 3. How should the Oregon workforce development system (broadly defined) use the Talent Assessment to improve conditions for employers and workers?

After the Interview: Next Steps

Paste your notes from the interview into the SurveyMonkey form (questions provided below) and submit responses within three days of the meeting.



Oregon Talent Assessment Interviews

REPORT-OUT FORM

What was the date of your interview?

What is the interviewee's name, role, firm/organization, and/or perspective?

*Example: Erica White, EConorthwest, Workforce Development Professional
Perspectives include Employer, Industry Association, Workforce Development Professional, etc.*

1. Using the provided preliminary results as a starting point and a reference, please provide your reflections on the following workforce topics/challenges, specific either to your industry/region, other industries/regions, or the larger statewide workforce:

a. Occupations most difficult to fill and/or retain (e.g., which are / are not on the list?)

b. In-demand skills (e.g., what skills are most in-demand and/or difficult to find?)

c. Credentials and training programs (e.g., are certain credentials or credential types particularly beneficial in your firm/industry/region? are certain training programs/pathways especially effective?)



d. Wages (e.g., how does wage competition affect your firm/industry/region?)

e. Retention (e.g., what factors affect retention rates in your firm/industry/region?)

f. Place-based or other topics/challenges (e.g., child care, transportation, housing)

2. Do the preliminary results, or the underlying framework/criteria, raise additional questions or concerns for you?

3. How should the Oregon workforce development system (broadly defined) use the Talent Assessment to improve conditions for employers and workers?





Oregon Department of
**Early Learning
and Care**

Every Child Belongs

Update to Early Learning Council

June 2026



Purpose of This Update

- Share a refresher on the current state and focus of Every Child Belongs
- Share what we know about the drivers of suspension and expulsion in early learning and care
- Discuss where Every Child Belongs currently addresses these drivers and where it does not
- Prompt discussion and reflection on potential for future impact and multi-system work to prevent suspension and expulsion





Background

- Research has shown that suspension and expulsion in early childhood negatively impact children and families. Children of color and children experiencing disabilities are disproportionately impacted.
- Every Child Belongs (ECB) is DELC's suspension and expulsion prevention program, established through House Bill 2166 (2021).
- As the prevention program, Every Child Belongs is distinct from SB 236, which prohibits suspension and expulsion in all licensed and DELC-funded early learning and child care programs beginning July 1, 2026. DELC does not have authority to enforce the prohibition.
- Every Child Belongs services are designed to increase provider knowledge and skills to help keep kids in care.



Every Child Belongs Strategic Framework

Goal

Reduce suspension and expulsion rates and disparities in early learning and care programs in Oregon

Objectives

Increase the knowledge and skills of the early learning and care workforce

Provide access to supports for programs with children at risk of suspension or expulsion

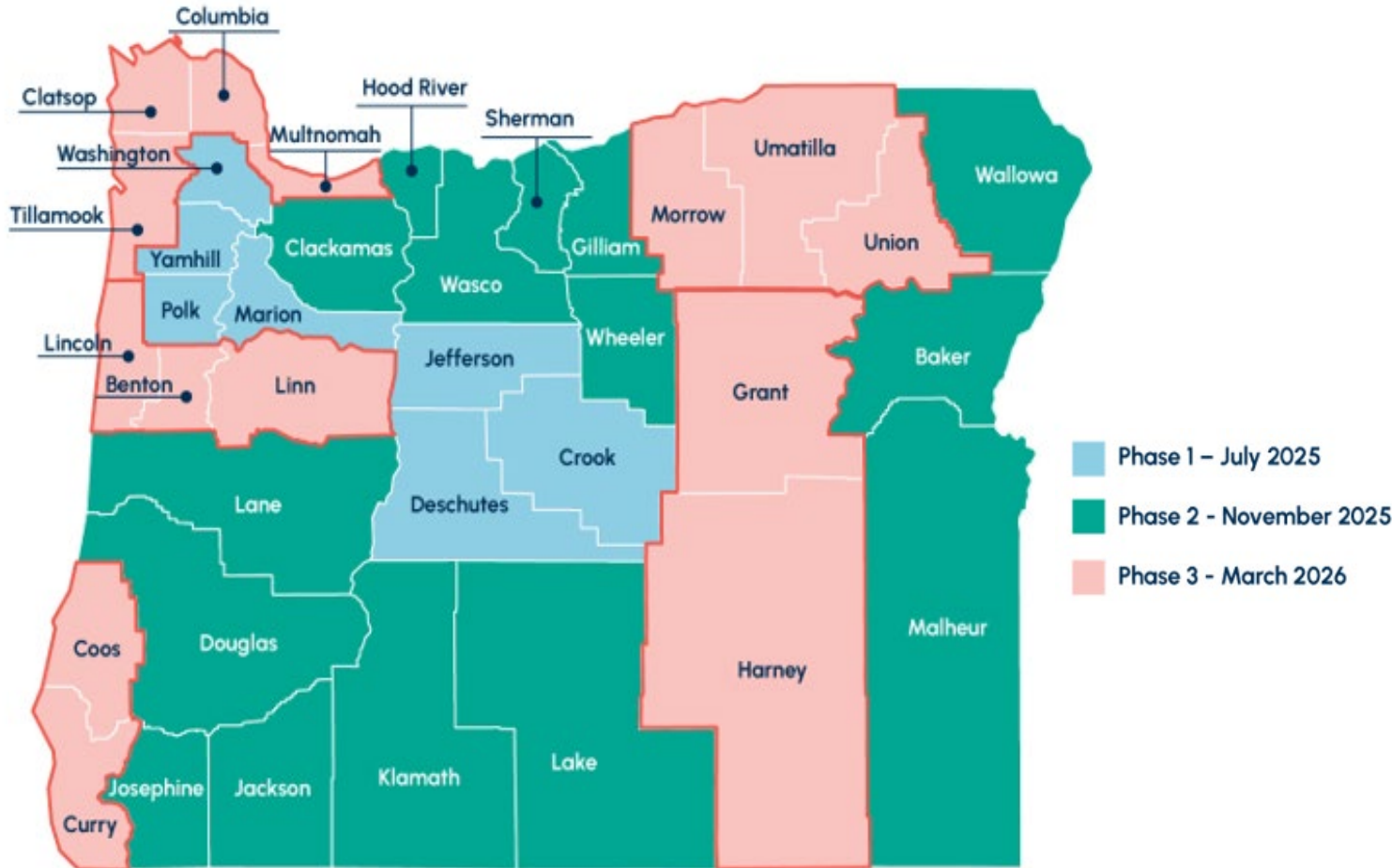
Collect and analyze data to improve ECB supports and evaluate outcomes over time

Align policies and coordinate systems

Strategies

- Expand access to training on anti-bias, anti-racism, trauma-informed practices, and inclusion
- Implement targeted technical assistance
- Implement Infant and Early Childhood Mental Health Consultation
- Maintain and continuously improve ECB Connect system
- Gather data to understand program impact
- Align DELC rules and agreements
- Build shared governance with ODE
- Work with OHA to understand and build on promising practices

Every Child Belongs Services Are Now Available Statewide

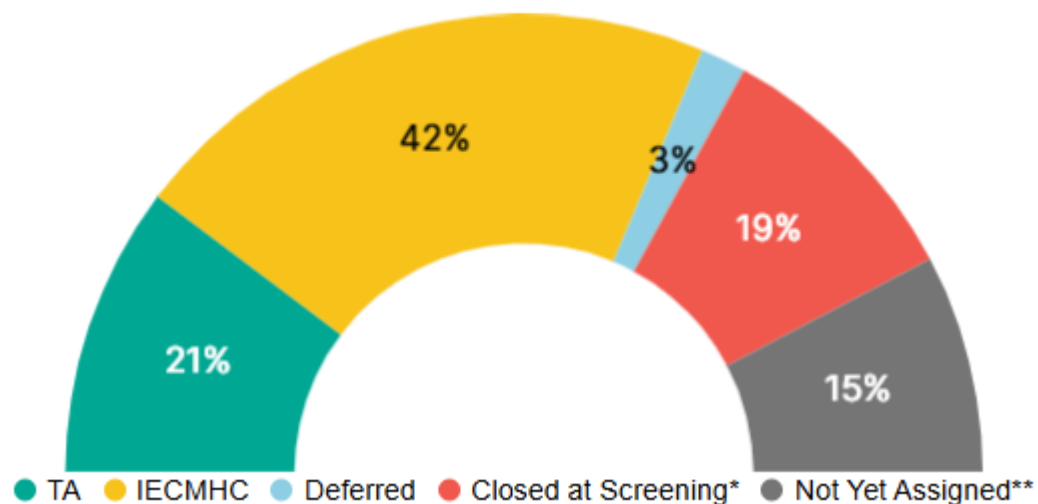


- **22+ IECMH Consultants** hired in regions across the state
- **311+ support requests** received since July 31, 2025 launch
- **Service Path Decisions**
 - 67% IECMH Consultation
 - 33% Technical Assistance

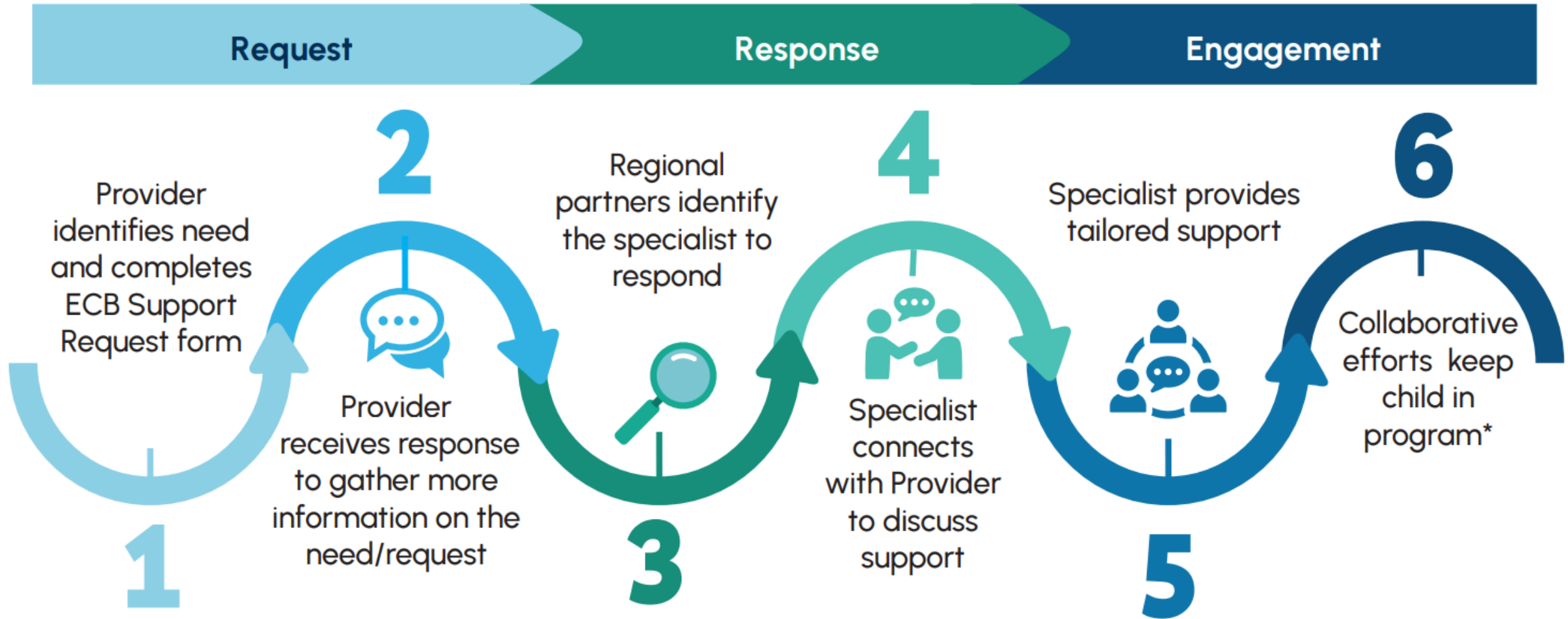
Providers Are Getting Support

- Everyone who submits a form receives a response
 - Some requestors are directed toward Technical Assistance from the CCR&R
 - Some requestors are directed toward IECMH consultation from the Regional Service Provider (RSP)
 - Some requestors are provided other resources or referred to other services
- Services are focused on supporting providers to support the children in their care

Support Request Service Decision



What Happens When A Provider Submits a Request



* Occasionally it may be determined that a transition plan is needed. This happens in collaboration with support specialist, the provider, and the child's parent/family.

Multiple Drivers of Expulsion in Early Care and Education

Every Child
Belongs
addresses these
drivers

- Teachers need more knowledge/skills to promote social-emotional development and address challenging behavior
- Disparities in discipline related to race/ethnicity and/or child's special needs

Every Child
Belongs **partially**
addresses these
drivers

- Trauma and early childhood mental health problems
- Limited internal and external resources to support ECE staff

Every Child
Belongs **does not**
currently address
these drivers

- Demands on staff are increased when teacher-child ratios are high
- Systemic issues and family stress, for example homelessness and food insecurity

Future-Facing Work with State Partners



The Oregon Department of Education (ODE) is responsible for EI/ECSE services

Goal: Create a foundation for coordinated services and supports.

Action Step: Design and implement cross-agency governance

The Oregon Health Authority (OHA) is responsible for behavioral health services for children and families

Goal: "Develop a plan for integrated mental and behavioral health and social and emotional supports." (HB 2166)

Action Step: Create a report on promising practices to increase access to behavioral health services for children and families

Provider Feedback

"My consultant...was able to recognize when both the child and teacher were dysregulated and was able to offer a multi-prong approach. **Children's behaviors have changed because of the tips and tools she has shared.** We are so happy to have the support and on a MUCH quicker timeline than we would have gotten before."

"What I loved most is I felt empowered to do better and wasn't put down for how I was doing things, only **encouraged that I could help make a difference.**"



Provider Feedback



"This experience has reminded my staff and me of the many resources available to us and introduced a wide range of strategies beyond the ideas and techniques we regularly share with one another. It has also connected us to a network of early childhood education professionals who are deeply committed to social-emotional learning—an approach we use every day in our work with children. **Most importantly, it reinforces that what we do each day truly makes a difference in the lives of the children we care for.**"

IECMH Consultant Feedback

"A child care provider was going through an exit interview when the IECMH consultant arrived at the child care site for the first visit. Upon learning why the consultant was there, **the child care provider decided to stay in her job and not quit after all.**"





Appendix: Multiple Drivers of Expulsion in Early Care and Education



Teachers need knowledge/ skills to promote positive relationships and social-emotional development; to address challenging behavior

Examples:

- Teachers may need help using practices that:
 - reduce stress for children during transitions or other activities,
 - teach children social-emotional skills (joining play, calming down when frustrated);
 - developing supportive relationships with children

Does ECB address this driver? **Yes**

- Consultation available through Every Child Belongs is intended to make an impact in this area
- Providers can receive responsive support with challenging situations by filling out a simple online form
- Every Child Belongs efforts also include increasing access to foundational training and professional development in these areas

Disparities in discipline related to race/ethnicity and/or child's special needs



Examples:

- Using punitive disciplinary techniques
- Responding with implicit and explicit bias towards child or family

Does ECB address this driver? **Yes**

- Services available through Every Child Belongs are intended to make an impact in this area
- IECMH Consultants receiving training and reflective supervision on addressing bias
- Every Child Belongs efforts also include increasing access to foundational training in anti-racism, anti-bias, and trauma-informed and inclusionary practices
- The DELC Professional Learning System Office addresses teacher preparation and access to training on antibias practices through a multitude of activities. This is also addressed by the DELC Program Development and Administration Office (PDAO).

Trauma and early childhood mental health problems



Examples:

- Approximately 10% of young children have an emotional, relational, or behavioral disturbance and/or have experienced trauma
- Early trauma and mental health challenges are linked to challenging behavior

Does ECB address this driver? **Partially**

- IECMHC helps providers build skills to support young children's mental health needs
- While Every Child Belongs does not provide direct mental health supports to families, IECMHCs may support providers to refer families to these services
- Every Child Belongs is partnering with OHA to understand promising practices for increasing access to behavioral health supports for young children and families
- High-quality early learning settings that offer nurturing and responsive relationships and predictable, consistent environments can, in and of themselves, create a foundation for children's healing and development.

Limited internal and external resources to support ECE staff



Examples:

- Teacher stress and feelings of hopelessness
- Lack of time to identify needed resources
- No consistent availability of mental health consultation or other supports

Does ECB address this driver? **Partially**

- Every Child Belongs makes it easier for providers to request and access available supports
- Infant and Early Childhood Mental Health Consultation has been shown to decrease teacher feelings of stress and hopelessness
- Other DELC efforts that help address this driver include substitute pool expansion, Spark well-being pilot, and CCR&R professional development cohorts
- Increasing access to resources can also be addressed through cross-system partnerships with OHA and ODE.

Demands on staff are increased when teacher-child ratios are high*



Examples:

- Teachers have less time to establish relationships with children
- Teachers have limited time to provide the individualized attention that helps reduce challenging behavior

Does ECB address this driver? **No**

- Every Child Belongs services do not change ratios or create more time
- Other DELC efforts that can address this driver include sub pool expansion
- Changing teacher-child ratios across the early learning system would require a massive fiscal investment and a substantial increase in the workforce

***Important context:** The national literature that identified high ratios as problematic examined other states with higher teacher-child ratios. Compared to other states, Oregon's teacher-child ratios are relatively low.

Systemic issues and family stress



Examples:

- Food insecurity;
- Housing insecurity and homelessness

Does ECB address this driver? **No**

- While Every Child Belongs does not provide direct supports to families, IECMHCs may support providers to refer families to services

References



Gilliam, W. S., Maupin, A. N., Reyes, C. R., Accavitti, M., & Shic, F. (2016). Do early educators' implicit biases regarding sex and race relate to behavior expectations and recommendations of preschool expulsions and suspensions? Yale University Child Study Center.

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Jackson, D. B., & Testa, A. (2020). Food insecurity as a risk factor for preschool suspension and expulsion. *Preventive Medicine*, 141, 106240. 9 Coley, R. L., Lynch, A. D., & Kull, M. (2015). Early exposure to environmental chaos and children's physical and mental health. *Early Childhood Research Quarterly*, 32, 94-104.

Neitzel, J. (2018). Research to practice: Understanding the role of implicit bias in early childhood disciplinary practices. *Journal of Early Childhood Teacher Education*, 39(3), 232-242.

Zinsser, K. M., Zulauf, C. A., Nair Das, V., & Callie Silver, H. (2019). Utilizing social-emotional learning supports to address teacher stress and preschool expulsion. *Journal of Applied Developmental Psychology*, 61, 33-42.

Zulauf, C. A., & Zinsser, K. M. (2019). Forestalling Preschool Expulsion: A Mixed-Method Exploration of the Potential Protective Role of Teachers' Perceptions of Parents. *American Educational Research Journal*, 56(6), 2189-2220.



Oregon Department of
Early Learning and Care

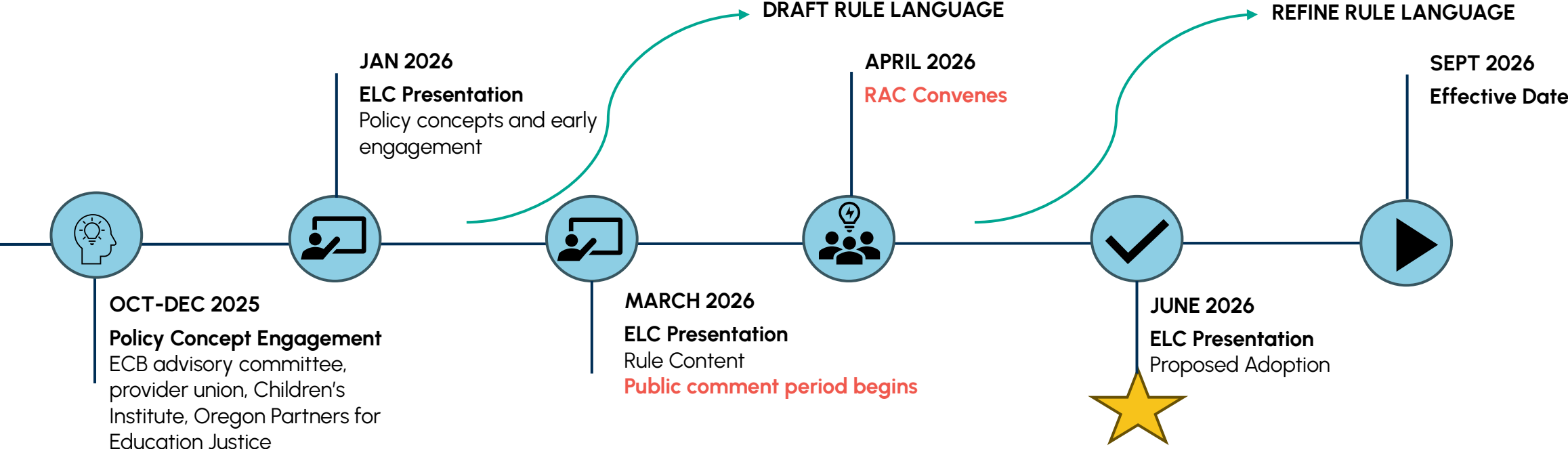
Suspension & Expulsion Prevention

- Engagement Update
- Proposed Changes
- Next Steps: Implementation

Early Learning Council
June 24, 2026



Timeline & Activities



Activities since March 2026



Public Engagement



- Held two Rulemaking Advisory Committee Meetings
- Public Hearing
- Public Comment Period



Reviewed Feedback



- RAC, public comment and public hearing feedback
- DELC staff feedback



Refined Rule Language



- Made amendments were possible to clarify intent
- Additional consultation with Department of Justice



RAC Members

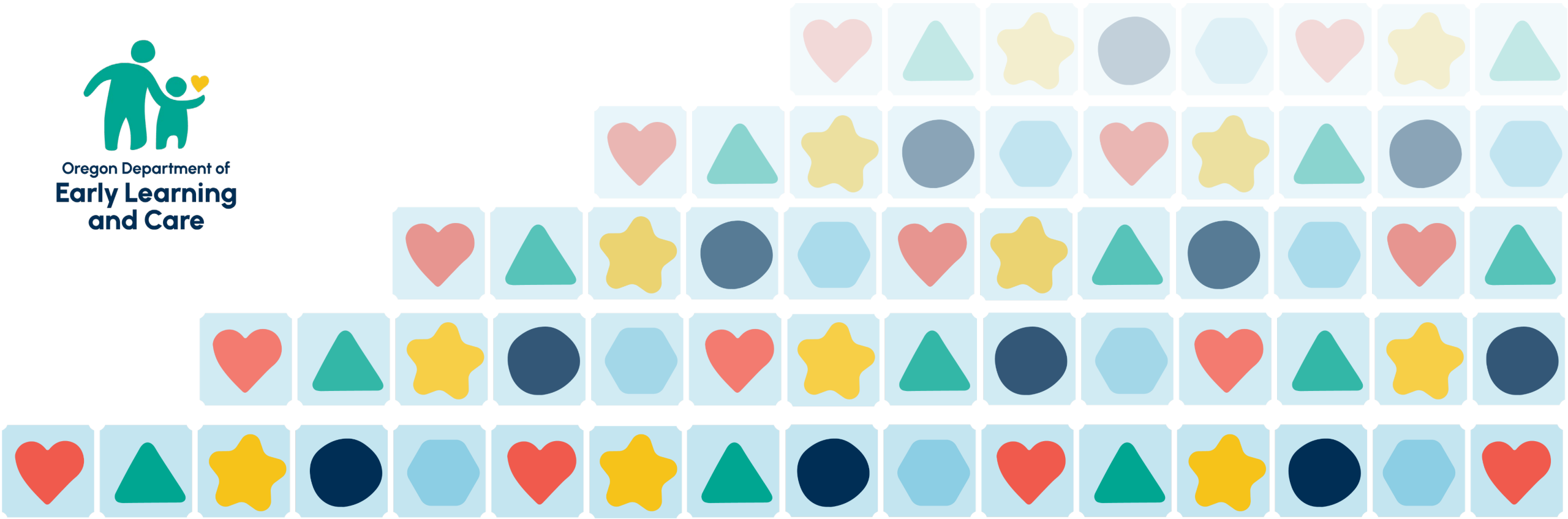
NAME	AFFILIATION	REGION
Alicia Riddle	Families of young children	Portland Metro
Heather Olivier	Families of young children	Portland Metro
Tiffany Copeland	Early Learning Hubs	Eastern Oregon
Mellie Bukovsky-Reyes	Culturally Specific Organizations	Central Coast
Yessie Verbena	Outdoor Nature-Based Programs	Southern Oregon
Kim Huling	Certified Centers	Eastern Oregon
Jennifer Geron	Certified Centers	Portland Metro
Erica Hinshaw	Child Care Resource and Referral	Eugene
Shannon Malusevic	Child Care Resource and Referral	Portland Metro
Robin Stoeber	Infant/Early Childhood Mental Health Consultants	Salem
Kelly Pintarelli	Infant/Early Childhood Mental Health Consultants	Southern Oregon
Ozzely Jex	Certified Centers	Eastern Oregon
Julie Catt	Certified Centers	North Coast
Mercedes Castle	Certified Centers	Portland Metro
Teresa Martin	Certified Centers	Central Oregon



RAC Members

NAME	AFFILIATION	REGION
Amy Hanna	Registered Family Child Care	Eugene Metro
Kira Karlinger	Registered Family Child Care	Clackamas County
Anneliese Sheahan	Child Care Provider Union	Portland Metro
Alisha Hendrickson	Child Care Provider Union	Salem
Jessica Vegas Berospé	Certified Family Child Care	Washington County
Alicia Riddle	Families of young children	Portland Metro
Chelsea Holmes	Families of young children	Central Oregon
Shannon Criss	Early Learning Hubs	Eastern Oregon
Mellie Bukovsky-Reyes	Culturally Specific Organizations	Central Coast
Brenda Massie	Child Care Resource and Referral	Columbia Gorge
Laura Hernandez	Child Care Resource and Referral	Portland Metro
Rachael Lamet	Certified Family Child Care	Salem Metro
Kelly Pintarelli	Infant/Early Childhood Mental Health Consultants	Southern Oregon
Cori Danielski	Infant/Early Childhood Mental Health Consultants	Salem Metro
Rachel Turner	Child Care Resources and Referral	Eugene Metro





Suspension and Expulsion Prevention Rules: Proposed Amendments

Changes Based on Public Feedback

Chapter 414 Divisions: 210, 305, 320, 360

Rule Section: 0100 DEFINITIONS

- Modified definition of Every Child Belongs to clarify intent of the program
- Replaced definitions of Suspension and Expulsion with intent-based statement in the policy section
- Added "facing" to potential expulsion to align with statute and emphasize a proactive approach

Chapter 414 Divisions: 210, 305, 320, 360

Rule Section: 1050 Care of Children with Specific Needs

- Added definition of qualified professional
- Added family and provider collaboration



Changes Based on Public Feedback

Chapter 414 Divisions: 210, 305, 320, 360

Rule Section: 0200 POLICIES

- Adjusted text to use more plain language to increase understanding
- Focus the assessment on program's ability to meet a child's specific needs versus the program completing an assessment of a child.
- Additional rule that clarifies that these requirements do not displace a program's requirement to comply with ADA.

Chapter 414 Divisions: 210, 305, 320, 360

Rule Section: 0720 Physical Restraint

- Amended to require that providers contact ECB by 5:00 pm the next business day.



Changes Based on Public Feedback

Chapter 414 Divisions: 210, 305, 320, 360

Rule Section: 0750 Suspension and Expulsion Prevention

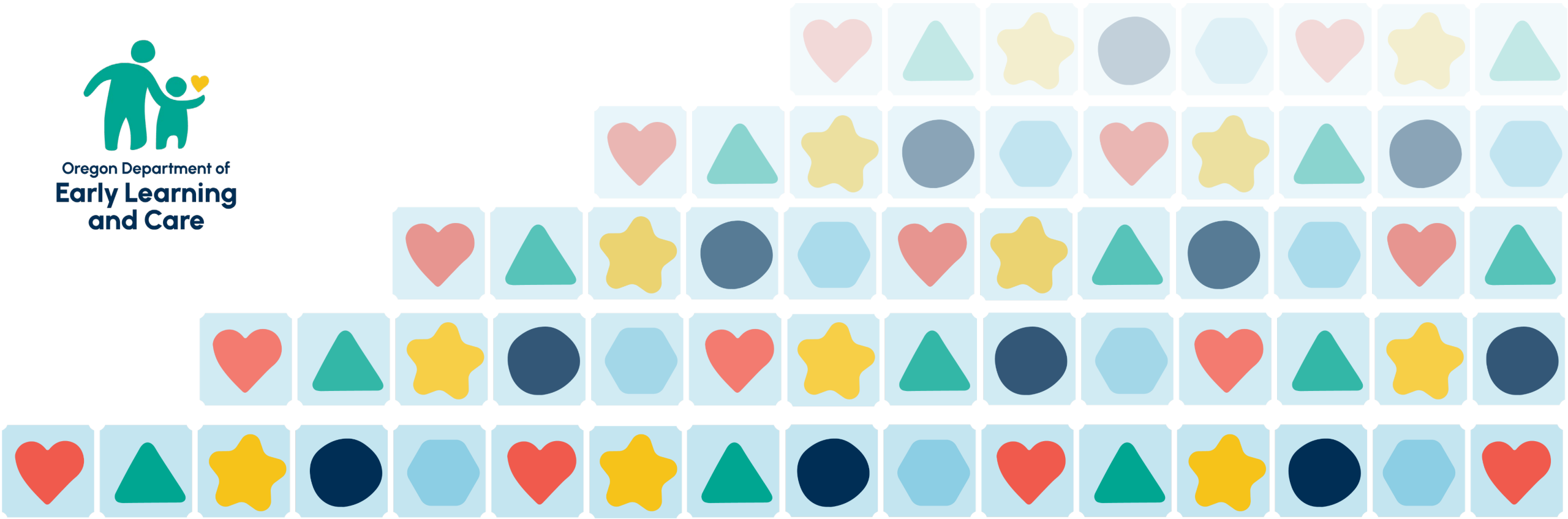
Suspension and Expulsion Prevention Policy

- Added the intent of the policy: The intent of the suspension and expulsion prevention policy is to ensure that young children are supported to remain in care.
- (2)(f) Framed communication with families in regard's to concerns about a child's behavior (removed ability and development)
- (3)(b) Added that providers must document what supports (as well as strategies) they have used to support children.

Use of Temporary Safety-based Interventions

- Added parent notification requirement to align with Notification rules





Early Childhood Suspension and Expulsion Prevention Program Rule Content (Division 580)

Changes Based on Public Feedback

Chapter 414 Divisions: 580

Rule Section: 0000 DEFINITIONS

- Modified definition of Every Child Belongs to clarify intent of the program
- Modified definition of Planned Transition to state that the Early Learning and Care program receiving the child *may* be involved, when appropriate, in the development of the transition plan



Changes Based on Legal or Administrative Feedback

Chapter 414 Divisions: 580

Rule Section: 0000 DEFINITIONS

- Per DOJ review, modified definition of Early Childhood Care and Education Program to increase clarity and alignment with legislative intent:
 - (b) Any program receiving state public funding for early learning and care services **in which a Young Child could face potential expulsion**
- Modified definition of Soft Expulsion to add clause "due to a child's ability, specialized needs, or behavior" to align with definitions of Suspension, Expulsion, and Exclusionary Practices and to differentiate Soft Expulsion from other reasons a family may withdraw their child from a program



Next Steps



Activity	Timeline
Develop provider resources/Update existing	July and August 2026
Support providers in preparation for new rules	July and August 2026
Effective Date	September 1, 2026
Continue technical assistance	Ongoing





Oregon Department of
**Early Learning
and Care**

Preschool Promise Rulemaking Early Learning Council Meeting

Wednesday, Wednesday, June 24th, 2026.

Dayna Jung, PSP Manager



History/Background



Preschool Promise (PSP) is a free, publicly funded, high-quality preschool program for Oregon families living at or below 200 percent of the Federal Poverty Level.

- ❑ Currently a statewide program available in all 36 Oregon counties.
- ❑ Expands access to early learning opportunities for children ages 3–5 through a mixed-delivery model, meaning services are offered in a variety of settings to meet families' diverse needs.

PSP programs operate in licensed certified center-based settings, home-based childcare, and public schools.

Participating organizations include culturally specific programs, school districts, Head Start programs, Oregon's nine federally recognized Tribes, Relief Nurseries, education service districts, and community-based organizations.

- ❑ This mixed-delivery approach ensures families can choose the PSP setting that best aligns with their preferences and circumstances.

Need for Rulemaking



We are establishing permanent rules for Preschool Promise to make Preschool Promise more accessible, consistent, and supportive for families throughout Oregon — especially low-income families who want to access high-quality early learning opportunities.

These updates are designed to:

- ❑ **Improve the enrollment experience**, making it easier for families to navigate the process and receive timely support.
- ❑ **Align Preschool Promise with other publicly funded early learning programs**, creating a more coordinated and predictable system.
- ❑ **Strengthen program implementation** by clarifying expectations, streamlining procedures, and ensuring equitable access statewide.

Rules Advisory Committee



Name	Organization/affiliation	Region (City or County)
Michelle Gomez	Preschool Promise families	Pendleton
Alyssa Mercier	Representatives from other Publicly Funded Programs	Salem
Kristina Kurtz	Early Learning and Care Programs and providers	Tigard
Jessica Porter	Early Learning Hub Representatives	Coos Bay
Katrina Casas	Early Learning Hub Representatives	Salem
Derrick Nedjoh	Early Learning and Care Programs and providers	Portland
Kristen Barnett	Early Learning and Care Programs and providers	Cottage Grove
Mickey Ludwig	Representatives from other Publicly Funded Programs	Coos Bay
Susan Robinett	Representatives from other Publicly Funded Programs	Ontario

Name	Organization/affiliation	Region (City or County)
Julie Siestreem	Tribal Nations Representatives	Coos Bay
Kristina Ries	Families with preschool aged children	Portland
Maria Barrientes Rodriguez	Preschool Promise families	McMinnville
Autumn David	Union Representative	

RAC Meeting:
 Wednesday, May 13th, 2026
 5:30 – 7:00pm



Preschool Promise



Proposed Rule Changes Preschool Promise [414-470-0000](#)

414-470-0005: Definitions

414-470-0010: Child and Family Eligibility Criteria

414-470-0025: Preschool Promise Provider Eligibility

414-470-0040: Minimum Requirements: Preschool Promise Program

414-470-0047: Administration

414-470-0055: Program Monitoring and Evaluation

414-470-0060: Waiver Application Process

414-470-0065: Reporting

414-470-0075: Fiscal Agent



Notice of Proposed Rulemaking

Draft rule language is attached in the RAC packet.

Link here:

[Notice of Proposed Rulemaking](#)

OFFICE OF THE SECRETARY OF STATE
TOBIAS READ
SECRETARY OF STATE

MICHAEL KAPLAN
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 414

DEPARTMENT OF EARLY LEARNING AND CARE

FILED: 04/30/2026 10:24 AM

ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Amends Preschool Promise rules by expanding categorical eligibility, updating terminology, and streamlining administrative procedures.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 06/05/2026 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT:

Kathy Wai
971-428-7466
kathy.wai@delc.oregon.gov
700 Summer St. NE
Salem, OR 97310

Filed By:

Kathy Wai
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

414-470-0005: Definitions



Purpose/Background

OAR 414-470-0005 establishes the key definitions used throughout the Preschool Promise Program rules. These definitions provide a shared understanding of program terminology and ensure consistent interpretation across providers, partners, and the public.

Reason for Change

The rule is being updated to align terminology with the transition to the Department of Early Learning and Care (DELIC). Updates include refreshed definitions for **“Spark”** and **“Federally Recognized Tribes in Oregon”** to reflect current statewide structures. The definition of **“Fiscal Agent”** is removed because it no longer reflects the current implementation or operational model of the Preschool Promise Program.

Impacts of Change

These updates improve clarity for the public by accurately identifying the agency responsible for oversight and ensuring that program terminology reflects current practice.

414-470-0010 : Child and Family Eligibility Criteria



Purpose/Background

414-470-0010 establishes child and family eligibility requirements for families seeking to enroll their children in the Preschool Promise program.

Reason for Change

The rule expands child eligibility for Preschool Promise, with a particular emphasis on categorical eligibility pathways that reduce administrative burden for families and promote greater access. These changes align Preschool Promise eligibility requirements with those used in other publicly funded early learning programs, including Oregon Prenatal to Kindergarten, thereby creating a more consistent and streamlined experience for families navigating multiple services in addition, the rule makes the existing Housing Adjustment (414-470-0010(1)(a)(A)(B)(C)(D)(E)(F) provision permanent.

Impacts of Change

These changes reduce enrollment burden for families, strengthen alignment with other publicly funded early learning programs, and ensure that high housing costs are appropriately considered when determining eligibility.

414-470-0010 Child and Family Eligibility Criteria

*highlighted text is currently a temporary rule- [PSP Temp Rule Notice 03.01.26.PDF](#)

(1) Children and families who meet the following criteria are determined eligible for the Preschool Promise Program:/ ¶

(a) Family income is at or below 200 percent of the Federal Poverty Level in effect at the time eligibility is determined./ ¶

(A) To verify family income at the time eligibility is being determined, eligibility staff must calculate total gross income using all applicable sources of income available from within the previous 12 months. / ¶

(B) Sources of income include tax forms, pay stubs, or other proof of income to determine the family income within the last 12 months. If paystubs are provided as a source of available income, the family must provide, at a minimum, the three most recent consecutive paystubs at the time of application./ ¶

(C) Eligibility staff may make an adjustment to a family's gross income calculation for the purposes of determining eligibility to account for excessive housing costs, as described in this rule. If a family spends more than 30 percent of their total gross income on housing costs, as defined in OAR 414-470-0005, then the calculated gross family income may be reduced by the amount spent on housing costs that exceeds 30 percent of the gross family income. Eligibility staff may use available bills, bank statements, and other relevant documentation provided by the family to calculate total annual housing costs with appropriate multipliers./ ¶

(D) If the family cannot provide tax forms, pay stubs, or other proof of income for the relevant time period, eligibility staff may accept written statements from employers, including individuals who are self-employed, for the relevant time period and use information provided to calculate total annual income with appropriate multipliers./ ¶

(E) If the family reports no income for the relevant time period, eligibility staff may accept the family's signed declaration to that effect, if eligibility staff describes efforts made to verify the family's income, and explains how the family's total income was calculated or seeks information from third parties about the family's eligibility if the family gives written consent. / ¶

(F) If the family can demonstrate a significant and persistent change in income for the relevant time period, eligibility staff may calculate gross family income using all applicable sources of income available from within the previous three months./ ¶

(b) Children must be at least three years of age but not older than five years of age, as determined by the date used to determine kindergarten eligibility./ ¶

414-470-0010 Child and Family Eligibility Criteria

- (2) Notwithstanding (1) (a):¶
- (a) of this rule, a child shall be/considered categorically eligible/for the Preschool/Promise Program when the child or family meets any of the following/criteria: ¶
- (a) Children experiencing homelessness, as defined by the/McKinney Vento Homeless Assistance Act. ¶
- (b) Children who meet the definition of "foster child" in ORS 418.200. ¶
- (c) Families that have a family income above 200 percent of the Federal Poverty Level
- (b) at the time eligibility is determined and that live in a geographic area with low access to care, as determined by the Department. ¶
- (d) Families receiving the following forms of public assistance: ¶
- (A) Employment Related Daycare (ERDC) ¶
- (B) Families enrolled in the Oregon Health Plan (OHP) ¶
- (C) Families participating in the Women, Infants, and Children Program (WIC) ¶
- (D) Supplemental Nutrition Assistance Program (SNAP) ¶
- (E) Supplemental Security Income (SSI) ¶
- (F) Temporary Assistance for Needy Families (TANF) ¶
- (G) Families or children who are members of a federally recognized Tribe./ ¶
- (H) Families or children meeting these criteria are not required to/provide additional income documentation.

414-470-0025 : Preschool Promise Provider Eligibility



Purpose/Background

414-470-0025 establishes the eligibility requirements for organizations seeking to become Preschool Promise Providers.

Reason for Change

Preschool Promise Program, update terminology specifically "Federally Recognized Oregon Indian Tribes" is updated to "Federally Recognized Tribes in Oregon." "Oregon Prekindergarten" is updated to "Oregon Prenatal to Kindergarten."

Impacts of Change

The updated terminology improves clarity and consistency across Preschool Promise rules by aligning language with current statewide program names and tribal references.



414-470-0040 : Minimum Requirements: Preschool Promise Program



Purpose/Background

OAR 414-470-0040 establishes the requirements and standards for Preschool Promise Provider applications. The rule outlines the information, documentation, and assurances that organizations must submit in order to be considered for participation in the Preschool Promise Program.

Reason for Change

The amendments improve clarity by removing the opening sentence and updating terminology to reflect the agency's transition from a Division to a Department. The rule is further aligned with Oregon Prenatal to Kindergarten (OPK) standards and provides flexibility should the Early Learning Council establish wage requirements for additional Preschool Promise positions. The revisions also clarify that Tribes may include efforts to preserve or strengthen their language and culture, reinforcing culturally responsive practice and Tribal sovereignty.

Impacts of Change

The updates improve clarity, align the rule with current agency terminology and OPK standards, allow flexibility for future wage requirements, and strengthen culturally responsive practice by explicitly supporting Tribal language and culture efforts.

414-470-0047 : Administration



Purpose/Background

OAR 414-470-0047 outlines the administrative responsibilities and requirements for the operation of the Preschool Promise Program.

Reason for Change

Preschool Promise Program, update terminology to align with the transition to the Department of Early Learning and Care (DELIC).

Impacts of Change

The terminology updates improve clarity and ensure the rule accurately reflects the Department of Early Learning and Care's current structure, supporting consistent communication across the Preschool Promise Program.



414-470-0055: Program Monitoring and Evaluation



Purpose/Background

OAR 414-470-0055 establishes the requirements for monitoring and evaluating Preschool Promise Providers.

Reason for Change

Preschool Promise Program, update terminology to align with the transition to the Department of Early Learning and Care (DELIC).

Impacts of Change

The terminology updates improve clarity and ensure the rule accurately reflects the Department of Early Learning and Care's current structure, supporting consistent communication across the Preschool Promise Program.



414-470-0060: Waiver Application Process



Purpose/Background

OAR 414-470-0060 establishes the process by which Preschool Promise Providers may request a waiver from specific program requirements. The rule outlines the criteria, documentation, and review procedures for waiver applications, ensuring providers have a structured pathway to seek flexibility when unique circumstances warrant an alternative approach while still upholding program quality and accountability.

Reason for Change

Changes to the rule provides the Department with greater flexibility by allowing waiver approvals beyond the initial years of participation, supporting mixed delivery implementation and enabling timely responses to emergencies. Terminology is updated to reflect the agency's transition from a Division to a Department. In addition, the revisions clarify that a quality improvement plan will be required only when appropriate, aligning the rule with current practice and affirming the Department's authority to determine when such a plan is necessary

Impacts of Change

The revisions give the Department greater flexibility to approve waivers beyond initial participation years, support mixed-delivery implementation, and respond more effectively to emergencies.

414-470-0065: Reporting



Purpose/Background

OAR 414-470-0065 establishes the reporting requirements for Preschool Promise Providers.

Reason for Change

Preschool Promise Program, update terminology to align with the transition to the Department of Early Learning and Care (DELIC).

Impacts of Change

The terminology updates improve clarity and ensure the rule accurately reflects the Department of Early Learning and Care's current structure, supporting consistent communication across the Preschool Promise Program.



414-470-0075: Fiscal Agent



Purpose/Background

OAR 414-470-0075 defines the role and responsibilities of a Fiscal Agent within the Preschool Promise Program.

Reason for Change

The amendments remove language that is no longer aligned with current process. This update reflects existing practice and ensures the rule accurately supports the operational flexibility needed within the Preschool Promise program.[]

Impacts of Change

The amendments remove outdated language to reflect current processes, ensuring the rule aligns with existing practice and supports the operational flexibility needed for effective Preschool Promise implementation.



Rule Advisory Committee Input



414-470-0005 — Definitions: Preschool Promise Program

Terminology consistency — request for consistent and accurate use of the term “**Nine Federally Recognized Tribes of Oregon**” throughout the rule division.

414-470-0010 — Child and Family Eligibility Criteria

Alignment with Head Start

- Multiple commenters express concern that adopting Head Start eligibility criteria may:
 - Create competition among PSP, OPK, and Head Start
 - Reduce Head Start's ability to fill federally restricted slots

Eligibility categories

- Guardianship should be considered categorically eligible given the financial strain for families.
- OHP eligibility should specify that the *parent* is the enrolled recipient

Impact on slot distribution — Concerns that adopting HS criteria could significantly reduce available HS slots, given overlapping eligibility pools.

Rule Advisory Committee Input



414-470-0040 — Minimum Requirements: Preschool Promise Program

Qualification clarity — Stakeholders report that qualification language is vague and difficult to interpret. More precise wording is requested.

Subsection structure — Clarification requested on whether subsections should be formatted as (e)(A) and (B).

414-470-0060 — Waiver Application Process

Waiver and QIP relationship — Clarification requested on how waiver requests interact with Quality Improvement Plans and whether both are required in certain circumstances.

Other Rules:

Members reviewed these rule sections but did not identify any concerns or provide specific recommendations.

414-470-0025 — Preschool Promise Provider Eligibility

414-470-0047 — Administration

414-470-0055 — Program Monitoring and Evaluation

414-470-0065 — Reporting

414-470-0075 — Fiscal Agent

Timeline



Other Opportunities for Feedback

- Public comment period open until June 5, 2026
- Public Hearing May 20, 2026, 5:00pm

Proposed Adoption

- Presentation to Early Learning Council on 5/27/2026
- Early Learning Council Vote on proposed rules 6/24/2026
- Effective date of rules 8/1/2026





Thank you!

Dayna.jung@delc.oregon.gov



Oregon
Tina Kotek, Governor



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MEMORANDUM

To: Early Learning Council Members

From: Gabriela Hernandez, Early Learning Council Administrator

Date: June 24, 2026

Re: Notification of Rulemaking Actions & Presentations

Executive Summary: The purpose of this memo is to update the Early Learning Council (ELC) on the development of rules, including associated community and partner engagement, which the ELC will be previewing and voting on in upcoming meetings.

The Oregon Department of Early Learning and Care (DELIC) plans to present six **ruleset(s)** for action on proposed rules in June. Please reach out with any questions or concerns about the rulemaking process to Kathy Wai, Rules Coordinator.

The following ruleset will be **presented** for action on proposed language and community engagement efforts in the June 2026 meeting:

- Suspension Expulsion Prevention Program
- Certified Child Care Centers
- Certified Family Child Care Homes
- Registered Family Child Care Homes
- Outdoor Nature-Based Child Care Programs
- Preschool Promise Program

RULESETS FOR ACTION IN JUNE:

*The Mission of the Department of Early Learning and Care fosters coordinated, culturally appropriate, and family-centered services that recognize and respect the strengths and needs of all children, families, and early learning and care professionals. **Our Vision** is that all children, families, early care and education professionals, and communities are supported and empowered to thrive.*



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SUSPENSION AND EXPULSION PREVENTION

SUMMARY: DELC is seeking to adopt rules related to suspension and expulsion prevention practices. This will include developing and implementing new policies, expanding communication and collaboration with families regarding challenging behaviors; and specifying requirements to contact DELC's suspension and expulsion prevention program (Every Child Belongs) when a young child is at risk of expulsion. Proposed rules include new definitions to increase understanding and support implementation of the new rules.

Amendments are proposed to the following Divisions within Chapter 414:

- Certified Family Child Care Homes (Division 360)
- Registered Family Child Care Homes (Division 210)
- Certified Child Care Center (Division 305)
- Certified Outdoor Nature-Based (Division 320)
- Early Childhood Suspension and Expulsion Prevention Program (Division 580)

PROCESS: DELC held two RAC meetings. One meeting reviewed proposed rules for certified child care centers and outdoor nature-based facilities and one meeting reviewed proposed rules for registered and certified family child care homes. The proposed rules for Early Childhood Suspension and Expulsion Prevention Program were reviewed at both meetings. The meetings were held virtually. A public hearing was held April 29, 2026.

EQUITY ANALYSIS:

National and state-level data indicate that exclusionary practices do occur in early childhood programs. Research demonstrates that suspension and expulsion are associated with adverse educational and social-emotional outcomes, and these practices reflect systemic inequities rooted in bias and discrimination. According to the Oregon Early Childhood Suspension and Expulsion Prevention Research Study (2025), children of color, those whose primary language is not English, and those with disabilities disproportionately experience suspension and expulsion in early childhood care and education settings across the state.

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The following data comes from the 2020 and 2022 Household Surveys : Oregon families reported that in 2020, 6.3% of all children were suspended or expelled and in 2022, it increased to 9.1% of all children (2016 national survey reported 2.2%)

Rates of suspension and expulsion in 2022 by race/ethnicity:

- 17.2% Native Hawaiian/Pacific Islander,
- 16.1% African American/Black,
- 10.6% American Indian/Alaskan Native,
- 10.3% Latine, 7.7% white

Rates of suspension and Expulsion in 2022 by language:

- 20% Mandarin,
- 15% Vietnamese,
- 12% Spanish,
- 8% English

Rates of suspension and expulsion in 2022 by disability:

- 22.1% with individualized family service plan (IFSP), disability, medical need;
- 7.1% without IFSP (2016 national survey reported 5.4%)

Adopting rules that support inclusive environments and work to prevent the use of suspension and expulsion, counter the use of those practices and minimize the impacts to those disproportionately affected.

NEXT STEPS: DELC is requesting council adopt the proposed permanent rulemaking amendments for the Suspension Expulsion Prevention. If passed, the rule amendments will be permanently effective on September 1, 2026.

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PRESCHOOL PROMISE PROGRAM

SUMMARY: We are establishing permanent rules for Preschool Promise to make the program more accessible, consistent, and supportive for families across Oregon—especially low-income families seeking high-quality early learning opportunities. These updates will:

- **Improve enrollment** by simplifying the process and ensuring families receive timely support
- **Align Preschool Promise with other early learning programs** to create a more coordinated and predictable system
- **Strengthen program implementation** through clearer expectations, streamlined procedures, and equitable access statewide

PROCESS: DELC convened a rules advisory committee (RAC) that met on May 13, 2026 from 5:30 – 7:00pm. A public hearing was held on May 20th at 5:00pm and the public comment period is open until June 5th, 2026.

EQUITY ANALYSIS:

OAR 41 4-470-0010 Child and Family Eligibility Criteria

Expanded categorical eligibility and housing adjustment:

The expansion of categorical eligibility and the updated housing adjustment directly reduce administrative barriers for families experiencing poverty, housing instability, and involvement in multiple public systems—conditions that disproportionately affect Black, Indigenous, Latino, and other families of color. By decreasing documentation requirements and aligning eligibility criteria with Oregon Prenatal to Kindergarten (OPK) and other early learning programs, these changes create a more coherent and accessible entry point for families who often face the steepest challenges when applying for free preschool. hurdles.

This alignment supports racial equity by ensuring that families with the highest structural barriers are not excluded due to paperwork, inconsistent criteria, or system siloing.

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OAR 414-470- 0040 Minimum Requirements: Preschool Promise Program

Tribal language and culture provisions:

Explicitly affirming that Tribes may incorporate **language preservation and cultural revitalization** into Preschool Promise (PSP) implementation strengthens Tribal sovereignty and supports culturally grounded early learning environments for Native children. This rule change recognizes that Tribal language and culture are not supplemental but foundational to Native children’s well-being, identity, and educational success.

The process also included a **Dear Tribal Letter** and internal consultation with the **DELCO Office of Tribal Affairs**, demonstrating a commitment to government-to-government engagement and honoring Tribal consultation obligations. These steps reinforce trust and ensure that rulemaking reflects Tribal priorities rather than imposing external definitions of quality or compliance.

OAR 414-470-0060 Waiver Application Process

Waiver flexibility and quality improvement plans:

Allowing waivers beyond the initial years of operation—and requiring quality improvement plans only **“when appropriate”**—creates a more equitable pathway for **small, rural, Tribal, and culturally specific providers** to participate in Preschool Promise. These providers often face structural barriers such as limited staffing, geographic isolation, or the need to integrate culturally specific practices that do not always align neatly with mainstream program standards.

This flexibility supports:

- **Sustained participation** of providers serving communities historically excluded from early learning systems
- **Capacity building** without punitive consequences

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- **Culturally responsive program growth**, instead of pushing providers to adopt one-size-fits-all program models

By reducing rigidity and acknowledging diverse provider contexts, the rule change advances racial equity and strengthens the cultural and geographic diversity of the Preschool Promise provider network.

NEXT STEPS: DELC is requesting the Council will vote on the proposed permanent rule adoptions for the Preschool Promise Program. If passed, the rule amendments will be permanently effective on August 1, 2026.

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Early Learning Council

June 24, 2026

9:00 a.m. – 1:00 p.m.

Department of Early Learning and Care
700 Summer St NE, Suite 350
Salem, OR 97301

COUNCIL ACTION REQUEST

Date: June 24, 2026

AGENDA ITEM: Suspension Expulsion Prevention Rule Adoption

ACTION: Adopt permanent rule amendments for the Suspension Expulsion Prevention that will be effective September 1, 2026

BACKGROUND: DELC is seeking to adopt rules related to suspension and expulsion prevention practices. This will include developing and implementing new policies, expanding communication and collaboration with families regarding challenging behaviors; and specifying requirements to contact DELC's suspension and expulsion prevention program (Every Child Belongs) when a young child is at risk of expulsion. Proposed rules include new definitions to increase understanding and support implementation of the new rules.

Amendments are proposed to the following Divisions within Chapter 414:

- Certified Family Child Care Homes (Division 360)
- Registered Family Child Care Homes (Division 210)
- Certified Child Care Center (Division 305)
- Certified Outdoor Nature-Based (Division 320)
- Early Childhood Suspension and Expulsion Prevention Program (Division 580)

PROCESS: DELC is proposing to adopt the permanent rules for the Suspension Expulsion Prevention. DELC convened two rules advisory committees and held a public hearing on April 29, 2026. The public comment period was open until May 15, 2026. DELC received 7 public comments.

EQUITY ANALYSIS:

National and state-level data indicate that exclusionary practices do occur in early childhood programs¹. Research demonstrates that suspension and expulsion are associated with adverse educational and social-emotional outcomes, and these practices reflect systemic inequities rooted in bias and discrimination. According to the Oregon Early Childhood Suspension and Expulsion Prevention Research Study (2025), children of color, those whose primary language is not English, and those with disabilities disproportionately experience suspension and expulsion in early childhood care and education settings² across the state.

The following data comes from the 2020 and 2022 Household Surveys³: Oregon families reported that in 2020, 6.3% of all children were suspended or expelled and in 2022, it increased to 9.1% of all children (2016 national survey reported 2.2%)

Rates of suspension and expulsion in 2022 by race/ethnicity:



Early Learning Council

June 24, 2026

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Rates of suspension and Expulsion in 2022 by language:

- 20% Mandarin,
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Rates of suspension and expulsion in 2022 by disability:

- 22.1% with individualized family service plan (IFSP), disability, medical need;
- 7.1% without IFSP (2016 national survey reported 5.4%)

Adopting rules that support inclusive environments and work to prevent the use of suspension and expulsion, counter the use of those practices and minimize the impacts to those disproportionately affected.

PROPOSED DRAFT MOTION: I move to adopt the proposed permanent rule language amendments dated June 24, 2026 that adopt amendments to Oregon Administrative Rules as listed on the Council Action Request for the following ruleset divisions:

- Certified Family Child Care Homes (Division 360)
- Registered Family Child Care Homes (Division 210)
- Certified Child Care Center (Division 305)
- Certified Outdoor Nature-Based (Division 320)
- Early Childhood Suspension and Expulsion Prevention Program (Division 580)

Motion adopts the following rules:

414-210-0100, 414-210-0200, 414-210-0260, 414-210-0270, 414-210-0720, 414-210-0750, 414-210-0840, 414-210-1030, 414-210-1050, 414-210-1500, 414-210-1620, 414-305-0100, 414-305-0200, 414-305-0260, 414-305-0270, 414-305-0720, 414-305-0750, 414-305-0840, 414-305-1050, 414-305-1500, 414-305-1620, 414-320-0100, 414-320-0200, 414-320-0260, 414-320-0270, 414-320-0720, 414-320-0750, 414-320-0840, 414-320-1020, 414-320-1030, 414-320-1050, 414-320-1620, 414-360-0100, 414-360-0200, 414-360-0260, 414-360-0270, 414-360-0400, 414-360-0720, 414-360-0750, 414-360-0840, 414-360-1030, 414-360-1050, 414-360-1500, 414-360-1620, 414-580-0000, 414-580-0005, 414-580-0010, 414-580-0030

CONTACT: Alyssa Chatterjee, Early Learning Systems Director, Department of Early Learning and Care

Encl:

- [Public Comment Summary](#)
- [Hearing Officer Report](#)
- [Appendix A](#)



Summary: Public Comments on Prohibition and Prevention of Suspension and Expulsion (SEP) Rules (effective September 1, 2026)

Agency response: [ELC June 2026 Public Feedback and Agency Response Outline](#)

Date	Source	Name	Comment	Agency Response
5/9/26	Form. response	Kira Karlinger	<p>OAR 414-210-0100(16 and 54), 414-210-0750</p> <p>As voiced in the April 21, 2026 Rulemaking Advisory Committee meeting regarding Suspension and Expulsion, I am concerned about the lack of clarity in the definitions and proposed rules regarding Suspension and Expulsion Prevention. I provided comments as to some items that need to be written more clearly, vague and subjective terms that need to be defined, and suggested timeframes for added procedures be made known in the writing. During the Rulemaking Advisory Committee meeting on April 22, 2026, it was explained that the proposed rules are simply intended to encourage the reduction of suspension and expulsion, and that the Department of Early Learning and Care cannot enforce the prohibition of suspension and expulsion at this time. However, as the proposed rules are written, it would be reasonable to assume that Civil Penalty will be received even if suspension or expulsion are necessary for the wellbeing and safety of the child, or other people in the childcare program. These rules will require providers to work with Every Child Belongs (ECB) to maintain placement of a child in their care even if that child is exhibiting persistent challenging behaviors - including threats to the safety of others - or if the provider does not have the capacity to meet the physical or mental needs of the child. The proposed rules do not take into consideration the needs of the providers. ECB promises to provide coaching, training, and consultation to providers requesting assistance, but coaching, training and consultation do not guarantee a provider sufficient support to maintain the placement of a child. ECB does not promise financial support to providers who may need to hire assistants or purchase specialized equipment in order to maintain placement of a child. The time and financial expenditures of gathering resources, placing supports, consulting or receiving further training, and the resulting physical and mental toll associated may not be reasonable for all providers. Providers face their own mental or physical challenges and financial</p>	



Summary: Public Comments on Prohibition and Prevention of Suspension and Expulsion (SEP) Rules (effective September 1, 2026)

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			<p>limitations that may severely hinder their ability to further care for a child with specialized needs or a child exhibiting persistent behavioral challenges. While it's a wonderful prospect that a provider might gain all the support and resources necessary to keep a child placed in their care, this is an idealized outcome. I think ECB can be a great resource for providers and the children in their care, but ECB's promise to provide coaching, training, and consultation is not sufficient to guarantee that all providers will be able to adhere to the proposed rules. Without guarantees of sufficient support and resources from ECB, and with the extra steps that will be tasked to the providers leading up to suspension and expulsion, I believe that enacting these rules will risk placing undue burden on many providers, including myself. For these reasons, I maintain that the utilization of ECB should be strongly encouraged, but not required as part of childcare licensing rules.</p>	
5/1/26	Form. response	<p>Rachel Turner</p> <p>Quality Care Connections, CCR&R of Lane County</p>	<p>Individualized Assessment Requirement OAR 414-210-0200(3) and OAR 414-305-0200(6)</p> <p>Thank you for the opportunity to provide feedback on the proposed rules. I appreciate DELC's commitment to reducing suspension and expulsion and to strengthening inclusive practices across early learning settings. The intent behind these changes is both important and necessary. I would like to offer feedback on the individualized assessment requirement in OAR 414-210-0200(3) and OAR 414-305-0200(6), which state that a provider must complete an individualized assessment of a child known to have specific needs before determining whether the program can meet the child's needs. This requirement raises a significant concern about how it may be interpreted and implemented in practice. As written, this language creates a clear risk that assessment could be used as a prescreening tool prior to enrollment or continuation of care. This has the potential to unintentionally create barriers for children with disabilities or perceived behavioral needs and may conflict with the broader intent of inclusion and equity, as well as ADA principles. In</p>	

Summary: Public Comments on Prohibition and Prevention of Suspension and Expulsion (SEP) Rules (effective September 1, 2026)

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			<p>addition, the expectation that providers will conduct or facilitate individualized assessments presents practical challenges. Many early educators, may not have the training, tools, or confidence to appropriately administer or interpret assessment instruments. Without clear guidance, this could lead to inconsistent practices across programs and place a significant burden on providers. Given these concerns, I encourage DELC to consider whether a more equitable and consistent approach would be to emphasize universal developmental screening rather than assessments that are triggered for individual children. Universal screening can reduce bias, support earlier identification, and create a more normalized and less stigmatizing process for children and families. To ensure these requirements are implemented in a way that truly supports inclusion, additional clarity and infrastructure will be essential. Specifically, it would be helpful for DELC to clarify:</p> <ul style="list-style-type: none"> *Whether assessments may be used to inform enrollment decisions, or whether their use is intended solely to support children already enrolled *Which screening or assessment tools are approved or recommended, particularly those that are low-cost or free and available in multiple languages *What training and ongoing support will be provided to ensure providers can use these tools appropriately *Whether DELC will develop templates, FAQs, or guidance documents to support compliance *Whether there are plans to partner with Early Intervention or Early Childhood Special Education providers to support screening and assessment *Who is qualified to administer or support these assessments, and what role CCR&Rs, ECB, or other professionals are expected to play <p>There are also important considerations related to family engagement and access:</p> <ul style="list-style-type: none"> *How providers should proceed if a parent declines consent for screening or assessment *How providers can remain in compliance in those situations *How language access will be supported to ensure families who speak languages other than English can fully understand and participate in the process <p>I strongly support the goal of early identification and meaningful support for children and families. At the same time,</p>	
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Summary: Public Comments on Prohibition and Prevention of Suspension and Expulsion (SEP) Rules (effective September 1, 2026)

Agency response: [ELC June 2026 Public Feedback and Agency Response Outline](#)

			implementation matters deeply. Clear guidance, accessible tools, and strong partnerships will be essential to ensure these rules advance inclusion rather than unintentionally creating new barriers to access. Thank you for your thoughtful work and for the opportunity to provide input.	
5/4/26	Form. response	Cassandra Russell	Clarification on New Exclusion/Suspension Policy 414-210-0200 and 414-210-0750 and 414-210-1050 Attached letter	
5/14/26	Form. response	Courtney E Walsh Montessori Children's House	Feedback on rules related to suspension and expulsion prevention practices 414-305-0750, 414-210-0750, 414-360-0750, 414-320-0750, 414-305-1050, 414-210-1050, 414-360-1050, 414-320-1050 Attached letter	
5/14/26	Form. response	Jon Myers Oregon Montessori Association	On behalf of the Oregon Montessori Association (OMA), a statewide organization that supports Montessori schools, educators, and families through advocacy, professional collaboration, and advancement of Montessori education across Oregon, we appreciate the opportunity to provide feedback regarding the proposed suspension and expulsion prevention rules currently open for public comment. OMA strongly supports the State of Oregon's goals around inclusion, equitable access, and reducing suspension and expulsion in early childhood settings. We believe deeply in creating environments where children with diverse developmental, behavioral, and support needs can thrive within their communities. We are encouraged by DELC's continued commitment to these priorities and share the belief that prevention and coordinated support systems are essential. At the same time, we respectfully urge DELC to consider several implementation concerns that may	



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			<p>unintentionally create barriers for programs, educators, and ultimately the children these rules are intended to support. First, meaningful prevention requires meaningful investment. The proposed fiscal impact appears to underestimate the labor, staffing, administrative time, training, consultation, and ongoing support required to implement these expectations successfully. Research on preschool suspension and expulsion consistently identifies teacher support, reflective planning time, coaching, and workforce stability as critical components of prevention efforts. Without sustained infrastructure and funding, programs may struggle to meet expectations in practice. Second, OMA has significant concerns regarding the proposed written care plan requirements. As currently written, the rule appears to require programs to implement plans developed by outside professionals unless the plan would directly result in licensing noncompliance. We believe care plans should be collaborative documents developed in partnership with programs, families, and support professionals. Licensed group-care settings operate within complex staffing, confidentiality, safety, and ratio considerations that outside providers may not fully understand. Without flexibility and collaborative planning structures, the rule may unintentionally increase pressure around enrollment and retention of children with more complex support needs rather than reducing exclusion. Third, we encourage DELC to revisit portions of the proposed language for clarity and consistency. Several sections contain broad or ambiguous wording that may result in uneven interpretation across programs and licensors. Clear implementation guidance will be essential to ensuring equity, consistency, and compliance statewide. Finally, we encourage DELC to examine the broader policy tension between inclusion goals and Preschool for All continuity-of-care limitations. Current Preschool for All continuity-of-care caps for center-based programs may inadvertently conflict with the goals of long-term inclusion and stable educational relationships for children already embedded within a program community. Continuity of care is itself an equity issue, particularly for children requiring additional</p>	
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Summary: Public Comments on Prohibition and Prevention of Suspension and Expulsion (SEP) Rules (effective September 1, 2026)

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			developmental, behavioral, or emotional support. Policies that limit continuity may undermine the very inclusion efforts these proposed rules seek to strengthen. OMA believes we are aligned in the shared goal of building a more inclusive early childhood system in Oregon. It is our hope that these rules can be strengthened through collaborative revision, thoughtful implementation planning, and increased investment in the educators and programs responsible for carrying this work forward each day. Thank you for the opportunity to provide feedback and for your continued commitment to Oregon's children, families, and educators.	
5/15/26	Form. response	Mercedes Castle Portland Montessori Collaborative	Suspension and Expulsion Rules Attached letter	
5/15/26	Form. response	Liora Berry Alliance for Equity in Montessori Education	Every Child Belongs OAR 414-580-0005 We appreciate the opportunity to provide testimony regarding the statewide implementation of Every Child Belongs (ECB) program. Our mission is to increase access to high-quality early childhood education for children and families impacted by economic and racial inequities through tuition-free Montessori preschool programs. As a contracted provider with the State of Oregon's Preschool Promise Program, we are committed to inclusive practices and do not suspend or expel children from our classrooms. We advocated for and strongly support the vision and intent of Every Child Belongs and appreciate Oregon's investment in building a more equitable and inclusive early learning system. We also recognize the importance of the current ECB support framework, including training, professional development, coaching, and access to mental health consultation.	

Summary: Public Comments on Prohibition and Prevention of Suspension and Expulsion (SEP) Rules (effective September 1, 2026)

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			<p>These are critical foundations for successful implementation. At the same time, successful implementation will require significant additional investment and infrastructure. Without adequate systems and resources in place, there is risk of placing further strain on an already under-resourced early childhood sector and creating unintended impacts on provider sustainability and classroom quality. Key areas for consideration include:</p> <ul style="list-style-type: none"> • Training and professional development must be available statewide, year-round, in multiple languages, and at varying levels of experience. Funding for staff training time and advanced training on interventions and anti-bias is needed. • Coaching systems must be staffed by highly qualified professionals with appropriate language access, consistent site assignments, and adequate time to understand classroom environments before making recommendations. Coaching should include hands-on modeling, classroom support, and access to materials and tools needed for implementation. • Access to mental health consultation remains extremely limited across Oregon, particularly for children under age six. Clear information is needed regarding how these services will be staffed, accessed, and sustained statewide by July 1, 2026. • Programs serving children with significant medical, behavioral, mobility, or developmental support needs will require additional funding and staffing resources. In some cases, needs may include dedicated staffing, specialized medical training, adaptive equipment, or facility modifications that are beyond the financial capacity of individual providers. Dedicated funding pot. • Clear processes are needed when support plans require staffing or operational changes that are not financially or logistically sustainable for a program while still maintaining safe supervision and quality learning environments for all children enrolled. • A funding source which can cover a SPED trained staff (which requires intensive training around delays & behavioral management etc.) OR having a system such as PFA where if 30% or more of students in a program do have delays/disabilities or behavior concerns, a rubric is implemented to assess and approve the SPED funding for the program. 	
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Summary: Public Comments on Prohibition and Prevention of Suspension and Expulsion (SEP) Rules (effective September 1, 2026)

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			<p>Oregon should re-visit the planned timeline to have an implementation approach that to ensures front-end training, and collaborative systems for providers to access support and resolve concerns. • Prioritize statewide workforce development partnerships, including ECE internship programs through community colleges and universities with direct placements into licensed ECE and childcare programs to help strengthen long-term inclusion capacity within the early childhood sector. We believe Every Child Belongs has the potential to create lasting positive change for children, families, and educators across Oregon. With strong infrastructure, realistic implementation planning, and adequate funding, the program can fulfill its intent while supporting providers in maintaining stable, inclusive, and high-quality early learning environments. Thank you for this opportunity.</p>	
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Public Feedback Summary and Agency Response



Summary of Proposed Rule Changes

Amendments were proposed to the following Divisions within Chapter 414:

- Certified Family Child Care Homes (Division 360)
- Registered Family Child Care Homes (Division 210)
- Certified Child Care Center (Division 305)
- Certified Outdoor Nature-Based (Division 320)
- Early Childhood Suspension and Expulsion Prevention Program (Division 580)

DELIC is seeking to adopt rules related to suspension and expulsion prevention practices. This will include developing and implementing new policies, expanding communication and collaboration with families regarding challenging behaviors; and specifying requirements to contact DELIC's suspension and expulsion prevention program (Every Child Belongs) when a young child is at risk of expulsion. Proposed rules include new definitions to increase understanding and support implementation of the new rules.

This document includes a summary of feedback received during the Rulemaking Advisory Committee, written and verbal public comments.

Feedback on System Gaps

- Prevention of suspension and expulsion requires resources. Ongoing training and coaching for child care providers, substitutes to allow for providers to collaborate with families and professionals. There is insufficient funding and resources to reasonably support providers in maintaining a child's placement.
- The prohibition and supports available to providers do not reflect the realities of the child care field and place additional strain on providers who are already struggling.
- Concerns that ECB's support capacity may not meet demand, or may not meet needs in a timely manner, especially once programs are required to contact ECB.
- Questions about potentially conflicting guidance in instances where a child's IFSP or an IECMH Consultant recommends a shortened day; how does the system ensure that decision-making balances the child's developmental needs, the family's need for child care, and the program's needs. Alternatively, there are instances in which an IFSP calls for 1:1 support for a child and the early learning program does not have the resources to provide 1:1 support

Licensed Child Care Facility Administrative Rules

NOTE: The amendments listed below will be made in all the divisions listed, though the rules for certified centers are used as example.

Chapter 414 Divisions: 210, 305, 320, 360

Rule Section: 0100 DEFINITIONS

Summary of Feedback	Agency Response
Every Child Belongs	
<ul style="list-style-type: none"> Concerns about the word timely-what does that mean Confused about whether ECB is an initiative or program. Who are they contacting? 	<p>Amended to: "Every Child Belongs" is Oregon's early childhood suspension and expulsion prevention initiative program. The goal of Every Child Belongs helps is to help early childhood care and education programs keep children in care by offering timely responsive support when challenges arise.</p> <p>Agency Comments: Changes initiative to program, removes the word timely. Responsive when challenges arrive also implies timely.</p>
Expulsion or Expel	
<ul style="list-style-type: none"> Concerns about the term specialized needs, may conflict with ADA 	<p>Amended to: replace the definition with an intent-based policy, since that is the only place the words suspension and expulsion are used.</p> <p>Agency Comments: Term is not used within the rules themselves, other than in the title of the policy. Reducing</p>

	confusion about what DELC has the authority to enforce (prevention rules vs. use of suspension and expulsion).
Suspension	
<ul style="list-style-type: none"> • Confusion about the difference between suspension and Temporary Safety-Based Intervention. • Recommend adding "program-determined" in prior to reductions of time spent in the program 	<p>Amended to: replace the definition of suspension with an intent-based policy, since that is the only place the words suspension and expulsion are used.</p> <p>Agency Comments: Term is not used within the rules themselves, other than in the title of the policy. Reducing confusion about what DELC has the authority to enforce (prevention rules vs. use of suspension and expulsion).</p>
Potential Expulsion	
<ul style="list-style-type: none"> • Doesn't define the strategies that programs, may legitimize non-evidence-based practices • Suggest adding the word "facing" to emphasize proactive approach • Consider adding ongoing family meetings about behavior as an indicator 	<p>Amended to: Add "Facing" to Potential Expulsion.</p> <p>Agency Comments: Definitions references required guidance and behavior policies (OAR 414-305-0700). This rule references what facility behavior and guidance policies must include, which are foundational strategies for mitigating and addressing challenging behaviors,</p> <p>The definition does not contain an all inclusive list, family meetings may be considered as an indicator of potential expulsion. The intent is that family meetings should be considered collaborate and preventative.</p>
Serious Safety Threat	

<ul style="list-style-type: none"> • Recommendation to add the word "immediately" by the program's existing guidance and behavior strategies. • Doesn't define the strategies that programs, may legitimize non-evidence-based practices • Request definition of "physical harm", behaviors perceived as harmful may be developmentally appropriate. • Definition seems overly broad • ONB programs have unique environments where behaviors may carry very different levels of risk 	<p>No changes.</p> <p>Agency Comments: Adding the word immediately was not supported by some RAC participants and some strategies may reduce the severity of the behavior but can't do so immediately.</p> <p>OAR 414-305-0700 Rule references the requirements for the facility's behavior and guidance policies including the use of positive guidance to help children develop self-control, self-direction, and respect for others through evidenced-based approaches.</p> <p>Though ONB programs may be in environments that have additional risks, programs must have risk preventions policies based on their environment. ONB programs should take those environmental hazards into consideration when determining if a child's behavior poses a physical risk to themselves or others.</p>
Temporary Safety Based Intervention	
<ul style="list-style-type: none"> • Request for a clear timeline for a child to return to care. • Need stronger rule language noting required partnership with families and what happens when families do not want to work with the program. 	<p>No changes.</p> <p>Agency Comments: This concept is based on similar allowance within the Head Start performance standards. The speed and timing at which supports may be</p>

	<p>implemented will vary according to the circumstances. The rule does require that children must return to care as soon as supports are in place. Rules don't limit family collaboration or partnership. How families respond is outside of what DELC or may control.</p>
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Chapter 414 Divisions: 210, 305, 320, 360

Rule Section: 0200 Policies

Summary of Feedback	Agency Response
Assessment of a program's ability to support a child with known specific needs	
<ul style="list-style-type: none"> • Concerns that the rule conflicts with ADA • Recommendation for universal screening tools for children • What is meant by "known"? 	<p>Amended to:</p> <ul style="list-style-type: none"> • Focus the assessment on program's ability to meet a child's specific needs versus the program completing an assessment of a child. • Use plain language to increase understanding. • Add rule that clarifies that these requirements do not displace a program's requirement to comply with American with Disabilities Act (ADA). <p>Agency Comments: These rules only apply if a family shares the specific need with the program and therefore is known.</p>

Chapter 414 Divisions: 210, 305, 320, 360

Rule Section: 0720 Physical Restraint

Summary of Feedback	Agency Response
Must contact ECB if used more than once	
<ul style="list-style-type: none"> Consider adding a timeframe between incidents (two within 6 months for example) Consider adding a time requirement for when programs contact ECB. 	<p>Amended to: Require programs contact ECB by 5:00pm the next business day.</p> <p>Agency Comments:</p> <ul style="list-style-type: none"> The timeline to contact ECB aligns with other required program notifications. There was mixed feedback on adding a timeframe between incidents and not included in the proposed amendments.

Chapter 414 Divisions: 210, 305, 320, 360

Rule Section: 0750 Suspension and Expulsion Prevention

Summary of Feedback	Agency Response
Suspension and Expulsion Prevention Policy	
	<p>Amended to: Add "The intent of the suspension and expulsion prevention policy is to ensure that young children are supported to remain in care.</p> <p>Agency Comments: Replaces definitions of suspension and expulsion.</p>
When Programs Must Contact ECB	

<ul style="list-style-type: none"> • It's unclear when programs must contact ECB to request services 	<p>No Changes.</p> <p>Agency Comments: ORS 329A.600 (HB 2166) requires programs contact ECB when "a young child is facing potential expulsion". DELC defined "Facing potential expulsion" and included some indicators of potential expulsion. The definition is not an all inclusive list, as situations may vary. The rule states when a program must contact ECB. A program may choose to contact ECB earlier and state that in their suspension and expulsion prevention policy.</p>
<ul style="list-style-type: none"> • (2)(f) Concerns about referencing a child's development as a reason there may or may not be behaviors that may result in suspension/expulsion • Add the term "supports" to (3)(b) • Suggestion that contacting ECB should be optional instead of required • Concerns about the level of documentation required-capacity to complete and how it may be used. 	<p>Amended to:</p> <ul style="list-style-type: none"> • (2) The suspension and expulsion prevention policy must: (f) Include the method that the certified center will use to notify a family of concerns related to a child's ability, behavior, or development, such as written notification or an in-person conference. • (3) When a young child is facing potential expulsion, as defined in these rules, a certified center must: (b) Document what strategies and supports the certified center has used to support the child and their effectiveness; <p>Agency Comments:</p>

	<p>ORS 329A.600 (HB 2166) requires that providers contact ECB when a young child is facing potential expulsion. Administrative rules establish this requirement for licensed child care programs.</p> <p>During implementation, DELC will research and develop technical assistance documents and templates that provider may use for documentation requirements.</p>
<p>Use of Temporary Safety-Based Intervention</p>	
<ul style="list-style-type: none"> • Recommend adding parent notification to this section to align with other requirements • Suggestion to adjust the return to care timeline to state eliminate or reduce the severity of the behavior • Should CCLD be notified any time the intervention timeline changes 	<p>Amended to: Add parent notification requirement</p> <p>Agency Comments: This is a reduction of the severity of the behavior. "Eliminate" implies a level of control and predictability that isn't realistic nor developmentally appropriate. Change in behaviors may take place over time and during that time the behavior no longer be considered a "serious safety-threat".</p> <p>Current rule only requires that providers share this information when requested by CCLD. This is intended to be in response to complaints that CCLD may receive regarding the length of a temporary safety-based intervention.</p>

Chapter 414 Divisions: 210, 305, 320, 360

Rule Section: 1050 Care of Children with Specific Needs

Summary of Feedback	Agency Response
Developing and implementing a plan of care	
<ul style="list-style-type: none"> • Unclear who is considered a qualified professional. Recommend defining this. • Unclear if parents are involved in the development of the plan or consented to its use. • Suggestion to add a timeline for the provider to implement the plan, • Concerns about what happens if the provider is not equipped to implement the plan or if there are costs associated with implementing the plan (staffing, outside supports, time away from the program for meetings) • Suggestion to add an undue burden clause for providers. • Concern for including provider mental and physical health as part of capacity considerations. 	<p>Amended to;</p> <ul style="list-style-type: none"> • Add definition of qualified professional • Add that collaboration may occur with families and the child care provider. <p>Agency Comments: Other administrative rules (see OAR 414-305-0200, Policies) require child care programs complete an individual assessment to examine the center's physical environment, policies, and practices to identify any reasonable modifications that are needed to support meeting both the child with specific needs, and other children enrolled in the program. Additional staffing, training, coaching and whether a program can provide those supports may be considered in this assessment.</p>

Suspension and Expulsion Prevention Program Administrative Rules

Chapter 414 Divisions 580

Rule Section: 0000 DEFINITIONS

Summary of Feedback	Agency Response
Early Childhood Care and Education	
<ul style="list-style-type: none"> No comments 	<p>Amended to: (b) Any program receiving state public funding for early learning and care services; where such funds are for the purposes of funding a Young Child's enrollment in a classroom or child-care setting in which a Young Child could face potential expulsion;</p> <p>Agency Comments: Per DOJ review, the revised wording provides greater clarity and is more in line with legislative intent</p>
Every Child Belongs	
<ul style="list-style-type: none"> Concerns about the word timely-what does that mean 	<p>Amended to: The goal of Every Child Belongs helps is to help early learning and care programs keep children in care by offering timely responsive support when challenges arise.</p> <p>Agency Comments: Responsive when challenges arrive also implies timely.</p>
Expulsion or Expel	

<ul style="list-style-type: none"> • Confusion about the meaning of the phrase "due to a Young Child's ability, specialized needs, or behavior." • Concern that referring to a child's "ability" allows children with disabilities to be excluded 	<p>No change.</p> <p>Agency Comments: The addition of the "due to" clause in this definition differentiates expulsion from the exclusion of a child due to non-payment, failure of the family to comply with program's policies and guidelines, or other factors not related to the child.</p> <p>Using the term "ability" assumes that there will be natural variation in children's development and skill that is distinct from a diagnosed or undiagnosed disability.</p>
<p>Suspension; In-Program Suspension; Out-of-Program Suspension</p>	
<ul style="list-style-type: none"> • Confusion about the meaning of the phrase "due to a Young Child's ability, specialized needs, or behavior." • Concern that referring to a child's "ability" allows children with disabilities to be excluded 	<p>No change.</p> <p>Agency Comments: The addition of the "due to" clause in this definition differentiates suspension from the exclusion of a child due to illness, non-payment, or failure of the family to comply with program's policies and guidelines.</p> <p>Using the term "ability" assumes that there will be natural variation in development and skill that is distinct from a diagnosed or undiagnosed disability.</p>
<p>Planned Transition</p>	
<ul style="list-style-type: none"> • Suggestion to add wording that the early learning and care program that the child is transitioning to 	<p>Amended to:</p>

<p>should be required to be involved in planning the transition</p> <ul style="list-style-type: none"> Concerns that requiring the new program to be involved in the transition plan may create challenges with confidentiality or parental consent 	<ul style="list-style-type: none"> Add that the Early Learning and Care Program receiving the child <i>may</i> be included in creating the transition plan <p>Agency Comments:</p> <ul style="list-style-type: none"> Requiring the receiving program to be involved in the development of the transition plan may be in conflict with parental consent or confidentiality
<p>Soft Expulsion</p>	
<ul style="list-style-type: none"> No comments. 	<p>Amended to:</p> <ul style="list-style-type: none"> Add clause "due to a Young Child's ability, specialized needs, or behavior" <p>Agency Comments:</p> <p>Adding this clause creates alignment with the definitions of suspension, expulsion, and exclusionary practices. This clause also helps to differentiate between a family withdrawing a child due to dissatisfaction with the program from a family withdrawing their child because of exclusionary practices used by the program to push a child out</p>

To Whom It May Concern,

I am seeking clarification on proposed changes to OAR 414-210-0200, 414-210-1050, and 414-210-0750.

As is written in 414-210-1050 (1), “a qualified professional develops a written care plan for a child with a documented physical, developmental, behavioral, emotional, or medical condition requiring services beyond those typically needed by children of the same age, and the plan is provided to the provider with parental consent, the provider must implement the written care plan”, which begs the questions: what does DELC consider a “qualified professional?”. Are qualified professionals doctors, therapists, MECP providers (what happens if a child doesn’t qualify through MECP for services), or center administration? Who pays for a qualified professional’s services? Are providers allowed any input on written care plans? What is considered a “documented condition”? Will records of incident reports and parent meetings be enough to recommend a written plan to a qualified professional, or do these children need a diagnosis of some sort? I have found that many parents avoid getting their children a diagnosis in early childhood to avoid potential stigma and discrimination towards their children, which is understandable but doesn’t change the need that their children need extra support in the classroom, regardless of diagnosis status.

In OAR 414-360-0200 (4), it is written “A provider must complete an individual assessment of a child known to have specific needs before determining whether the certified family child care can meet the child's needs in its program.” Is this applicable to only certified family child care centers, not certified centers? Can we enroll a child before doing an assessment even knowing they have specific needs?

Finally, can written care plans include early pick-up times if a parent volunteers to pick up their child “early” on a regular basis? And, what does a center do if a family does not wish for a support plan to be written but their child exhibits a serious safety threat? Do Temporary-Safety Based Interventions need to be approved by a governing body or just need to be agreed on between the provider (certified center) and parent?

Thank you for your clarification.



Montessori Children's House

A Montessori Center on Portland's South Waterfront
3626 S Bond Ave., Portland OR 97239

public comment regarding rules:

414-305-0750, 414-210-0750, 414-360-0750, 414-320-0750, 414-305-1050, 414-210-1050, 414-360-1050, 414-320-1050

To whom it may concern,

We strongly support the goals of inclusion and preventing suspension and expulsion in early childhood programs. We also deeply appreciate the intent behind Every Child Belongs and the many caring professionals involved in this work. However, after going through an intensive support process with ECB this year (March-April 2026), I feel compelled to share concerns about the practical implementation realities facing schools.

Our program worked extraordinarily hard to support a child with significant behavioral and safety needs over an extended period of time. We involved ECB when it looked like we may need to consider expulsion (but as early as possible), participated fully in the consultation process, hosted and attended lengthy meetings, welcomed multiple classroom observations, implemented recommendations, maintained extensive communication with family and support providers, and continuously adjusted staffing and classroom structures in an effort to avoid disenrollment.

What became increasingly clear throughout this process is that the current support model often creates additional work for already-overextended teaching staff and administrators without providing the concrete operational resources programs actually need in order to sustain inclusion successfully.

The support offered largely took the form of:

- long meetings,
- classroom observations,
- suggestions for additional staff training,
- consultation conversations,
- suggestions for teacher mental health support,
- ongoing communication and documentation expectations.

While well-intentioned, these interventions required enormous additional staff time and emotional bandwidth during a period when staff were already operating at maximum capacity trying to maintain safety and stability for all children in the classroom community.

At no point were we offered the practical supports that would have meaningfully changed our ability to sustain the situation safely and successfully (even when we asked for them directly):

- funding for additional staffing,
- funding for substitute coverage,

- direct classroom aide support,
- support personnel to cover classrooms during meetings/trainings,
- resources to offset the labor burden placed on existing staff,
- crisis-response staffing capacity,
- meaningful operational relief.

In practice, the “support” often resulted in more meetings, more emails, more observations, more recommendations, and more administrative coordination, all of which increased workload for the very educators who were already overwhelmed and seeking help.


This creates a concerning disconnect between policy expectations and operational reality.

If Oregon is going to increase expectations around inclusion and expulsion prevention, then schools must also be provided with the staffing infrastructure and funding necessary to make those expectations realistic and sustainable. Otherwise, programs are effectively being asked to absorb increasingly intensive behavioral and mental health support responsibilities without the personnel or financial capacity required to do so safely.

Additionally, there is concern about how some of these proposed rules may unintentionally increase pressure on programs rather than reduce exclusion. For example, requiring programs to implement outside care plans unless they directly violate licensing rules may create significant operational and safety challenges in group-care settings, particularly when plans are developed without full understanding of classroom realities, staffing limitations, or the needs of the broader classroom community.

In our experience, inclusion work succeeds when programs are given tangible, practical support, not simply consultation and recommendations. Schools cannot implement intensive supports on goodwill alone. Inclusion requires infrastructure.

We want Oregon to succeed in reducing exclusionary practices. But for these policies to work in real classrooms, they must be paired with meaningful funding, staffing support, operational flexibility, and a much clearer understanding of what early childhood programs are realistically capable of sustaining.

Regards,

Courtney Walsh
Head of School

To DELC Leadership,

I am an owner/operator of a Certified Childcare Center (Portland Montessori Collaborative) and have been in this position since 2012, when I co-founded this program. I started two Certified Family Childcare Homes in 2003 and 2009 respectively and have worked in the licensing and childcare system for many years. I am a teacher educator as well and represent the leadership of Heart and Hand Montessori Teacher Education Program. I am currently pursuing a Doctorate from UWRF and my research focus is preschool expulsion. I participated in the RAC for the suspension and expulsion rules. I appreciate the opportunity to provide further comment.

I support the goal of reducing suspension and expulsion and increasing inclusive practice in early childhood settings. I also appreciate Oregon's focus on the disproportionate impact of exclusionary practices on children of color, multilingual children, and children with disabilities. This is why I suggest that instead of framing these policies as exclusion and suspension prohibition we re-frame as 'equitable and inclusive belonging' or the like.

Prevention requires resources

The proposed notice understates the cost of meaningful prevention by characterizing compliance costs as minimal and limited mainly to policy development, potential access to mental health specialists, and training time. In practice, prevention requires substantial labor: documentation, family collaboration, coordination with Every Child Belongs, staff planning, substitute coverage, and sustained support for teachers and administrators. Research and policy literature have consistently tied expulsion prevention to support infrastructure and public investment. Gilliam, who authored the landmark study in 2005 identifying the problem of preschool expulsion, explicitly recommended that federal and state funds be made available to track expulsions and fund prevention models such as early childhood mental health consultation.

Written Care Plans

I am particularly concerned by the proposed requirement that centers must implement a written care plan developed by a qualified professional, unless doing so would place the center out of compliance with licensing rules, and must ensure that all staff who come in contact with the child are aware of and follow the plan. This language is too rigid. It does not appear to provide a meaningful feasibility-review process grounded in staffing, ratios, safety, confidentiality, and group-care operations. This may unintentionally increase exclusion pressure by making programs more cautious about enrolling or retaining children with complex support needs.

Suggested revision:

The rule should permit collaborative adaptation of care plans among families, programs, and professionals so that plans are both supportive and feasible in licensed group settings.

Unintended Consequences

There are many triggers for contacting ECB and they are not clearly articulated. There is a risk of overburdening programs in paperwork, overburdening the system because of this ambiguity.

There are vague timelines referenced related to ‘timely response’ by ECB when a child is ‘in danger of expulsion’. These metrics need to be more clearly identified, standardized, and defined.

Continuity of care as equity

There is also a broader policy concern. Preschool for All’s continuity-of-care policy recognizes the importance of preserving care relationships for currently enrolled children, but for center-based sites in their second and subsequent years, continuity-of-care seats are capped at 50% of open seats in 2025–26, with possible future reductions.

At the same time, Every Child Belongs is designed to increase supports, reduce exclusion, and align systems around inclusion.

For children already in care, especially those with disabilities or significant support needs, continuity of care is itself an equity issue. Policies intended to increase access should not inadvertently destabilize relationships and settings that are already working for children with support needs.

Closing

I encourage DELC to revise the proposed rules to better reflect the real cost of prevention, to add flexibility and clarity to the written-care-plan language, clarify and tighten language around ECB triggers, and to consider how suspension/expulsion prevention interacts with continuity-of-care policies across Oregon’s early learning systems.



MEMORANDUM

To: Executive Leadership Team, Department of Early Learning and Care

From: Kathy Wai, Administrative Rules and Legislative Coordinator

Date: May 12, 2026

Re: Presiding Officer’s Report on Rulemaking Hearing

Proposed Ruleset: OAR 414-210-0100, 414-210-0200, 414-210-0260, 414-210-0270, 414-210-0720, 414-210-0750, 414-210-0840, 414-210-1030, 414-210-1050, 414-210-1500, 414-210-1620, 414-305-0100, 414-305-0200, 414-305-0260, 414-305-0270, 414-305-0720, 414-305-0750, 414-305-0840, 414-305-1050, 414-305-1500, 414-305-1620, 414-320-0100, 414-320-0200, 414-320-0260, 414-320-0270, 414-320-0720, 414-320-0750, 414-320-0840, 414-320-1020, 414-320-1030, 414-320-1050, 414-320-1620, 414-360-0100, 414-360-0200, 414-360-0260, 414-360-0270, 414-360-0400, 414-360-0720, 414-360-0750, 414-360-0840, 414-360-1030, 414-360-1050, 414-360-1500, 414-360-1620, 414-580-0000, 414-580-0005, 414-580-0010, 414-580-0030

The Department of Early Learning and Care (DELIC) held a public hearing to receive public comment on a proposed ruleset for the Program. Notice of the hearing was published by the Secretary of State in the May 1, 2026 Oregon Bulletin. Notice was also sent to interested parties and persons who requested notice pursuant to ORS 183.335(7). The hearing was presided over by Kathy Wai.

Hearing Information:

<i>Date</i>	<i>Time</i>	<i>Location</i>
April 29, 2026	5:00 PM	Zoom (Virtual)

Attendees who wished to comment on proposed rules were given the zoom information, informed of procedures for taking comments, and notified that the hearing was recorded. To reduce barriers to participation, registration via zoom was not required and the hearing was live streamed on DELIC’s YouTube.

Before receiving comment, staff briefly summarized proposed rules. A recording of the hearing is available on the DELIC website.



Oregon

Tina Kotek, Governor



MEMORANDUM

Summary of Oral Comments:

Three members of the public attended the public hearing to watch. One verbal testimony was shared during the public hearing.

Testifier: Kira Karlinger

Summary of Comments: Written comments will also be submitted to supplement the oral testimony. Wanting more clarity in the definitions and proposed rules regarding Suspension and Expulsion Prevention. Wants the proposed rules to take into consideration the needs of the providers. Thinks ECB can be a great resource for providers and the children in their care, but would like to see more sufficient support and resources.



Early Learning Council

June 24, 2026

9:00 a.m. – 1:00 p.m.

Department of Early Learning and Care
700 Summer St NE, Suite 350
Salem, OR 97301

Appendix A:

REGISTERED FAMILY CHILD CARE HOMES

414-210-0100

Definitions

Rule Summary: 414-210-0100 is being amended to include definitions related to suspension and expulsion prevention.

The following words and terms within these rules have the following meanings:

- (1) "Applicant" means an individual who submits the child care license application to operate a registered family child care in their home and in whose name the registration will be issued.
- (2) "Behavior and Guidance" means the on-going process of helping children develop self-regulation and assume responsibility for their own behaviors and actions.
- (3) "Business Day" means Monday through Friday, but does not include any holiday as defined by ORS 187.010 and ORS 189.020, or any day that the central office of CCLD is closed.
- (4) "Capacity" means the total number of children allowed in care at the registered family child care or in care away from the home at any one time.
- (5) "Caregiver" means any person, including the provider, who cares for the children in the registered family child care home and works directly with the children, providing care, supervision and guidance.
- (6) "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 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.
- (7) "CCLD" means the Child Care Licensing Division in the Department of Early Learning and Care.
- (8) "Child Care" means the care, supervision, and guidance on a regular basis of a child, unaccompanied by a parent, guardian, or custodial parent, during a part of the 24 hours of the day, with or without compensation.
- (9) "Child Care Child" means any child six weeks of age or older and under 13 years of age, or a child who is under the age of 18 with special needs or disabilities and who requires a level of care that is above normal for the child's age, for whom the provider has supervisory responsibility in the temporary absence of the parent.
- (10) "Child with Specific Needs" means a child who requires specialized supports or other accommodations including some adaptation of the registered family child care's standard



Early Learning Council

June 24, 2026

9:00 a.m. – 1:00 p.m.

Department of Early Learning and Care
700 Summer St NE, Suite 350
Salem, OR 97301

program of care, activities or equipment to accommodate a physical, developmental, behavioral, mental or medical condition or disability which is either permanent or temporary.

- (11) "Civil Penalty" means a fine imposed by CCLD on a provider for violation of these rules.
- (12) "DELC" means the Department of Early Learning and Care.
- (13) "Developmentally Appropriate" means:
- Caregivers interact with each child in a way that respects the child's unique abilities;
 - Caregivers have knowledge about how children grow and learn;
 - Activities, materials, and curriculum reflect the interests and abilities of a specific child or group of children being served; and
 - Equipment is appropriately sized or adapted so that each child can participate fully and safely.
- (14) "Disinfect" means to destroy or inactivate all germs from an inanimate surface. Disinfecting involves cleaning and rinsing the surface, by the followed by applying a disinfectant, such as:
- A chlorine and water solution following the manufacturer's instructions; or
 - An EPA registered disinfectant, used according to the manufacturer's instructions including, correct concentrations, contact time, drying or rinsing requirements and suitability for the surface.
- (15) "Every Child Belongs (ECB)" is Oregon's early childhood suspension and expulsion prevention initiative program. The goal of Every Child Belongs is to help early childhood care and education programs keep children in care by offering timely, responsive support when challenges arise.
- (16) "Facing Potential Expulsion" refers to the risk of a child being expelled permanently from the certified child care center. Indicators of potential expulsion include, but are not limited to:
- The use of strategies identified in the program's behavior and guidance policy (OAR 414-305-0700) without reducing or eliminating the challenging behavior;
 - The use of temporary safety-based intervention; or
 - The use of physical restraint with the child on more than one occasion.
- (16) "Expulsion" or "Expel" means to permanently end a child's enrollment in a registered family child care due to child's ability, specialized needs, or behavior.
- (17) "Family" means a group of individuals related by blood, marriage or adoption, or individuals whose functional relationships are like those found in such associations.
- (18) "Field Trip" means an excursion or program activity with a specific destination away from the home that begins when caregivers and children leave the premises, whether by vehicle or by walking. It does not include neighborhood walks, routine school or home pick-up and drop-offs provided by the registered family child care.
- (19) "Fire Code Official" means a Fire Inspector II, Fire Marshal, Deputy State Fire Marshal or designated person defined by ORS 476.030, ORS 476.060 and OAR 837-039-0016.
- (20) "Hazard" means anything that may inflict injury or cause harm.
- (21) "Inaccessible to children" means method to prevent a child from reaching, entering, using or getting to items, areas, or materials of a registered family child care by one or more of the following means:



Early Learning Council

June 24, 2026

9:00 a.m. – 1:00 p.m.

Department of Early Learning and Care
700 Summer St NE, Suite 350
Salem, OR 97301

- (a) Secured with a child safety device, such as a child safety cupboard lock or doorknob device:
 - (A) A device specifically manufactured as a child safety product; or
 - (B) For a product not manufactured as a child safety product, the device must have a multi-step opening process, or require two hands to open.
 - (b) Locked, such as in a locked room, cupboard, or drawer; or locks that do not use a key or combination, such as a deadbolt or hook-and-eye latch, only if they are installed at least 60 inches high;
 - (c) Behind a properly secured child safety gate; or
 - (d) In a cupboard or on a shelf that is not within reach of any surface from where a child could stand or climb.
- (22) "Infant" means a child who is 6 weeks to 12 months of age.
- (23) "Infestation" means the invasion of insects and worms that causes a disease to the host. These insects can be mites, ticks, fleas or lice. Worms can be roundworms, pinworms, flatworms or other helminths.
- (24) "License" means the document that is issued by CCLD to a registered family child care. A license may also be referred to as a registration.
- (25) "Licensing period" means the 24 months for which a registered family child care license is issued.
 - (a) For an initial license, the licensing period begins the day the regular license is issued and ends the same day two years after. For example, if a registered family child care is issued a license on July 6, 2024, the licensing period is July 6, 2024 through July 6, 2026.
 - (b) For a renewal license for which the provider submitted a timely renewal application, the licensing period begins the day the prior licensing period ended and ends the same day two years after, regardless of the date the renewal license is issued, unless the provider and CCLD agree to change the licensing period to begin on a different date.
- (26) "Lockdown" means restricted to an interior room with few or no windows while the facility or building is secured from a threat.
- (27) "New Application" means a registration application that has been filed by an applicant who has never had an active registration.
- (28) "Night Care" means care given between 9:00 p.m. and 5:00 a.m. or when any enrolled child sleeps for more than 3 hours at the registered family child care.
- (29) "Oregon Registry" means the voluntary registry at the Oregon Center for Career Development in Childhood Care and Education at Portland State University that documents the training, education and experience of individuals who work in childhood care and education.
- (30) "Oregon Registry Online" (ORO) means the statewide database that stores all submitted training and education to be verified for use by CCLD.
- (31) "Parent" means a child's parent, a guardian, or a person 18 years of age or older with supervisory responsibility of the child in the absence of the child's parent.
- (32) "Physical Restraint" means purposely limiting or obstructing the freedom of a person's bodily movement. Physical restraint does not include:



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- (a) Holding a child to comfort the child when in distress;
- (b) Holding a child to move them safely from one area to another without the use of force (e.g. redirecting a toddler to another activity);
- (c) Assisting a child to complete a task, if the child does not resist the physical contact (helping a child to tie their shoe or hold a pencil or tool, bottle feeding, etc.); or
- (d) Any prohibited discipline or action listed in OAR 414-210-0710.

(33) "Play yard" means a framed enclosure with mesh or fabric sides. A play yard is intended for sleeping and playing accommodations.

(34) ~~"Potential Expulsion" refers to the risk of a child being expelled permanently from the registered family child care. Indicators of potential expulsion include, but are not limited to:~~

- ~~(a) The use of strategies identified in the program's behavior and guidance policy (OAR 414-210-0700) without reducing or eliminating the challenging behavior;~~
- ~~(b) The use of temporary safety-based intervention; or~~
- ~~(c) The use of physical restraint with the child on more than one occasion.~~

~~(34) "Potentially hazardous food" means any food or beverage containing milk or milk products, eggs, meat, fish, shellfish, poultry, cooked rice, beans or pasta, and all other previously cooked foods, including leftovers.~~

(35) "Premises" means the physical location used by a registered family child care to provide care subject to regulation or investigation by CCLD, including all indoor and outdoor areas not directly used for child care if the provider, child care staff, or child care children have actual or potential access to the areas.

(36) "Preschool-Age Child" means a child who is at least 36 months of age but not yet eligible to be enrolled in kindergarten or above, before the first day of the current school year.

(37) "Provider" means a resident of the registered family child care home who is responsible for the children in care; is the children's primary caregiver; and the person whose name is on the certificate of registration. The provider is the person responsible for the overall operation of the home and who has the authority to perform the duties necessary to meet registration requirements.

(38) "Registered Family Child Care Home" means the residence of the provider, who has a current Family Child Care Registration at that address and who provides care in the family living quarters. References in these rules to "registered family child care home" or "home" refer to the provider or any agent, including a substitute provider, operating under the registration.

(39) "Registration" means the document a registered family child care provider is issued by CCLD to operate a registered family child care home where care is provided in the family living quarters of the provider's home pursuant to ORS 329A.330 and OAR 414-210-0100 through 414-210-1620.

(40) "Renewal Application" means a registration application that has been filed by a currently registered family child care provider who wishes to continue registration.

(41) "Reopen Application" means a registration application that has been filed by an applicant whose registration is expired or closed, including those closures resulting from an address change.



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- (42) "Restrictable Disease" means an illness or infection as identified by the Public Health Division in OAR 333-019-0010 that would prohibit the child from attending child care.
- (43) "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, or 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 and toys must be labeled "safe for food contact surfaces."
- (44) "School-Age Child" means a child eligible to be enrolled in kindergarten or above on or before the first day of the current school year (also see ORS 329A.250(12)). This includes the months from the end of the prior school year to the start of the kindergarten school year.
- (45) "Serious Injury or Incident" means any of the following:
- (a) Injury requiring surgery;
 - (b) Injury requiring admission to a hospital;
 - (c) Injury requiring emergency medical attention;
 - (d) Choking and unexpected breathing problems;
 - (e) Unconsciousness;
 - (f) Concussion;
 - (g) Poisoning;
 - (h) Medication overdose;
 - (i) Broken bone or joint dislocation;
 - (j) Severe head or neck injury;
 - (k) Chemical contact in eyes, mouth, skin, inhalation or ingestion;
 - (l) All burns;
 - (m) Allergic reaction requiring administration of Epi-Pen;
 - (n) Severe bleeding or stitches;
 - (o) Shock or confused state; or
 - (p) Near-drowning.
- (46) "Serious Complaint" and "Serious Violation" means an allegation or finding of noncompliance in which:
- (a) Children are in imminent danger;
 - (b) There are more children in care than allowed by licensed capacity;
 - (c) Disciplinary methods prohibited under OAR 414-210-0710 are being used;
 - (d) Children are not being supervised;
 - (e) Multiple or serious fire, health or safety hazards are present in the registered family child care;
 - (f) Extreme unsanitary conditions are present in the registered family child care;
 - (g) Adults are in the home who are not enrolled in the CBR; or
 - (h) A home is providing child care without the appropriate certification.



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- (47) "Serious safety threat" refers to a child's behavior that presents a danger to the physical safety of themselves or others, which cannot be reduced or eliminated by the provider's existing guidance and behavior strategies (OAR 414-210-0700).
- (48) "Shelter-in-Place" means caregivers and children staying at the home due to an external threat such as a storm, chemical or gas leak or explosion, or other event that prohibits the occupants from safely leaving the building.
- (49) "Substitute Provider" means a person who acts as the children's primary caregiver in the registered family child care home in the temporary absence of the provider.
- (50) "Supervision" means the act of caring for a child or group of children. This includes awareness of and responsibility for the ongoing activity of each child. It requires physical presence, knowledge of children's needs, and accountability for their care and well-being. Supervision also requires that caregivers be near and have ready access to children in order to intervene when needed.
- ~~(51) "Suspension" means reductions in the amount of time a young child may be in attendance of a registered family child care, such as requiring the child to cease attendance for a temporary period of time (except if in connection with temporary safety-based interventions, as defined in these rules) or reducing the number days or hours that the child may attend due to the child's ability, specialized need, or behavior.~~
- (51) "Technical Assistance" means consultation and advice given to providers to assist them in maintaining compliance.
- (52) "Temporary Safety-Based Intervention" means temporarily removing a young child from a registered family child care when the child's behavior poses a serious safety threat, as defined in these rules, for such time period and for no longer than necessary to incorporate supports to reduce the occurrence of the behavior, ensure child safety, and have the child return to the program as quickly as possible.
- (53) "Toddler" means a child who is 12 months of age to 36 months of age.
(a) "Younger Toddler" means a child who is 12 months of age to 24 months of age.
(b) "Older Toddler" means a child who is 24 months of age to 36 months of age.
- (54) "Unsupervised Access to Children" means contact with children that provides the person opportunity for personal communication or touch when not under the direct supervision of a qualified child care provider or caregiver with supervisory authority.
- (55) "Visitor" means someone who is at the home for a single event, including but not limited to: a repair person, privately contracted professional working with an individual child, or librarian visiting the program. Visitors are not potential employees and are not counted in ratio.
- (56) "Volunteer" includes any person who provides labor or services to a child care home but is not compensated with employment pay or benefits.
- (57) "Young Child" means any child who is six weeks of age until eligible to be enrolled in kindergarten on or before the first day of the current school year.



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Rule Summary: 414-210-0200 is being amended to add suspension and expulsion prevention policy. Includes amendments to facility assessment for a child with specific needs.

414-210-0200
Policies

- (1) A provider must have written information and policies identified in OAR 414-210-0200(1)(a) through (h) and provide them to substitute providers, parents, and volunteers. Information must be provided at the time of enrollment and when information changes.
 - (a) Name, business address, and business telephone number of the person(s) who has immediate responsibility for the daily operation of the home;
 - (b) Parent responsibilities for providing current required information and what parents are expected to provide;
 - (c) Emergency preparedness and response plan (also see OAR 414-210-0210, Emergency Preparedness and Response);
 - (d) Information on transportation, when provided by the provider or other caregiver;
 - (e) Behavior and guidance policy;
 - (f) Prevention of and duty to report suspected child abuse and neglect;
 - (g) Night care, if provided; and
 - (h) Suspension and expulsion prevention policy (OAR 414-210-0750).
- (2) As required by state and federal civil rights laws and the Americans with Disabilities Act (ADA), a provider cannot discriminate against any child on the basis of race, religion, color, national origin, gender, marital status of parent, or because of a need for special care.
 - (a) Suspected violations will be reported to the overseeing agency, with whom CCLD may share any information available to it.
 - (b) CCLD may deny an initial or renewal application or revoke a registration if a provider is determined to have discriminated in violation of this requirement by any authority with jurisdiction to make the determination.
- (3) ~~To ensure the physical, emotional and mental health, safety and wellbeing of children, Aa~~ provider must complete an individual assessment ~~whenever the provider becomes aware that of~~ a child ~~known to have with~~ specific needs ~~has either applied for enrollment or is already in care of the provider. before determining whether the registered family child care can meet the child's needs in its program.~~ The individual assessment must ~~examine the home's physical environment, policies and practices to identify any reasonable modifications that are needed to support meeting both the child with specific needs, and other children enrolled in the program. The assessment must~~ be based on all information from parents, professionals ~~who are~~ knowledgeable about the child's care needs, and the provider. The assessment must be documented for each child and must include:
 - (a) ~~Reasonable accommodations-Descriptions of changes~~ the provider made ~~or will make to the home's physical environment to~~ support the ~~participation of the individual child's participation with specific needs~~ in the program, or an explanation of why the ~~changes necessary to support the child's participation cannot reasonable be made provider could not make reasonable accommodations;~~



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- (b) ~~Reasonable modifications~~ Descriptions of changes the provider made or will make to the ~~provider's~~ policies and practices to fully integrate the child with specific needs into the program or an explanation of why the changes necessary to fully integrate the child into the program cannot the provider could not make ~~reasonably be made~~ e-modifications;
- (c) If applicable, any direct threats to the health and safety of others posed by the particular child's presence at the home and an explanation of whether the treats can be eliminated with changes described pursuant to subparagraphs (a) or (b) of this rule; and
- (d) If a child enrolled in care at the registered family child care is a young child, as defined in these rules, documentation that the provider has complied with OAR 414-210-0750.
- (4) Compliance with the requirements in subsection (3) (a) to (d) of this rule is not intended to describe the requirements of or to ensure full compliance with applicable civil rights laws, including the federal Americans with Disabilities Act (ADA).

Rule Summary: 414-210-0260 is amended to add suspension and expulsion prevention policy to items available for review.

414-210-0260

Items Available for Review

- (1) A provider must display the following near the entrance, or in some other area of the home where they may be clearly viewed by parent(s) and caregivers of children in care:
- (a) The most current registration issued by CCLD;
 - (b) All serious valid complaints and serious non-compliance letters for 12 calendar months from the date of the letter;
 - (c) A notice of any current or pending legal sanctions posted immediately and while in effect, including throughout any appeal period;
 - (d) The DELC website [www.oregon.gov/DELC] and phone number [1-800-556-6616], and a statement advising parents that they can access information about their child care provider on the child care safety portal; and
 - (e) A notice that the items listed in (3) of this rule are available.
- (2) A provider shall display a floor plan identifying the locations of the following near the entrance, or in some other area of the home where they may be clearly viewed by all individuals responsible for evacuation procedures:
- (a) Exits;
 - (b) Primary evacuation routes;
 - (c) Secondary evacuation routes; and
 - (d) Fire extinguishers.
- (3) A provider must have the following items available in a prominent and frequently visited location for the parents and public to view:
- (a) The most recent CCLD inspection and rules for registration of child care homes are available upon request;



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- (b) The most recent water test results summary provided by CCLD (also see OAR 414-210-0820, Water Supply and Plumbing);
- (c) Information on how to report a complaint to CCLD regarding registration requirements;
- (d) The Oregon Child Abuse and Neglect Hotline number and requirement to report suspected abuse or neglect;
- (e) A notice that parents must be permitted access to their child and all child care areas while their child is in care. Advance notice is not required.
- (f) The provider's behavior and guidance policy;
- (g) Emergency numbers to include 9-1-1, where available, or local law enforcement, local mental health crisis line, fire department, and ambulance service;
- (h) A plan to ensure that any visitor or other adult not enrolled or conditionally enrolled in the CBR does not have unsupervised access to children; and
- (i) The provider's suspension and expulsion prevention policy.

Rule Summary: 414-210-0270 is amended to add notification requirements when implementing a temporary safety-based intervention.

414-210-0270
Notifications

- (l) A provider must notify CCLD by 5:00pm the next business day of the following items:
 - (a) A change in mailing address, when different from the physical address;
 - (b) A change in phone number;
 - (c) A known legal action or child abuse or neglect investigation, such as an arrest, criminal investigation or charge, or Victim Protection Order, involving any person for which a registered family child care is required to request a background check;
 - (d) A permanent closure;
 - (e) Any damage to the building that affects the provider's ability to comply with the rules for Registered Family Child Care Homes;
 - (f) An incident that exposes children to an imminent risk of harm, such as a child leaving the home without the provider's knowledge or being left alone on or off site or in a vehicle;
 - (g) An animal bite to an adult or child that occurs on the premises or that occurs away from the home when participating in child care activities;
 - (h) An accident involving transportation, unless there were no injuries and only minor damage to the vehicles;
 - (i) Any serious injury or incident involving a child;
 - (j) A child who is given the incorrect dosage of any medication;
 - (k) A child who took or received another person's medication;
 - (l) The death of a child while in care or death of a caregiver;
 - (m) Other dangers or incidents requiring emergency response such as a fire or temporarily relocating children;



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- (n) Any time prohibited discipline or prohibited actions occur (also see OAR 414-210-0710, Prohibited Discipline and Actions);
- (o) Any incident where physical restraint is used (also see OAR 414-360-0720, Physical Restraint); and
- (p) The implementation of a temporary safety-based intervention.
- (2) Any caregiver who has reason to believe a child has been abused or neglected is required to report the matter immediately to the Oregon Child Abuse Hotline (1-855-503-7233), Department of Human Services Child Welfare, or a law enforcement agency. This requirement applies 24 hours a day. This requirement applies to any suspected physical, sexual or emotional abuse; child neglect, child endangerment, or child exploitation; inappropriate sexual contact between two or more children; or attempted suicide or threats of suicide by a child.
- (3) A provider must immediately notify the Oregon Health Authority of a known case, in individuals associated with the home, of a child care-restrictable disease, as defined in Oregon Administrative Rule, OAR 333-019-0010.
- (4) A provider must immediately notify parents or an emergency contact if the parent cannot be reached and document if their child:
- (a) Does not arrive on their own at the home as scheduled, such as when a school-age child is walking to the home or when a child is transported from another program;
 - (b) Is not present at the pick-up location as scheduled;
 - (c) Is involved in an incident that placed the child at risk such as being lost, missing or left alone on a playground, a field trip, or in a vehicle;
 - (d) Has experienced any suspected allergic reactions, or has ingested or had contact with the allergen even if a reaction did not occur;
 - (e) Was not administered medication in accordance with directions;
 - (f) Received emergency medication for a life-threatening condition such as epinephrine;
 - (g) Sustains an injury that may need evaluation by a medical professional or any impact to a child's head;
 - (h) Has been exposed to poison;
 - (i) Has been fed human milk or formula intended for another child (see OAR 414-210-0610, Feeding Infants and Toddlers);
 - (j) Is bitten by an animal or another child, when the skin is broken or when an evaluation by a physician may be needed;
 - (k) Is separated from the group due to an illness;
 - (l) Dies while in care;
 - (m) Is involved in any incident where physical restraint is used (also see OAR 414-360-0720, Physical Restraint); or
 - (n) Exhibits behavior that requires the use of a temporary safety-based intervention.
- (5) A provider must immediately notify parents in writing if a condition or restriction is placed on the license.
- (6) A provider must notify parents upon child pick-up of:
- (a) Significant changes in their child's physical or emotional state;
 - (b) Known injuries such as cuts, scratches, and bites from other children requiring first aid treatment;



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- (c) A child care restrictable disease or infestation exposure from a caregiver or another child;
- (d) Any medication administered to their child;
- (e) An animal bite to a child, when the skin is not broken; and
- (f) Implemented emergency plans and procedures, except for drills.
- (7) A provider must notify parents if there will be a substitute provider and the substitute's name. In the event of an emergency, a good faith effort will be made to notify parents that a substitute will be caring for the children.
- (8) Prior to the occurrence, a provider must notify families of any planned field trips including estimated departure and return times and the destination.
- (9) A provider must have a method for notifying families when any child or caregiver has a child care restrictable disease, as defined in Oregon Administrative Rule, or food poisoning (also see OAR 414-210-1010, Illness);
- (10) CCLD will notify parent(s) or guardian(s) of children under 12 months of age enrolled in the home of any valid non-compliance with OAR 414-210-0620(1)(a)(A) through (C), OAR 414-210-0620(1)(b) and (c), and OAR 414-210-0630(1)(a) through (l).

Rule Summary: 414-210-0720 is being amended to require certified family child cares contact Every Child Belongs when physical restraint is used more than once with a child.

414-210-0720
Physical Restraint

- (1) A provider may only use physical restraint if:
 - (a) A child's safety or the safety of others is threatened; and
 - (b) The provider has complied with all elements of Behavior and Guidance listed in OAR 414-210-0700(2)(a) through (g).
- (2) Physical restraint must be:
 - (a) Limited to holding a child as gently as possible to accomplish restraint;
 - (b) Limited to the minimum amount of time necessary to control the situation; and
 - (c) Developmentally appropriate.
- (3) A provider must not use bonds, ties, blankets, straps, or weights (including an adult sitting on a child) to physically restrain children.
- (4) A provider must discontinue the use of physical restraint if they sense a loss of their own self-control or concern for the child when using physical restraint.
- (5) If physical restraint is used, a provider must:
 - (a) Report the use of physical restraint pursuant to OAR 414-210-0270, Notifications;
 - (b) Assess any incident of physical restraint to determine if the decision to use physical restraint and its application were appropriate; and
 - (c) Document the incident in the child's file, including the date, time, duration, caregivers involved, and what happened before, during, and after the child was restrained.



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(6) If physical restraint is used more than once on a specific child, the provider must develop a written plan with input from individuals who have knowledge of the child's behaviors, including, but not limited to: the child's primary care provider, mental health provider, school counselor, and the parents or guardians, to address underlying issues and reduce the need for further physical restraint. A provider must notify CCLD when a written plan has been developed.

(7) If not done previously, a provider must contact Every Child Belongs if physical restraint is used more than once on a specific young child. The provider must contact Every Child Belongs by 5:00pm the next business day.

Rule Summary: 414-210-0750 is being adopted to address suspension and expulsion prevention requirements.

OAR 414-210-0750

Suspension and Expulsion Prevention

- (1) A provider must develop and implement a suspension and expulsion prevention policy. The intent of the suspension and expulsion prevention policy is to ensure that young children are supported to remain in care.
- (2) The suspension and expulsion prevention policy must:
 - (a) Be consistent with the provider's Behavior and Guidance policy (OAR 414-210-0700);
 - (b) Identify existing supports or tools that may be accessed;
 - (c) Identify how the provider will determine if additional supports are needed for a child;
 - (d) Identify when the provider will request services from Every Child Belongs (ECB); and
 - (e) Include the method that the provider will use to notify a family of concerns related to a child's ability, behavior, or development, such as written notification or an in-person conference.
- (3) When a young child is facing potential expulsion, as defined in these rules, a provider must:
 - (a) Document the challenging behaviors and any known triggers (for example: specific activities, times of day, transitions);
 - (b) Document what strategies and supports the provider has used to support the child and their effectiveness;
 - (c) Request services from Every Child Belongs (ECB); and
 - (d) Concurrently with the request for services from ECB, notify the child's family regarding the behavior concerns to:
 - (A) Begin to collaboratively problem-solve to identify potential strategies and supports for the child; and
 - (B) Establish frequency and method of ongoing communication with the family.
- (4) If the provider is unable to connect with the child's family, as outlined in OAR 414-210-0750(3)(d), the provider must attempt alternative methods of communication and document those attempts.



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- (5) A provider may implement a temporary safety-based intervention if a child's behavior creates a serious safety threat, as defined by these rules.
- (6) A provider may only use a temporary safety-based intervention if:
 - (a) There is behavior that meets the definition of serious safety threat. The provider must document the behavior; and
 - (b) The provider has attempted to address the behavior through strategies outlined in their Behavior and Guidance Policy (OAR 414-210-0700), strategies suggested by the family, and any recommendations from professionals previously consulted about the child.
- (7) If a provider initiates a temporary safety-based intervention, the provider must:
 - (a) **Notify the child's family or other emergency contact immediately;**
 - (b) Contact ECB immediately to request services, if not already done; and
 - (c) Notify CCLD of the temporary safety-based intervention and expected duration by 5:00pm the next business day.
- (8) The length of a temporary safety-based intervention may only be for the time necessary to incorporate supports to reduce the occurrence of the behavior. The temporary safety-based intervention must end as soon as safety can be maintained with supports in place.
- (9) The provider must document the basis for the duration of the temporary safety-based intervention.
- (10) During the temporary safety-based intervention, the provider must communicate with the family regarding:
 - (a) Updates on access to supports;
 - (b) Any changes to the child's behaviors while not in care; and
 - (c) Timeline to return to care.
- (11) If requested by CCLD, a provider must update CCLD if the expected duration of the temporary safety-based intervention changes.
- (12) If applicable, prior to renewing a registered family child care license, the provider must have complied with OAR 414-210-0750(3)(c).

414-210-0840

Prevention and Management of Hazards

Rule Summary: 414-210-0840(1) is amended to correct cross-reference with updated numbering in Definitions.

- (1) A provider must ensure that the following items are inaccessible to children as defined in OAR 414-210-0100(21):
 - (a) All toxic or potentially dangerous items;
 - (b) Cleaning, sanitizing and disinfecting supplies and equipment;
 - (c) Poisonous plants;
 - (d) Tobacco products, smokeless or vaping devices;
 - (e) Alcohol;
 - (f) Flammable materials, including matches and lighters, and corrosive materials;



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- (g) Knives and other sharp objects; and
- (h) Motorized yard or power tools.
- (2) Toxic substances must be stored separately from medication, food service equipment, and food supplies.
- (3) Products must be stored in the original labeled containers. Any smaller containers or solutions mixed by caregivers must be labeled with the contents of the container.
- (4) A provider must take steps to prevent children's exposure to the following, if they exist on the premises:
 - (a) Any sources of lead and lead based paint. Painted surfaces must be in good condition, both inside and outside, to avoid exposing children to lead-based paint;
 - (b) Asbestos;
 - (c) Toxic mold; and
 - (d) Other identified toxins and hazards.
- (5) A provider must recognize, address or remove potentially dangerous items and situations, using protective barriers to prevent children's access, if needed. Caregivers must:
 - (a) Regularly inspect the indoor and outdoor play areas and equipment for hazards, such as missing parts or broken equipment, sharp edges, splinters, and trash;
 - (b) Ensure open containers of water such as bathtubs, buckets, and mop pails are emptied immediately after use;
 - (c) Ensure sand boxes are free of animal waste and trash; and
 - (d) Ensure that all plastic bags that are large enough to fit over a child's head are inaccessible to children.
- (6) A provider must not permit the use of any tobacco products such as cigarettes, cigars, and smokeless or vaping devices, drug paraphernalia, hemp, marijuana and marijuana infused products on the premises during operating hours or when child care children are present. This includes:
 - (a) In the child care home;
 - (b) In the outdoor play area;
 - (c) Within 10 feet of any entrance, exit, or window that opens or any ventilation intake that serves an enclosed area; or
 - (d) In any vehicles where child care children are present or on any field trip.
- (7) All marijuana, marijuana derivatives and associated paraphernalia must be stored through one of the following methods:
 - (a) Under a child safety device or child safety lock; or
 - (b) In a locked room.
- (8) No one shall grow or distribute marijuana on the registered family child care premises.
- (9) No one shall consume alcohol on the registered family child care premises during operating hours or when child care children are present.
- (10) No one shall possess, use or store illegal controlled substances on the registered 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. A child safety lock or trigger lock does not meet this requirement.



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- (a) Ammunition must be stored and locked separately.
- (b) Firearms, BB guns, and pellet guns must be kept unloaded.
- (12) A provider must prevent access to all pools and other bodies of water such as hot tubs, spas, ponds, creeks, fountains, ornamental ponds, rain barrels.
 - (a) Pools and hot tubs must be made inaccessible through one of the following methods:
 - (A) A locking, rigid cover;
 - (B) A minimum four foot high fence that begins at ground level, and all gates and doors that allow access are locked;
 - (C) Four foot non-climbable sides with pool ladder removed or inaccessible; or
 - (D) In a locked room or all doors that access the area are locked.
 - (b) For registered family child cares with licensure prior to July 1, 2025, ornamental and natural ponds within the child care outdoor play area must be made inaccessible through one of the following methods:
 - (A) Enclosed by a secure barrier and locked with either a key or a combination lock;
 - (B) A grate on top of a small pond of sufficient strength and rigidity to prevent children from falling into the water. The grate must be locked or secured to prevent removal; or
 - (C) A locked door to the outside area where the pond is located as long as the door is always locked during operating hours and children are not using the outside area where the pond is located.
 - (c) For registered family child cares with licensure on or after July 1, 2025, ornamental or natural ponds are prohibited in the child care outdoor play area. Registered family child cares licensed prior to July 1, 2025 are prohibited from adding a new ornamental pond or natural pond to the child care outdoor activity area.
 - (d) If the premises has an unfenced bay, creek or other body of water that is accessible to the child care children, the provider must be physically present with children of all ages while outdoors, or the children must play in a specified area from which the body of water is not accessible.
- (13) A registered family child care must keep the home free of insects, rodents, and other pests.
 - (a) Automatic insecticides dispensers, vaporizers, or fumigants must not be used.
 - (b) Pest control products must not be applied or used when child care children are present. After their application, child care children must not enter the area until indicated by the manufacturer's instructions.
- (14) A provider must take precautions to protect children from vehicular traffic:
 - (a) Require drop off and pick up only at the curb or at an off-street location protected from traffic; and
 - (b) Assure that any caregiver who supervises drop-off and loading can see and assure that children are clear of the perimeter of all vehicles before any vehicle moves.

414-210-1030

Medications

Rule Summary: 414-210-1030(6) is amended to correct cross-reference with updated numbering in Definitions.

- (1) Before a provider gives a child any prescription or non-prescription medication, including, but not limited to, pain relievers, cough syrup, and nose drops, the provider must:



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- (a) Have a signed, dated, written authorization by the parent(s) on file (also see OAR 414-210-0230, Parental Permissions);
 - (A) For chronic medical conditions, a registered family child care may obtain permission for 12 months or less with specific instructions including when administration is needed, such as inhalers.
 - (B) Parental authorization over the phone is permitted for single dose administration of non-prescription medication. The date and time of the consent must be documented and signed by the parent upon picking up their child.
 - (b) Ensure that the original container is labeled with the name of the medication, dosage, and directions for administration and storage.
 - (A) For prescription medication, the label must include the child's name, the date the prescription was filled, the prescribing physician's name, and length of time to give the medication.
 - (B) If parent instructions differ from the container instructions, a registered family child care must have a licensed physician's written instructions for that medication.
 - (C) Medication must not be administered after the expiration date.
 - (D) Any medication provided by the parents must be labeled with the child's name.
 - (c) Ensure that cleaned and sanitized medication measuring devices are used when providing medication to a child care child, if applicable.
 - (2) A provider must immediately document any medication administered, listing the name of the child, type of medication, date, time, and dosage given, any side effects exhibited by the child, and the signature of the person administering the medication.
 - (3) A provider must inform parent(s) daily of all medications administered to their child.
 - (4) If medication is provided by the parent, a provider must administer medication only to the child for whom it is intended, and follow the directions on the label.
 - (5) A provider must ensure that medication is stored through one of the following methods:
 - (a) Under a child safety device or child safety lock; or
 - (b) In a locked room.
 - (6) Emergency medication may either be inaccessible to children as defined in OAR 414-210-0100(21) or kept with a caregiver.
 - (7) A provider must keep medications requiring refrigeration in a separate tightly-covered, leakproof container clearly marked "medication" and inaccessible to children.
 - (8) The application of sunscreen and diaper cream does not need to be documented, but a provider must:
 - (a) Have annual written parental authorization;
 - (b) Use only as needed and according to manufacturer's instructions;
 - (c) Inform parents of the type of sunscreen used if provided by the registered family child care;
 - (d) Label the item with the child's name if provided by the parent, and use only for that child; and
 - (e) Allow children to apply sunscreen to themselves with direct caregiver supervision and written parental approval.

Rule Summary: 414-210-1050 is being amended to specify when a written care plan is needed and that facility staff must follow the plan.



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414-210-1050

Care of Children with Specific Needs

- (1) For the purpose of this section, a qualified professional includes but is not limited to physician, early intervention/early childhood special education specialist, related service providers, infant and early childhood mental health consultant, behavior specialist, or other similarly qualified professional.
- (2) When a qualified professional develops a written care plan for a child with a documented physical, developmental, behavioral, emotional, or medical condition requiring services beyond those typically needed by children of the same age, and the plan is provided to the provider with parental consent, the provider must implement the written care plan, except as provided in subsection (3) of this rule. The written care plan may be developed collaboratively with the family and the provider.
- (3) If implementing the written care plan would cause, the A provider must implement a written care plan, unless the plan requires the provider to be out of compliance with these se rules for registered family child care homes (Chapter 414, Division 210): theA provider may apply for an exception to accommodate the needs of a specific child as outlined in OAR 414-210-0160.
- (4) The provider must ensure that all caregivers that come in contact with the child are aware of and follow the written care plan.

414-210-1500

Night Care

Rule Summary: 414-210-1500(1) is amended to correct cross-reference with updated numbering in Definitions.

- (1) A provider is subject to these rules when providing night care as defined in OAR 414-210-0100(28).
- (2) A provider must:
 - (a) Be awake for the arrival and departure of each child in night care; and
 - (b) Be present on the same floor level as the child care children who are sleeping.
- (3) All individuals 18 years of age and older, inclusive of guests sleeping in the home during night care hours, must comply with OAR 414-210-0310, Central Background Registry Enrollment.
- (4) Night care must not be provided on the second floor or above.
- (5) During night care, a provider must have a method for illuminating evacuation routes.
- (6) The following accommodations must be provided to sleeping children:
 - (a) Each child who spends the majority of their sleeping hours per night in night care must have an individual bed and mattress, or another sleeping arrangement that provides adequate support to a child's body and of a size appropriate to the age of the child. The mattress must be fitted with a waterproof cover.
 - (b) Each child who does not spend the majority of their sleeping hours in night care must have an individual crib, portable crib, play yard, cot, mat, or bed with bedding as specified in OAR 414-210-0620



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Furniture and Equipment for Infants and Toddlers and OAR 414-210-0900 Furniture, Equipment, and Play Materials.

- (c) The upper level of bunk beds must be used only for children 10 years or older when a bed rail and safety ladder are in place.
- (d) Other than infants, children must be provided with sheets, pillows, pillowcases, and blankets.
- (e) Sheets, pillowcases, and blankets must be laundered at least weekly, when soiled, and before use by another child.
- (7) When bathing is provided:
 - (a) There must be at least one bathtub or shower available to children.
 - (A) The bathtub or shower must have appropriate equipment to prevent slipping.
 - (B) Glass shower doors or glass tub enclosure must be constructed with safety glass.
 - (b) There must be individual washcloths and towels for each child.
 - (c) Privacy must be maintained for school-age children when bathing and changing clothes.
 - (d) Children must not bathe with other children unless a parent(s) has given written permission for siblings to bathe together.
- (8) Each child must have the opportunity to brush their teeth with an individual toothbrush and toothpaste labeled with their name.
- (9) A provider must meet the nutritional needs of children in evening and night care as specified in OAR 414-210-1100, Food and Food Service.
 - (a) Dinner must be provided to children in night care if a child is at the child care home after their dinner time or has not had dinner before entering night care.
 - (b) A nutritious snack must be offered to all children after dinner service and before bed.
 - (c) Each child present at the time breakfast is scheduled must be served breakfast, unless the parent(s) specifies otherwise.

414-210-1620

Civil Penalty

Rule Summary: 414-210-1620(3) is amended to correct cross-reference with updated numbering in Definitions.

- (1) CCLD may assess a civil penalty of up to \$750 per violation of these rules or terms and conditions of registration.
- (2) CCLD may assess a civil penalty in addition to any other appropriate legal action, considering:
 - (a) Numbers of previous violations of the same rule;
 - (b) Circumstances surrounding the rule violations; and
 - (c) Prior warnings, technical assistance, or legal actions regarding the certified child care center's compliance with the rule.
- (3) For a serious violation, as defined in OAR 414-210-0100(4647), a provider may be subject to a civil penalty not to exceed \$750 for each violation.
- (4) For a non-serious violation, a provider may be subject to a civil penalty of \$250 for each violation.



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- (5) CCLD may assess a separate civil penalty for each day for which CCLD has made a valid finding that a provider is in violation of ORS 329A.250 to ORS 329A.450, these rules, or the terms and conditions of certification. CCLD may assess civil penalties for multiple days in a single action.
- (6) An individual or entity that provides child care subject to registration or certification in a home or facility that is not registered or certified with CCLD may be subject to a civil penalty not to exceed \$1,500 per day of operation of the uncertified or unregistered facility.
- (7) Notwithstanding CCLD's decision to impose a civil penalty for one or more rule violations, CCLD may also take action to deny, suspend or revoke a certification for the same rule violation or violations.
- (8) A provider may appeal any decision to impose a civil penalty, subject to the provisions of chapter 183, Oregon Revised Statutes.
- (9) Failure to pay a civil penalty in which CCLD has issued a final order by default or a final order after a contested case hearing shall be grounds for denial or revocation of a provider's registration.

414-305-0100

Definitions

Rule Summary: 414-305-0100 is being amended to include definitions related to suspension and expulsion prevention.

The following words and terms within these rules have the following meanings:

- (1) "Activity Area" means the area of the center that is available, during all the hours of operation, for the children's activities. This area excludes but is not limited to kitchens, hallways, toilet rooms, lockers, offices, storage areas, staff room, furnace room, and the part of rooms occupied by stationary equipment and fixtures not used by children.
- (2) "Applicant" means a person, business entity, or governing body who submits the child care license application and in whose name the certificate will be issued.
- (3) "Attendance" means children present in the care of the center at any given time.
- (4) "Behavior and Guidance" means the on-going process of helping children develop self-control and assume responsibility for their own behaviors and actions.
- (5) "Business Day" means Monday through Friday, but does not include any holiday as defined by ORS 187.010 and ORS 189.020, or any day that the central office of CCLD is closed.
- (6) "Capacity" means the total number of children in care at the certified child care center or in care away from the center at any one time.
- (7) "Caregiver" means any person in the center, who works directly with the children, providing care, supervision, and guidance.
- (8) "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,



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- 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.
- (9) "CCLD" means the Child Care Licensing Division, Department of Early Learning and Care.
- (10) "Child Care" means the care, supervision, and guidance on a regular basis of a child, unaccompanied by a parent, guardian, or custodial parent, during a part of the 24 hours of the day, with or without compensation.
- (11) "Child Care Center" or "Center" means a child care facility that is certified to provide care and education of children, generally in a commercial or nonresidential setting, that is not a certified family child care home.
- (12) "Child with Specific Needs" means a child who requires specialized supports or other accommodations including some adaptation of the center's standard program of care, activities or equipment to accommodate a physical, developmental, behavioral, mental or medical condition or disability which is either permanent or temporary.
- (13) "Children Related within the Fourth Degree" includes the child's grandparent, great-grandparent, sibling, aunt, uncle, brothers, sisters, nephews, nieces, great-nephews, great-nieces, and first cousins.
- (14) "Civil Penalty" means a fine imposed by CCLD on a facility for violation of these rules.
- (15) "Comparable Group Care Program" means a program which has the following elements:
- (a) Staff are supervised by knowledgeable professionals;
 - (b) Training of staff is provided or required annually;
 - (c) Group size is similar to a certified child care facility; and
 - (d) Curriculum is developmentally appropriate.
- (16) "Contracted Services" means activities (e.g., tumbling, music, soccer classes) provided on the premises by an organization or program other than the center.
- (17) "Developmentally Appropriate" means:
- (a) Caregivers interact with each child in a way that respects the child's unique abilities;
 - (b) Caregivers have knowledge about how children grow and learn;
 - (c) Activities, materials, and curriculum reflect the interests and abilities of a specific child or group of children being served; and
 - (d) Equipment is appropriately sized or adapted so that each child can participate fully and safely.
- (18) "Director" means the individual serving as the on-site manager with the primary responsibility for the day-to-day operation, supervision, and administration of a child care center as identified pursuant to OAR 414-305-0260(2)(g) and who meets the qualifications of director as provided in OAR 414-305-0320.
- (19) "Disinfect" means to eliminate virtually all germs from an inanimate surface by the process of cleaning and rinsing, followed by:



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- (a) A chlorine bleach and water solution following the manufacturer's instructions; or
- (b) Other disinfectant products registered with the EPA, if used strictly according to the manufacturer's label instructions including, but not limited to, quantity, time the product must be left in place, adequate time to allow the product to dry or rinsing if applicable, and appropriateness for use on the surface to be disinfected. Any disinfectant used on food contact surfaces or toys must be labeled "safe for food."

(20) "Drop-in Care" means care provided only on an irregular basis, any time of the day or night for no more than 25 hours per week per child.

(21) **"Every Child Belongs (ECB)"** is Oregon's early childhood suspension and expulsion prevention initiative program. The goal of Every Child Belongs helps to help early childhood care and education programs keep children in care by offering timely, responsive support when challenges arise.

~~(22) "Expulsion" or "Expel" means to permanently end a child's enrollment in a certified child care center due to a child's ability, specialized needs, or behavior.~~

~~(22) "Facing Potential Expulsion" refers to the risk of a child being expelled permanently from the certified child care center. Indicators of potential expulsion include, but are not limited to:~~

- ~~(a) The use of strategies identified in the program's behavior and guidance policy (OAR 414-305-0700) without reducing or eliminating the challenging behavior;~~
- ~~(b) The use of temporary safety-based intervention; or~~
- ~~(c) The use of physical restraint with the child on more than one occasion.~~

(23) "Family" means a group of individuals related by blood, marriage or adoption, or individuals whose functional relationships are like those found in such associations.

(24) "Field Trip" means an excursion or program activity with a specific destination away from the center that begins when staff and children leave the center's property, whether by vehicle or by walking. It does not include neighborhood walks, routine school or home pick-up and drop-offs provided by the center.

(25) "Fire Code Official" means a Fire Inspector II, Fire Marshal, Deputy State Fire Marshal or designated person defined by ORS 476.030, ORS 476.060 and OAR 837-039-0016.

(26) "Hazard" means anything that may inflict injury or cause harm.

(27) "Inaccessible to children" means out of reach of children by meeting one of the following requirements:

- (a) Secured with a child safety device, such as a child safety cupboard lock or doorknob device:
 - (A) A device specifically manufactured as a child safety product; or
 - (B) For a product not manufactured as a child safety product, the device must have a multi-step opening process, or require two hands to open.
- (b) Locked, such as in a locked room, cupboard, or drawer; or locks that do not use a key or combination, such as a deadbolt or hook-and-eye latch, only if they are installed at least 60 inches high;
- (c) Behind a properly secured child safety gate; or



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- (d) In a cupboard or on a shelf that is not within reach of any surface from where a child could stand or climb.
- (28) "Infant" means a child who is 6 weeks to 12 months of age.
- (29) "Infestation" means the invasion of insects and worms that causes a disease to the host. These insects can be mites, ticks, fleas or lice. Worms can be roundworms, pinworms, flatworms or other helminths.
- (30) "License" means the document that is issued by CCLD to a certified child care center. A license may also be referred to as a certificate.
- (31) "Lockdown" means restricted to an interior room with few or no windows while the facility or building is secured from a threat.
- (32) "Multi-site Coordinator" means the person responsible for coordinating over-all management and operation of a number of sites in a multi-site program.
- (33) "Multi-site Program" means a single organization oversees or administers multiple single classroom sites, in which no individual site has a licensed capacity of more than 20. In this program, director duties are shared between on-site personnel and a multi-site coordinator.
- (34) "Night Care" means care given between 9:00 p.m. and 5:00 a.m. or when any enrolled child sleeps for more than 3 hours at the center.
- (35) "Operator" means the person, group, corporation, partnership, governing body, association, or other public or private organization legally responsible for the overall operation of the center and who has the authority to perform the duties necessary to meet certification requirements. If the operator is other than the owner, an individual must be appointed as the operator by the owner.
- (36) "Oregon Registry" means the voluntary registry at the Oregon Center for Career Development in Childhood Care and Education at Portland State University that documents the training, education and experience of individuals who work in childhood care and education.
- (37) "Oregon Registry Online" (ORO) means the statewide database that stores all submitted training and education to be verified for use by CCLD.
- (38) "Owner" means the person, group, corporation, partnership, governing body, association, or other public or private organization legally responsible for the overall operation of the center and who has the authority to perform the duties necessary to meet certification requirements.
- (39) "Parent" means a child's parent, a guardian, or a person 18 years of age or older with supervisory responsibility of the child in the absence of the child's parent.
- (40) "Physical Restraint" means purposely limiting or obstructing the freedom of a person's bodily movement. Physical restraint does not include:
- (a) Holding a child to comfort the child when in distress;
 - (b) Holding a child to move them safely from one area to another without the use of force (e.g. redirecting a toddler to another activity);
 - (c) Assisting a child to complete a task, if the child does not resist the physical contact (helping a child to tie their shoe or hold a pencil or tool, bottle feeding, etc.); or
 - (d) Any prohibited discipline or action listed in OAR 414-305-0710.



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(41) "Play yard" means a framed enclosure with mesh or fabric sides. A play yard is intended for sleeping and playing accommodations.

~~(42) "Potential Expulsion" refers to the risk of a child being expelled permanently from the certified child care center. Indicators of potential expulsion include, but are not limited to:-~~

- ~~(d) The use of strategies identified in the program's behavior and guidance policy (OAR 414-305-0700) without reducing or eliminating the challenging behavior;~~
- ~~(e) The use of temporary safety-based intervention; or~~
- ~~(f) The use of physical restraint with the child on more than one occasion.~~

(42) "Potentially Hazardous Food" means any food or beverage containing milk or milk products, eggs, meat, fish, shellfish, poultry, cooked rice, beans or pasta, and all other previously cooked foods, including leftovers.

(43) "Premises" means the physical space and building, or portions of a physical space or building, used by a center, including all areas indoor or outdoor, directly accessible to the child care children and center staff, and all areas not generally accessible if used for any purpose related to child care. This includes but is not limited to laundry rooms, kitchens, offices, staff break rooms, or storage rooms.

(44) "Preschool-Age Child" means a child who is at least 36 months of age but not yet eligible to be enrolled in kindergarten or above, before the first day of the current school year.

(45) "Regular Teaching Duties" means routinely scheduled, ongoing teaching responsibilities either on a part or full-time basis. Serving as a substitute teacher on an infrequent basis does not count as regular teaching duties.

(46) "Restrictable Disease" means an illness or infection as identified by the Public Health Division in OAR 333-019-0010 that would prohibit the child from attending child care.

(47) "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.

(48) "School-Age Center" means a child care center that provides care only for school-age children eligible to be enrolled in kindergarten or above in the next school year, and which does not include night care as defined by these rules, in a nonresidential setting.

(49) "School-Age Child" means a child eligible to be enrolled in kindergarten or above on or before the first day of the current school year (also see ORS 329A.250(12)). This includes the months from the end of the prior school year to the start of the kindergarten school year.

(50) "Serious Injury or Incident" means any of the following:

- (a) Injury requiring surgery;
- (b) Injury requiring admission to a hospital;
- (c) Injury requiring emergency medical attention;
- (d) Choking and unexpected breathing problems;
- (e) Unconsciousness;
- (f) Concussion;
- (g) Poisoning;
- (h) Medication overdose;



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- (i) Broken or dislocated bone;
 - (j) Severe head or neck injury;
 - (k) Chemical contact in eyes, mouth, skin, inhalation or ingestion;
 - (l) All burns;
 - (m) Allergic reaction requiring administration of Epi-Pen;
 - (n) Severe bleeding or stitches;
 - (o) Shock or confused state; or
 - (p) Near-drowning.
- (51) "Serious Complaint" and "Serious Violation" means an allegation or finding of noncompliance in which:
- (a) Children are in imminent danger;
 - (b) There are more children in care than allowed by licensed capacity;
 - (c) Disciplinary methods prohibited under OAR 414-305-0710 are being used;
 - (d) Children are not being supervised;
 - (e) Multiple or serious fire, health or safety hazards are present in the center;
 - (f) Extreme unsanitary conditions are present in the center;
 - (g) Adults are in the center who are not enrolled in the CBR; or
 - (h) A center is providing child care without the appropriate certification.
- (52) "Serious safety threat" refers to a child's behavior that presents a danger to the physical safety of themselves or others, which cannot be reduced or eliminated by the program's existing guidance and behavior strategies (OAR 414-305-0700).
- (53) "Shelter-in-Place" means staff and children staying at the center due to an external threat such as a storm, chemical or gas leak or explosion, or other event that prohibits the occupants from safely leaving the building.
- (54) "Staff" means an individual who is an employee, or a volunteer who is in the center for more than a single activity.
- (55) "Substitute Director" means the person in charge of the center during the hours of operation when the director is not on site.
- (56) "Supervision" means the act of caring for a child or group of children. This includes awareness of and responsibility for the ongoing activity of each child. It requires physical presence, knowledge of children's needs, and accountability for their care and well-being. Supervision also requires that caregivers be near and have ready access to children in order to intervene when needed.
- ~~(56) "Suspension" means reductions in the amount of time a young child may be in attendance of a certified child care center, such as requiring the child to cease attendance for a temporary period of time (except if in connection with temporary safety-based interventions, as defined in these rules) or reducing the number days or hours that the child may attend due to the child's ability, specialized need, or behavior.~~
- (57) "Teacher" means a caregiver who plans and implements daily activities for a designated group of children and who meets the qualifications of teacher pursuant to OAR 414-305-0340.



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(58) "Technical Assistance" means consultation and advice given to providers to assist them in maintaining compliance.

(59) "Temporary Safety-Based Intervention" means temporarily removing a young child from a certified child care center when the child's behavior poses a serious safety threat, as defined in these rules, for such time period and for no longer than necessary to incorporate supports to reduce the occurrence of the behavior, ensure child safety, and have the child return to the program as quickly as possible.

(60) "Toddler" means a child who is 12 months of age to 36 months of age.

(a) "Younger Toddler" means a child who is 12 months of age to 24 months of age.

(b) "Older Toddler" means a child who is 24 months of age to 36 months of age.

(61) "Unsupervised Access to Children" means contact with children that provides the person opportunity for personal communication or touch when not under the direct supervision of a qualified child care provider or staff with supervisory authority.

(62) "Visitor" means someone who is at the program for a single event, including but not limited to: a repair person, privately contracted professional working with an individual child, or librarian visiting the program. Visitors are not potential employees and are not counted in ratio.

(63) "Volunteer" includes any person who provides labor or services to a child care center but is not compensated with employment pay or benefits. A volunteer must never have unsupervised access to a child unless the volunteer is the child's parent or if the volunteer is enrolled in the Central Background Registry.

(64) "Young Child" means any child who is six weeks of age until eligible to be enrolled in kindergarten on or before the first day of the current school year.

Rule Summary: 414-305-0200 is being amended to add suspension and expulsion prevention policy. Includes amendments to individual child assessment.

414-305-0200

Policies

(1) A certified child care center must have written policies identified in 414-305-0200(2)(a-u) and provide them to:

(a) Staff and volunteers at the time of hire and when policies change; and

(b) Parents at the time of a child's enrollment and when policies change.

(2) A certified child care center must provide the following written information to parents, staff, and volunteers:

(a) Name, business address, and business telephone number of the person(s) who has immediate responsibility for the daily operation of the center;

(b) A center description including the licensed capacity, ages and number of children in care, hours, days and months of operation, closure dates and observed holidays, and staff-to-child ratios;

(c) Arrival and departure procedures, including sign in and out requirements and individuals authorized for pick-up;



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- (d) Parent responsibilities for providing current required information and what parents are expected to provide;
 - (e) Health policies and procedures to include toileting, diaper changing and handwashing methods, support for parents feeding their infants, storage and handling of bottles and pacifiers, immunization tracking, medication administration, use of insect repellent and sunscreen, care of bed linen, care of children who are ill and exclusion criteria, and response to injuries (also see OAR 414-305-1020), Injuries);
 - (f) Safety measures including safe sleep practices, monitoring of sleeping infants, injury prevention, use of pesticides and other potentially toxic substances, animals, water activities, and prohibited substances;
 - (g) A plan to ensure that any visitor or other adult not enrolled or conditionally enrolled in the CBR does not have unsupervised access to children;
 - (h) Emergency preparedness plan (also see OAR 414-305-0210, Emergency Preparedness and Response);
 - (i) Center philosophy on how children learn and develop, and how this philosophy is implemented;
 - (j) Daily schedules that include planned activities, rest time, physical activity, and screen time;
 - (k) Center-sponsored religious and cultural activities, if any, including how holidays will be recognized;
 - (l) Meals, snacks, and food service practices including food storage and handling, children's dietary needs and allergies, infant feeding, and food brought from the child's home;
 - (m) Transportation and field trips including driver and vehicle requirements and supervision;
 - (n) Behavior and guidance policies;
 - (o) How staff must proceed if a child is displaying inappropriate behaviors that could endanger themselves or the safety of others;
 - (p) Communication methods and notifications, including how parent grievances, questions, or concerns are handled by the center;
 - (q) Prevention of and duty to report suspected child abuse and neglect;
 - (r) Evening and night care, if provided;
 - (s) How to view inspection reports, access the Department of Early Learning and Care website and center certification rules, and contact CCLD and child abuse and neglect hotline;
 - (t) A statement advising parents that they can access information about child care providers on the child care safety portal; and
 - (u) Suspension and expulsion prevention policy (OAR 414-305-0750).
- (3) A certified child care center must have written personnel policies for staff and volunteers that include at a minimum:
- (a) Position descriptions, job duties assigned, and supervision of each position; and
 - (b) Initial and ongoing training requirements.
- (4) If a certified child care center uses volunteers, the center must provide a copy of volunteer policies to any volunteers that includes procedures for ensuring training if the volunteer counts in the staff-to-child ratio, compliance with certification rules and center procedures, and an understanding of emergency preparedness plans.



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(5) As required by state and federal civil rights laws and the Americans with Disabilities Act (ADA), a certified child care center cannot discriminate against any child on the basis of race, religion, color, national origin, gender, marital status of parent, or because of a need for special care.

(a) Suspected violations will be reported to the overseeing agency, with whom CCLD may share any information available to it.

(b) CCLD may deny an initial or renewal application or revoke a regular or temporary certification if a certified child care center is determined to have discriminated in violation of this requirement by any authority with jurisdiction to make the determination.

(6) ~~To ensure the physical, emotional and mental health, safety, and wellbeing of children. A~~ certified child care center must complete an individualized assessment ~~whenever the center becomes aware that of~~ a child ~~known to with have~~ specific needs ~~has either applied for enrollment or is already in care at the center before determining. The individual assessment must examine the center's physical environment, policies, and practices to identify any reasonable modifications that are needed to support meeting both the child with specific needs, and other children enrolled in the program, whether the center can meet the child's care needs in its program.~~ The assessment must be based on all available information from the child's parents, professionals ~~who are~~ knowledgeable about the child's care needs, and certified center personnel. The assessment must be documented for each child and must include:

(a) ~~Reasonable accommodations-Descriptions of changes~~ the center made ~~or will make to the center's physical environment to~~ support the ~~participation of the individual child's participation with specific needs~~ in the program, or an explanation of why ~~changes necessary to support the child's participation cannot reasonably be made the center could not make reasonable accommodations;~~

(b) ~~Reasonable modifications-Descriptions of changes~~ the center made ~~or will make to their the center's~~ policies and practices to fully integrate the child ~~with specific needs~~ into the program, or an explanation of why ~~the changes necessary to fully integrate the child into the program cannot the center could not make~~ reasonably be made modifications;

(c) If applicable, any direct threats to the health and safety of others posed by the particular child's presence at the ~~facility center and an explanation of whether the threats can be eliminated with changes described pursuant to subparagraphs (a) or (b) of this rule;~~ and

(d) If a child enrolled in care at the center is a young child, as defined in these rules, documentation that the center has complied with OAR 414-305-0750.

(7) Compliance with the requirements in subsection (6) (a) to (d) of this rule is not intended to describe the requirements of or to ensure full compliance with applicable civil rights laws, including the federal Americans with Disabilities Act (ADA).

Rule Summary: 414-305-0260 is amended to add suspension and expulsion prevention policy to items available for review.

414-305-0260

Items Available to View



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- (1) A certified child care center must post the following items in a prominent and frequently visited location for the parents and public to view:
 - (a) All serious valid complaints and serious non-compliance letters for 12 calendar months from the date of the letter; and
 - (b) A notice of any current or pending legal sanctions posted immediately and while in effect, including throughout any appeal period.
- (2) A certified child care center must have the following items available in a prominent and frequently visited location for the parents and public to view:
 - (a) The most current certificate issued by CCLD;
 - (b) A notice that the most recent CCLD inspection and rules for Certification of Child Care Centers are available upon request;
 - (c) The Department of Early Learning and Care Website [www.oregonearlylearning.com] and phone number [1-800-556-6616], and a statement advising parents that they can access information about their child care provider on the child care safety portal;
 - (d) The most recent water test results summary provided by CCLD (also see OAR 414-305-0820, Water Supply and Plumbing);
 - (e) Information on how to report a complaint to CCLD regarding certification requirements;
 - (f) The Oregon Child Abuse and Neglect Hotline number and requirement to report suspected abuse or neglect;
 - (g) The director's full name and at least one additional personnel who is responsible for the center if the director is not present at the center. When the individuals listed are not present, the appointed personnel in charge is identified in writing;
 - (h) A notice that custodial parents have access to all child care areas upon notifying any staff member of their presence during the hours of operation and without advance notice;
 - (i) Center closures (vacation days, holidays, etc.);
 - (j) The dated current week's menu of all snacks and meals served by the center with any substitutions recorded;
 - (k) A notice of planned field trips showing the date, times, and place of each excursion and posted at least 48 hours in advance of the trip;
 - (l) When on a neighborhood walk and all staff and children have left the premises, a notice with staff contact information and approximate return time;
 - (m) A notice when any child or staff member has a child care restrictable disease, as defined in Oregon Health Authority rule, or food poisoning (also see OAR 414-305-1010, Illness);
 - (n) The center's behavior and guidance policy; and
 - (o) The center's suspension and expulsion prevention policy.
- (3) A certified child care center must post the following items in classrooms where they are easily visible to personnel and parents unless the rule specifically states otherwise:
 - (a) Emergency numbers to include 9-1-1, where available, or local law enforcement, local mental health crisis line, fire department, and ambulance service; the center name and address, with main cross streets or directions to the center; child abuse reporting hotline and poison control (1-800-222-1222);



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- (b) Emergency evacuation and relocation diagram, including primary and secondary routes, near the entrance or exit of the room;
- (c) Daily classroom schedule and dated weekly lesson plan;
- (d) The menu and children's dietary restrictions, known allergies, and nutrition requirements in a location easily accessible for staff but not available to those who are not parents or guardians of the enrolled child. Rather than posting in a classroom, a certified center may post this information in areas where food is served;
- (e) Visual and written handwashing procedures at sinks;
- (f) Diaper changing procedures where staff can view it while changing diapers; and
- (g) The applicable ratios and group sizes.

Rule Summary: 414-305-0270 is amended to add notification requirements when implementing a temporary safety-based intervention.

414-305-0270

Notifications

- (l) A certified child care center must notify CCLD by 5:00pm the next business day of the following items:
 - (a) A change of director;
 - (b) A change in mailing address, when different from the physical address;
 - (c) A change in phone number;
 - (d) A known legal action or child abuse or neglect investigation, such as an arrest, criminal investigation or charge, or Victim Protection Order, involving any person for which a certified child care center is required to request a background check;
 - (e) An unscheduled temporary or permanent center closure;
 - (f) Any occurrence, including a natural disaster, that renders all or part of the certified child care center unsafe or unsanitary for a child including disruption of utilities or contaminated water;
 - (g) An incident that exposes children to an imminent risk of harm, such as a child leaving the center without the center's knowledge or being left alone on or off site or in a vehicle;
 - (h) An animal bite to an individual that occurs on site at any time or off site when participating in center activities;
 - (i) An accident involving transportation, unless there were no injuries and only minor damage to the vehicles;
 - (j) Any serious injury or incident involving a child;
 - (k) A child who is given the incorrect dosage of any medication;
 - (l) A child who took or received another person's medication;
 - (m) The death of a child or staff member that occurred on the premises of the center;
 - (n) Other dangers or incidents requiring emergency response such as a fire or temporarily relocating children;



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- (o) Any time prohibited discipline or prohibited actions occur (also see OAR 414-305-0710, Prohibited Discipline and Actions);
- (p) Any incident where physical restraint is used (also see OAR 414-305-0720, Physical Restraint); and
- (q) The implementation of a temporary safety-based intervention.
- (2) A certified child care center must notify CCLD of the following:
 - (a) An anticipated temporary or permanent center closing, other than a scheduled closing identified in center policy;
 - (b) An anticipated temporary or permanent change in location;
 - (c) An anticipated center change or alteration that impacts the amount of usable square footage or compliance with the requirements; and
 - (d) A change in center name.
- (3) Any staff member who has reason to believe a child has been abused or neglected is required to report the matter immediately to the Oregon Child Abuse Hotline (1-855-503-7233), Department of Human Services Child Welfare, or a law enforcement agency. This requirement applies 24 hours a day. This requirement applies to any suspected physical, sexual or emotional abuse; child neglect, child endangerment, or child exploitation; inappropriate sexual contact between two or more children; or attempted suicide or threats of suicide by a child.
- (4) A certified child care center must immediately notify the Oregon Health Authority of a known case, in individuals associated with the center, of a child care-restrictable disease, as defined in Oregon Health Authority administrative rules, OAR 333-019-0010.
- (5) A certified child care center must immediately notify parents or an emergency contact if the parent cannot be reached and document if their child:
 - (a) Does not arrive on their own at the center as scheduled, such as when a school-age child is walking to the center or when a child is transported from another program;
 - (b) Is not present at the pick-up location as scheduled;
 - (c) Is involved in an incident that placed the child at risk such as being lost, missing or left alone on a playground, a field trip, or in a vehicle;
 - (d) Has experienced any suspected allergic reactions, as well as the ingestion of or contact with the allergen even if a reaction did not occur;
 - (e) Was not administered medication in accordance with directions;
 - (f) Received emergency medication for a life-threatening condition such as epinephrine;
 - (g) Sustains an injury that may need evaluation by a physician or any impact to a child's head;
 - (h) Has been exposed to poison;
 - (i) Has been fed human milk or formula intended for another child (see OAR 414-305-0610, Feeding Infants);
 - (j) Is bitten by an animal, when the skin is broken or when an evaluation by a physician may be needed;
 - (k) Is separated from the group due to an illness;
 - (l) Dies while in care;
 - (m) Is involved in any incident where physical restraint is used; and
 - (n) Exhibits behaviors that require the use of a temporary safety-based intervention.



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- (6) A certified child care center must notify parents upon child pick-up of:
- (a) Daily happenings, including the infant and toddler daily records (also see OAR 414-305-0600, General Requirements for the Care of Infants and Toddlers and OAR 414-305-0220, Children's Records);
 - (b) Significant changes in their child's physical or emotional state;
 - (c) Known minor injuries such as minor cuts, scratches, and bites from other children requiring first aid treatment by employees;
 - (d) Their child being unsupervised at school or another location when not picked up on time;
 - (e) Illness or infestation symptoms that developed or changed;
 - (f) A child care restrictable disease or infestation exposure from staff or another child;
 - (g) Administration of a medication for a non-life-threatening condition that is only administered as needed;
 - (h) An animal bite to a child, when the skin is not broken;
 - (i) Implemented emergency plans and procedures, except for drills; and
 - (j) Anticipated closure of the center.
- (7) The Department will notify parent(s) or guardian(s) of children under 12 months of age enrolled in the center of any valid non-compliance with OAR 414-305-0620(1)(a)(A) through (C), OAR 414-305-0620(1)(b) and (c), and OAR 414-305-0630(1)(a) through (l).

Rule Summary: 414-305-0720 is being amended to require ONB programs contact Every Child Belongs when physical restraint is used more than once with a child.

414-305-0720
Physical Restraint

- (1) A certified child care center may only use physical restraint after complying with all requirements of OAR 414-305-0700, Behavior and Guidance and OAR 414-305-0710, Prohibited Discipline and Actions, and in accordance with OAR 414-305-0200(2)(o).
- (2) Physical restraint must only be used if a child's safety or the safety of others is threatened and must be:
- (a) Limited to holding a child as gently as possible to accomplish restraint;
 - (b) Limited to the minimum amount of time necessary to control the situation; and
 - (c) Developmentally appropriate.
- (3) A staff member must not use bonds, ties, blankets, straps, or weights (including an adult sitting on a child) to physically restrain children.
- (4) Certified child care center staff must discontinue the use of physical restraint if they sense a loss of their own self-control or concern for the child when using physical restraint.
- (5) If physical restraint is used, a certified child care center must:
- (a) Report the use of physical restraint, pursuant to OAR 414-305-0270, Notifications;
 - (b) Assess any incident of physical restraint to determine if the decision to use physical restraint and its application were appropriate; and



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- (c) Document the incident in the child's file, including the date, time, duration, certified child care center staff involved, and what happened before, during, and after the child was restrained.
- (6) If physical restraint is used more than once on a specific child, the center must develop a written plan with input from individuals who have knowledge of the child's behaviors, including, but not limited to: the child's primary care provider, mental health provider, school counselor, and the parents or guardians, to address underlying issues and reduce the need for further physical restraint. A center must notify CCLD when a written plan has been developed.
- (7) If not done previously, a certified child care center must contact Every Child Belongs if physical restraint is used more than once on a specific young child. The center must contact Every Child Belongs by 5:00pm the next business day.

Rule Summary: 414-305-0750 is being adopted to address suspension and expulsion prevention requirements.

OAR 414-305-0750

Title: Suspension and Expulsion Prevention

- (1) A certified child care center must develop and implement a suspension and expulsion prevention policy. The intent of the suspension and expulsion prevention policy is to ensure that young children are supported to remain in care.
- (2) The suspension and expulsion prevention policy must:
 - (a) Be consistent with the center's Behavior and Guidance policy (OAR 414-305-0700);
 - (b) Identify existing center supports or tools that may be accessed;
 - (c) Identify when and how classroom staff must seek support when challenges related to the care of children arise, including:
 - (A) When and in what circumstances classroom staff must seek support;
 - (B) How the director or designated center personnel will respond to requests for support from classroom staff; and
 - (C) What internal center supports will be made available to the classroom staff.
 - (d) Identify how the certified center will determine if additional supports are needed for a child;
 - (e) Identify when the certified center will request services from Every Child Belongs (ECB); and
 - (f) Include the method that the certified center will use to notify a family of concerns related to a child's ability, behavior, or development; such as written notification or an in-person conference.
- (3) When a young child is facing potential expulsion, as defined in these rules, a certified center must:
 - (a) Document the challenging behaviors and any known triggers (for example: specific activities, times of day, transitions);
 - (b) Document what strategies and supports the certified center has used to support the child and their effectiveness;



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- (c) Request services from Every Child Belongs (ECB); and
- (d) Simultaneously with the request for services from ECB, notify the child's family regarding the behavior concerns to:
 - (A) Begin to collaboratively problem-solve to identify potential strategies and supports for the child; and
 - (B) Establish frequency and method of ongoing communication with the family.
- (4) If the certified center is unable to connect with the child's family, as outlined in OAR 414-305-0750(3)(d), the center must attempt alternative methods of communication and document those attempts.
- (5) A certified child care center may implement a temporary safety-based intervention if a child's behavior creates a serious safety threat, as defined by these rules.
- (6) A certified child care center may only use a temporary safety-based intervention if:
 - (a) There is behavior that meets the definition of serious safety threat. The center must document the behavior; and
 - (b) The certified child care center has attempted to address the behavior through strategies outlined in their Behavior and Guidance policy (OAR 414-305-0700), strategies suggested by the family, and any recommendations from professionals previously consulted about the child.
- (7) If a certified child care center initiates a temporary safety-based intervention, the center must:
 - (a) **Notify the child's family or other emergency contact immediately;**
 - (b) Contact ECB immediately to request services, if not already done; and
 - (c) Notify CCLD of the temporary safety-based intervention and its expected duration by 5:00pm the next business day.
- (8) The length of a temporary safety-based intervention may only be for the time necessary to incorporate supports to reduce the occurrence of the behavior. The temporary safety-based intervention must end as soon as safety can be maintained with supports in place.
- (9) The certified child care center must document the basis for the duration of the temporary safety-based intervention.
- (10) During the temporary safety-based intervention, the certified child care center must communicate with the family regarding:
 - (a) Updates on access to supports;
 - (b) Any changes to the child's behaviors while not in care; and
 - (c) Timeline to return to care.
- (11) If requested by CCLD, a certified child care center must update CCLD if the expected duration of the temporary safety-based intervention changes.

Rule Summary: 414-305-0840(1) is amended to correct cross-reference with updated numbering in Definitions.



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Prevention and Management of Hazards

(1) A certified child care center must ensure that all toxic or potentially dangerous items, such as cleaning supplies and equipment, poisonous and toxic materials, and flammable and corrosive materials, are inaccessible to children, as defined in OAR 414-305-0100(27).

(a) Toxic substances must be stored separately from medication, food service equipment, and food supplies.

(b) Sanitizing and disinfecting solutions must be inaccessible to children.

(c) Products including toxic substances must be stored and used according to the manufacturer's instructions, including not storing products near heat sources.

(d) Products must be stored in the original labeled containers. Any smaller containers or solutions mixed by staff must be labeled with the contents of the container.

(2) When an environmental concern or potentially harmful environmental pollutants are identified, a certified child care center must evaluate and work collaboratively with appropriate agencies to mitigate the concern.

(3) A certified child care center must take steps to prevent children's exposure to the following, if they exist on the premises:

(a) Lead based paint. Any building or play structure constructed before 1978 that has peeling, flaking, chalking, or failing paint must be tested for lead. If lead-based paint is found, the center must contact the Oregon Health Authority within five working days and follow their required procedures for remediation of the lead hazard.

(b) Plumbing and fixtures containing lead or lead solders;

(c) Asbestos;

(d) Toxic mold; and

(e) Other identified toxins or hazards.

(4) A certified child care center and staff must recognize, address or remove potentially dangerous items and situations, using protective barriers to prevent children's access, if needed. A certified child care center must:

(a) Inspect the indoor and outdoor play areas and equipment daily for hazards, such as missing parts or broken equipment, sharp edges, splinters, and trash;

(b) Ensure open containers of water such as bathtubs, buckets, and mop pails are emptied immediately after use.

(c) Store personal items belonging to staff members according to applicable rules;

(d) Store diaper bags out of children's reach;

(e) Securely anchor large, heavy, or unstable objects such as furniture, televisions, bookcases, and wall cabinets into a wall stud with braces, brackets, anchors or wall straps to prevent tipping over;

(f) Ensure children under the age of 3 years do not have access to items that have a diameter or overall dimension of one and three quarter ($1\frac{3}{4}$) inches or less, such as disc batteries, coins, magnets, toys or parts that may become detached from other equipment or objects;

(g) Ensure children under the age of 3 years do not have access to ties, long scarves, necklaces, and boas unless used during a structured learning activity where a staff member is within arm's reach;



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- (h) Ensure sand boxes are free of animal waste and trash; and
- (i) Ensure that all plastic bags that are large enough to fit over a child's head are inaccessible to children.
- (5) A certified child care center must not permit any tobacco products such as cigarettes, cigars, and smokeless or vaping devices, illegal drugs, drug paraphernalia, hemp, marijuana and marijuana infused products, or alcohol on the premises during operating hours or when children are present. This includes:
 - (a) The playground;
 - (b) Within 10 feet of any entrance, exit, or window that opens or any ventilation intake that serves an enclosed area; or
 - (c) In any center vehicles or on any field trip.
- (6) A certified child care center must not permit the possession or storage of guns, firearms, weapons, or ammunition on the center premises at any time.
- (7) A certified child care center must prevent access to all pools and other bodies of water such as hot tubs, spas, ponds, creeks, fountains, ornamental ponds, and rain barrels.
 - (a) Pools and hot tubs must be made inaccessible through one of the following methods:
 - (A) A locking, rigid cover;
 - (B) A minimum four foot high fence that begins at ground level, and all gates and doors that allow access are locked;
 - (C) Four foot non-climbable sides with pool ladder removed or inaccessible; or
 - (D) In a locked room or all doors that access the area are locked.
 - (b) If a body of water is in close proximity but not located on the premises, the center must provide a physical barrier on the property to prevent unsupervised access by children.
- (8) A certified child care center must keep the center free of insects, rodents and other pests.
 - (a) Automatic insecticide dispensers, vaporizers, or fumigants must not be used.
 - (b) Pest control products must not be applied or used when children are present. After their application, children must not enter the area until indicated by the manufacturer's instructions.
- (9) A certified child care center must take precautions to protect children from vehicular traffic including but not limited to:
 - (a) Require drop off and pick up only at the curb or at an off-street location protected from traffic; and
 - (b) Assure that any adult who supervises drop-off and loading can see and assure that children are clear of the perimeter of all vehicles before any vehicle moves.

Rule Summary: 414-305-1050 is being amended to specify when a written care plan is needed and that facility staff must follow the plan.

414-305-1050

Care of Children with Specific Needs

- (l) For the purpose of this section, a qualified professional includes but is not limited to physician, early intervention/early childhood special education specialist, related service providers, infant and early childhood mental health consultant, behavior specialist, or other similarly qualified professional.



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- (2) When a qualified professional develops a written care plan for a child with a documented physical, developmental, behavioral, emotional, or medical condition requiring services beyond those typically needed by children of the same age, and the plan is provided to the certified child care center with parental consent, the center must implement the written care plan, except as provided in subsection (3) of this rule. The written care plan may be developed collaboratively with the family and the certified child care center.
- (3) ~~A certified child care center must implement a written care plan if implementing the written care plan would cause the center to be out of compliance with these rules, unless the plan requires the center to be out of compliance with the rules for certified child care centers (Chapter 414, Division 305). A certified center may apply for an exception to accommodate the needs of a specific child as outlined in OAR 414-305-0160.~~
- (4) The certified child care center must ensure that all facility staff that come in contact with the child are aware of and follow the written care plan.

Rule Summary: 414-305-1500(1) is amended to correct cross-reference with updated numbering in Definitions.

414-305-1500

Night Care

(1) A certified child care center must be approved by CCLD to provide night care, as defined in 414-305-0100(34).

(2) A certified child care center must meet the staff-to-child ratio specified in OAR 414-305-0400 during night hours. In addition:

(a) There must be at least two staff present and awake at all times;

(b) All sleeping and awake children must be within sight and sound of staff at all times;

(c) A certified child care center must not allow anyone on site other than center staff, parents, and individuals authorized to pick-up children in care; and

(d) A certified child care center must provide staff training on evacuating sleeping children in an emergency (also see OAR 414-305-0370, Orientation and Initial Training).

(3) A certified child care center must maintain an activity plan for children according to their ages, interests, and abilities and provide:

(a) Quiet time activities, such as story-time, games, arts and crafts, homework and reading, for each child arriving before bedtime;

(b) Toys and equipment available to meet the needs of children in night care;

(c) An activity area away from sleeping children where the awake children may engage in activities; and

(d) An opportunity for children to sleep at various times, based on their age and need for rest.

(4) A certified child care center must ensure:

(a) All sleeping rooms used by children have two usable exits approved by the fire code official;

(b) All exits are visible using lighted exit signs or by lighted exits, such as a hall light or lamp, which lights the exit path and door; and



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- (c) Each room is equipped with a battery powered light source.
- (5) Sleeping Equipment. A certified child care center must provide the following accommodations for sleeping children:
 - (a) Each child who spends the majority of their sleeping hours per night in night care must have an individual bed and mattress, or another sleeping arrangement that provides adequate support to a child's body and of a size appropriate to the age of the child. The mattress must be fitted with a waterproof cover.
 - (b) Each child who does not spend the majority of their sleeping hours in night care must have an individual crib, portable crib, play yard, cot, or mat with bedding as specified in OAR 414-305-0620 Furniture and Equipment for Infants and Toddlers and OAR 414-305-0900 Furniture.
 - (c) Children under the age of 18 months must be provided with a crib, portable crib, or play yard for night care sleeping.
 - (d) The upper level of bunk beds must be used only for children 10 years or older when a bed rail and safety ladder are in place.
 - (e) Other than infants, children must be provided with sheets, pillows, pillowcases, and blankets.
 - (f) Sheets, pillowcases, and blankets must be laundered at least weekly, when soiled, and before use by another child.
 - (6) A certified child care center must make provisions for children to maintain personal hygiene.
 - (a) Each child must have access to the following:
 - (A) An individual washcloth, towel, toothbrush, comb or brush, and sleepwear;
 - (B) The opportunity to brush their teeth with an individual toothbrush and toothpaste labeled with their name; and
 - (C) The opportunity to take a bath or shower, if needed.
 - (b) There must be at least one bathtub or shower for every 15 children that is:
 - (A) Equipped to prevent slipping; and
 - (B) Cleaned and sanitized after each use.
 - (c) Glass shower doors or glass tub enclosures must be constructed of safety glass.
 - (d) Privacy must be maintained for school-age children when bathing and changing clothes.
 - (e) Children must not bathe with other children unless a parent(s) has given written permission for siblings to bathe together.
 - (7) A certified child care center must meet the nutritional needs of children in evening and night care as specified in OAR 414-305-1110, Food Service.
 - (a) Dinner must be provided to children in night care if a child is at the child care center after their dinner time or has not had dinner before entering night care.
 - (b) A nutritious snack must be offered to all children after dinner service and before bed.
 - (c) Each child present at the time breakfast is scheduled must be served breakfast, unless the parent(s) specifies otherwise.

Rule Summary: 414-305-1620(3) is amended to correct cross-reference with updated numbering in Definitions.



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414-305-1620
Civil Penalty

- (1) CCLD may assess a civil penalty of up to \$2500 per violation of these rules or terms and conditions of certification.
- (2) CCLD may assess a civil penalty in addition to any other appropriate legal action, considering:
 - (a) Numbers of previous violations of the same rule;
 - (b) Circumstances surrounding the rule violations; and
 - (c) Prior warnings, technical assistance, or legal actions regarding the certified child care center's compliance with the rule.
- (3) For a serious violation, as defined in OAR 414-305-0100(5152), a certified child care center may be subject to a civil penalty not to exceed \$2500 for each violation.
- (4) For a non-serious violation, a certified child care center may be subject to a civil penalty of \$800 for each violation.
- (5) CCLD may assess a separate civil penalty for each day for which CCLD has made a valid finding that a certified child care center is in violation of ORS 329A.250 to ORS 329A.450, these rules, or the terms and conditions of certification. CCLD may assess civil penalties for multiple days in a single action.
- (6) An individual or entity that provides child care subject to registration or certification in a home or facility that is not registered or certified with CCLD may be subject to a civil penalty not to exceed \$1,500 per day of operation of the uncertified facility.
- (7) Notwithstanding CCLD's decision to impose a civil penalty for one or more rule violations, CCLD may also take action to deny, suspend or revoke a certification for the same rule violation or violations.
- (8) A certified child care center may appeal any decision to impose a civil penalty, subject to the provisions of chapter 183, Oregon Revised Statutes.
- (9) Failure to pay a civil penalty in which CCLD has issued a final order by default or a final order after a contested case hearing shall be grounds for denial or revocation of a certified child care center certification.

OUTDOOR NATURE-BASED CHILD CARE

414-320-0100

Definitions

Rule Summary: 414-320-0100 is being amended to include definitions related to suspension and expulsion prevention.

- (1) "Applicant" means a person, business entity, or governing body who submits the child care license application and in whose name the certificate will be issued.
- (2) "Behavior and Guidance" means the on-going process of helping children develop self-regulation and assume responsibility for their own behaviors and actions.
- (3) "Benefit-risk assessment" means, for purposes of outdoor nature-based programs, a process used to identify and document hazards and risky play elements associated with childhood outdoor play and making plans to mitigate the risk of injury to children while maintaining developmental benefits for children. This process includes identifying the types of risk present in



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a location or activity, the likelihood and severity of potential injury, the potential benefits to children, methods of mitigating hazards, e.g., elimination, substitution, isolation, safeguards, and managing risk, e.g., heightened supervision, scaffolding, intervention, and identifying who is responsible for implementing the appropriate methods and when.

- (4) "Biological needs" means, for purposes of outdoor nature-based programming, DELC approved toileting and handwashing activities for children and program staff.
- (5) "Body of water" or "bodies of water" is a natural area or human-made area or device that contains or holds a depth of more than four inches of water. Examples include swimming pools, ditches, canals, ponds, water retentions, excavations, quarries, streams, rivers, lakes, and ocean waters.
- (6) "Business Day" means Monday through Friday, but does not include any holiday as defined by ORS 187.010 and ORS 189.020, or any day that the central office of DELC is closed.
- (7) "Campfire" means an outdoor recreational fire that is used for cooking, personal warmth, lighting, or ceremonial or esthetic purposes. For the purposes of this chapter, "campfire" does not include a fire within any building, mobile home, motor vehicle, or recreational vehicle.
- (8) "Campfire activities" means ONB program activities in which enrolled children have access to a campfire that may pose a risk of burns to children.
- (9) "Capacity" means the total number of children in care at the certified ONB program or in care away from the ONB program at any one time.
- (10) "Caregiver" means any person in an ONB program, who works directly with the children, providing care, supervision, and guidance.
- (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.
- (12) "Child Care" means the care, supervision, and guidance on a regular basis of a child, unaccompanied by a parent, guardian, or custodial parent, during a part of the 24 hours of the day, with or without compensation.
- (13) "Child Care Child," for the purpose of certified ONB programs, means any child 36 months of age or older and under 13 years of age, or a child who is under the age of 18 with special needs or disabilities and who requires a level of care that is above normal for the child's age, for whom the certified ONB program has supervisory responsibility in the temporary absence of the parent.
- (14) "Child with Specific Needs" means a child who requires specialized supports or other accommodations including some adaptation of the certified ONB program's standard program



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of care, activities or equipment to accommodate a physical, developmental, behavioral, mental or medical condition or disability which is either permanent or temporary.

- (15) "Civil Penalty" means a fine imposed by DELC on a facility for violation of these rules.
- (16) "Comparable Group Care Program" means a program which has the following elements:
- (a) Staff are supervised by knowledgeable professionals;
 - (b) Training of staff is provided or required annually;
 - (c) Group size is similar to a certified ONB program; and
 - (d) Curriculum is developmentally appropriate.
- (17) "Curriculum philosophy" means a written statement of principles developed by an ONB program to form the basis of the learning ONB program activities, including age appropriate developmental learning objectives for children.
- (18) "DELC" means the Department of Early Learning and Care.
- (19) "Developmentally Appropriate" means:
- (a) Caregivers interact with each child in a way that respects the child's unique abilities;
 - (b) Caregivers have knowledge about how children grow and learn;
 - (c) Activities, materials, and curriculum reflect the interests and abilities of a specific child or group of children being served; and
 - (d) Equipment is appropriately sized or adapted so that each child can participate fully and safely.
- (20) "Director" means the individual serving as the on-site manager with the primary responsibility for the day-to-day operation, supervision, and administration of a child care ONB program as identified pursuant to OAR 414-320-0260(2)(e) and who meets the qualifications of director as provided in OAR 414-320-0320.
- (21) "Disinfect" means to destroy or inactivate all germs from an inanimate surface. Disinfecting involves cleaning and rinsing followed by applying a disinfectant, such as:
- (a) A chlorine and water solution following the manufacturer's instructions; or
 - (b) An EPA-registered disinfectant, used according to the manufacturer's instructions including correct concentrations, contact time, drying or rinsing requirements, and suitability for the surface.
- (22) "Every Child Belongs (ECB)" is Oregon's early childhood suspension and expulsion prevention [initiative program](#). [The goal of Every Child Belongs is to help](#) early childhood care and education programs keep children in care by offering [timely](#), responsive support when challenges arise.
- (23) ["Expulsion" or "Expel" means to permanently end a child's enrollment in a certified ONB program due to child's ability, specialized needs, or behavior.](#)
- (23) ["Facing Potential Expulsion" refers to risk of a child being expelled permanently from the certified ONB program. Indicators of potential expulsion include, but are not limited to:](#)
- (a) [The use of strategies identified in the program's behavior and guidance policy \(OAR 414-320-0700\) without reducing or eliminating the challenging behavior;](#)
 - (b) [The use of temporary safety-based intervention; or](#)
 - (c) [The use of physical restraint with the child on more than one occasion](#)



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- (24) "Family" means a group of individuals related by blood, marriage or adoption, or individuals whose functional relationships are like those found in such associations.
- (25) "Field Trip" means an excursion or program activity with a specific destination away from the ONB program premises that begins when staff and children leave the ONB program's licensed premises, whether by vehicle or by walking. It does not include routine school or home pick-up and drop-offs provided by the ONB program.
- (26) "Fire Code Official" means a Fire Inspector II, Fire Marshal, Deputy State Fire Marshal or designated person defined by ORS 476.030, ORS 476.060 and OAR 837-039-0016.
- (27) "Hazard" means anything that may inflict injury or cause harm.
- (28) "Inaccessible to children" means a method to prevent a child from reaching, entering, using, or getting to items, areas, or materials of an ONB program by one or more of the following means:
- (a) Secured with a child safety device, such as a child safety cupboard lock or doorknob device:
 - (A) A device specifically manufactured as a child safety product; or
 - (B) For a product not manufactured as a child safety product, the device must have a multi-step opening process, or require two hands to open.
 - (b) Locked, such as in a locked room, cupboard, or drawer; or locks that do not use a key or combination, such as a deadbolt or hook-and-eye latch, only if they are installed at least 60 inches high;
 - (c) Behind a properly secured child safety gate;
 - (d) In a cupboard or on a shelf that is not within reach of any surface from where a child could stand or climb; or
 - (e) An alternate method approved by DELC.
- (29) "Infestation" means the invasion of insects and worms that causes a disease to the host. These insects can be mites, ticks, fleas or lice. Worms can be roundworms, pinworms, flatworms or other helminths.
- (30) "License" means the document that is issued by DELC to a certified ONB program. A license may also be referred to as a certificate. The holder of a license is a "licensee."
- (31) "Licensing period" means the 12 months for which a certified ONB child care license is issued.
- (a) For an initial license, the licensing period begins the day the temporary or regular license is issued and ends the same day the following year. For example, if a certified ONB program child care is issued a license on July 6, 2024, the licensing period is July 6, 2024 through July 6, 2025.
 - (b) For a renewal license for which the provider submitted a timely renewal application, the licensing period begins the day the prior licensing period ended and ends the same day the following year, regardless of the date the renewal license is issued, unless the provider and DELC agree to change the licensing period to begin on a different date.
- (32) "Lockdown" means restricted to an interior room with few or no windows while the facility or building is secured from a threat or other DELC approved lockdown plan.



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- (33) "Natural Space" means an outdoor area that is natural, semi-natural, or planted and includes plants, animals, and other features and products of the earth.
- (34) "Operator" means the person, group, corporation, partnership, governing body, association, or other public or private organization legally responsible for the overall operation of the ONB program and who has the authority to perform the duties necessary to meet certification requirements. If the operator is other than the owner, an individual must be appointed as the operator by the owner.
- (35) "Oregon Registry" means the voluntary registry at the Oregon Center for Career Development in Childhood Care and Education at Portland State University that documents the training, education, and experience of individuals who work in childhood care and education.
- (36) "Oregon Registry Online" (ORO) means the statewide database that stores all submitted training and education to be verified for use by CCLD
- (37) "Outdoor classroom" means a central location on the ONB program's licensed premises that serves as the primary place for children's daily activities.
- (38) "Outdoor nature-based (ONB) child care," "outdoor nature-based (ONB) program," "certified ONB program," or "ONB program" means a child care program certified under and subject to these rules that:
- Enrolls preschool through school-age children;
 - Provides child care to children in a primarily outdoor natural space approved by the DELC. The program may have non-regular or emergency use of indoor space approved by the DELC; and
 - Utilizes a philosophy where nature is central to children's learning and development, as demonstrated by curriculum requirements outlined in OAR 414-320-0525(4).
- (39) "Outdoor nature-based tools" include, but are not limited to, peelers, whittling knives, small hammers, hand drills, pliers, child-sized saws, wrenches, screwdrivers, rope, or other sharp objects.
- (40) "Owner" means the person, group, corporation, partnership, governing body, association, or other public or private organization legally responsible for the overall operation of the ONB program and who has the authority to perform the duties necessary to meet certification requirements.
- (41) "Parent" means a child's parent, a guardian, or a person 18 years of age or older with supervisory responsibility of the child in the absence of the child's parent.
- (42) "Physical barrier" or "barrier" means a non-climbable fence or wall that has no openings greater than two inches. Any gate or opening must have a locking mechanism, a self-closing or self-latching device, and a device used to open the locks which is inaccessible to children but readily available to staff
- (43) "Physical boundary" or "boundary" means a way of marking the limits of an area consisting of, but not limited to, fences, barriers, ropes, large boulders or logs, or visual aids such as cones, tape, or ribbons.
- (44) "Physical Restraint" means purposely limiting or obstructing the freedom of a person's bodily movement. Physical restraint does not include:



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- (a) Holding a child to comfort the child when in distress;
- (b) Holding a child to move them safely from one area to another without the use of force (e.g. redirecting a preschool-age child to another activity);
- (c) Assisting a child to complete a task, if the child does not resist the physical contact (helping a child to tie their shoe or hold a pencil or tool, etc.); or
- (d) Any prohibited discipline or action listed in OAR 414-320-0710, Prohibited Discipline and Actions.

(45) "Potential Expulsion" refers to the risk of a child being expelled permanently from the certified ONB program. Indicators of potential expulsion include, but are not limited to:

- (e) The use of strategies identified in the certified ONB program's behavior and guidance policy (OAR 414-320-0700) without reducing or eliminating the challenging behavior;
- (f) The use of temporary safety-based intervention; or
- (g) The use of physical restraint with the child on more than one occasion.

- (45) "Potentially Dangerous Wildlife" means any animal that could cause injury or death to people or other animals. This could include animals that are part of a species or breed that is known to be dangerous, or animals that have exhibited dangerous behavior.
- (46) "Potentially Hazardous Food" means any food or beverage containing milk or milk products, eggs, meat, fish, shellfish, poultry, cooked rice, beans or pasta, and all other previously cooked foods, including leftovers.
- (47) "Premises" means the physical space and building, or portions of a physical space or building, used by an ONB program, including all areas indoor or outdoor, directly accessible to the child care children and ONB program staff, and all areas not generally accessible if used for any purpose related to child care.
- (48) "Preschool-Age Child" means a child who is at least 36 months of age but not yet eligible to be enrolled in kindergarten or above, before the first day of the current school year.
- (49) "Regular Teaching Duties" means routinely scheduled, ongoing teaching responsibilities either on a part or full-time basis. Serving as a substitute teacher on an infrequent basis does not count as regular teaching duties.
- (50) "Restrictable Disease" means an illness or infection as identified by the Oregon Health Authority Public Health Division in OAR 333-019-0010 that would prohibit the child from attending child care.
- (51) "Risk," with regard to "risky play", means a situation that a child can recognize and evaluate challenges to decide on a course of action, although there may be a potential for injury.
- (52) "Risk management policy" means a written policy or plan to mitigate children's risk of injury associated with risky play or learning activities.
- (53) "Risky play" means physical activity and play that is challenging and involves a risk of physical injury. Risky play for ONB programs includes, but is not limited to, play involving heights, speed, tools, close proximity to dangerous elements, such as falling into something potentially hazardous, and risk of getting lost.



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- (54) "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. An appropriate test kit or strips are required to measure the concentration of sanitizing solutions. Any sanitizer used on food contact surfaces or toys must be labeled as "safe for food contact surfaces."
- (55) "School-Age Child" means a child eligible to be enrolled in kindergarten or above on or before the first day of the current school year (also see ORS 329A.250(12)). This includes the months from the end of the prior school year to the start of the kindergarten school year.
- (56) "Serious Complaint" and "Serious Violation" means an allegation or finding of noncompliance in which:
- (a) Children are in imminent danger;
 - (b) There are more children in care than allowed by licensed capacity;
 - (c) Disciplinary methods prohibited under OAR 414-320-0710, Prohibited Discipline and Actions, are being used;
 - (d) Children are not being supervised;
 - (e) Multiple or serious fire, health or safety hazards are present in the ONB program;
 - (f) Extreme unsanitary conditions are present in the ONB program;
 - (g) Adults are in the ONB program who are not enrolled in the CBR; or
 - (h) An ONB program is providing child care without the appropriate certification.
- (57) "Serious Injury or Incident" means any of the following:
- (a) Injury requiring surgery;
 - (b) Injury requiring admission to a hospital;
 - (c) Injury requiring emergency medical attention;
 - (d) Choking and unexpected breathing problems;
 - (e) Unconsciousness;
 - (f) Concussion;
 - (g) Poisoning;
 - (h) Medication overdose;
 - (i) Broken bone or joint dislocation;
 - (j) Severe head or neck injury;
 - (k) Chemical contact in eyes, mouth, skin, inhalation or ingestion;
 - (l) All burns;
 - (m) Allergic reaction requiring administration of Epi-Pen;
 - (n) Severe bleeding or stitches;
 - (o) Shock or confused state; or
 - (p) Near-drowning.
- (58) "Serious safety threat" refers to a child's behavior that presents a danger to the physical safety of themselves or others, which cannot be reduced or eliminated by the certified ONB program's existing guidance and behavior strategies (OAR 414-320-0700).



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- (59) "Shelter-in-Place" means staff and children staying at the ONB program due to an external threat such as a storm, chemical or gas leak or explosion, or other event that prohibits the occupants from safely leaving the building.
- (60) "Staff" means an individual who is an employee, or a volunteer who is in the ONB program for more than a single activity.
- (61) "Substitute Director" means the person in charge of the ONB program during the hours of operation when the director is not on site.
- (62) "Supervision" means the act of caring for a child or group of children. This includes awareness of and responsibility for the ongoing activity of each child. It requires physical presence, knowledge of children's needs, and accountability for their care and well-being. Supervision also requires that caregivers be near and have ready access to children in order to intervene when needed.
- (63) "Suspension" means reductions in the amount of time a young child may be in attendance of a certified ONB program, such as requiring the child to cease attendance for a temporary period of time (except if in connection with temporary safety-based interventions, as defined in these rules) or reducing the number days or hours that the child may attend due to the child's ability, specialized need, or behavior.
- (63) "Teacher" means a caregiver who plans and implements daily activities for a designated group of children and who meets the qualifications of teacher pursuant to OAR 414-320-0340.
- (64) "Technical Assistance" means consultation and advice given to program staff to assist them in maintaining compliance.
- (65) "Temporary Safety-Based Intervention" means temporarily removing a young child from a certified ONB program when the child's behavior poses a serious safety threat, as defined in these rules, for such time period and for no longer than necessary to incorporate supports to reduce the occurrence of the behavior, ensure child safety, and have the child return to the program as quickly as possible.
- (66) "Unsupervised Access to Children" means contact with children that provides the person opportunity for personal communication or touch when not under the direct supervision of a qualified child care provider or staff with supervisory authority.
- (67) "Visitor" means someone who is at the program for a single event, including but not limited to: a repair person, privately contracted professional working with an individual child, or librarian visiting the program. Visitors are not potential employees and are not counted in ratio.
- (68) "Volunteer" includes any person who provides labor or services to a certified ONB program but is not compensated with employment pay or benefits. A volunteer must never have unsupervised access to a child unless the volunteer is the child's parent or if the volunteer is enrolled in the Central Background Registry.
- (69) "Water activities" means ONB program activities in which child care children swim or play in a body of water that poses a risk of drowning for children. Water activities do not include using sensory tables, or playing in temporary puddles, standing near, but not entering water, or laying on the stomach where hands are the only body part accessing water.



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(70) "Young Child" means any child who is six weeks of age until eligible to be enrolled in kindergarten on or before the first day of the current school year.

Rule Summary: 414-320-0200 is being amended to add suspension and expulsion prevention policy. Includes amendments to individual child assessment.

414-320-0200
Policies

(1) A certified ONB program must have written policies identified in 414-320-0200(2)(a) –(z) and provide them to:

(a) Staff and volunteers at the time of hire and when policies change; and
(b) Parents at the time of a child's enrollment and when policies change.

(2) A certified ONB program must provide the following written information to parents, staff, and volunteers:

- (a) Name, business address, physical location, and business telephone number of the person(s) who has immediate responsibility for the daily operation of the certified ONB program;
- (b) A program description including the licensed capacity, ages and number of children in care, hours, days and months of operation, closure dates and observed holidays, and staff-to-child ratios;
- (c) Arrival and departure procedures, including sign in and out requirements and individuals authorized for pick-up;
- (d) Parent responsibilities for providing current required information and what parents are expected to provide;
- (e) Health policies and procedures to include diaper changing and handwashing methods, immunization tracking, medication administration, use of insect repellent and sunscreen, care of bed linen, care of children who are ill and exclusion criteria, and response to injuries (also see OAR 414-320-1020), Injuries);
- (f) Safety measures including injury prevention, use of pesticides and other potentially toxic substances, animals, water activities, and prohibited substances;
- (g) A plan to ensure that any visitor or other adult not enrolled or conditionally enrolled in the CBR does not have unsupervised access to children;
- (h) Emergency preparedness plan (also see OAR 414-320-0210, Emergency Preparedness and Response);
- (i) ONB program curriculum philosophy on how children learn and develop in nature and how this philosophy is implemented;
- (j) Daily schedules that include planned activities, rest time, physical activity, and screen time;
- (k) Certified ONB program-sponsored religious and cultural activities, if any, including how holidays will be recognized;
- (l) Meals, snacks, and food service practices including food storage and handling, children's dietary needs and allergies, and food brought from the child's home;
- (m) Transportation and field trips including driver and vehicle requirements and supervision;
- (n) Behavior and guidance policies;



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- (o) How staff must proceed if a child is displaying inappropriate behaviors that could endanger themselves or the safety of others;
 - (p) Communication methods and notifications, including how parent grievances, questions, or concerns are handled by the certified ONB program;
 - (q) Prevention of and duty to report suspected child abuse and neglect;
 - (r) How to view inspection reports, access the Department of Early Learning and Care website and ONB program certification rules, and contact DELC and child abuse and neglect hotline;
 - (s) A statement advising parents that they can access information about child care programs on the child care safety portal;
 - (t) How the certified ONB program will ensure that children in care stay within the licensed premises;
 - (u) The certified ONB program's benefit risk assessment policies and applicable procedures, per OAR 414-320-0215;
 - (v) What clothing and additional equipment families must provide to ensure that children are appropriately attired for various weather conditions;
 - (w) Policies and procedures for certified ONB program operations in weather conditions that may pose a health or safety risk for children and staff;
 - (x) Toileting policies and applicable procedures for staff and children;
 - (y) How the certified ONB program will determine whether to cancel or alter the scheduled daily ONB program based on weather conditions and how staff will communicate any scheduling changes to families; and
 - (z) Suspension and expulsion prevention policy (OAR 414-320-0750).
- (3) A certified ONB program must have written personnel policies for staff and volunteers that include at a minimum:
- (a) Position descriptions, job duties assigned, and supervision of each position; and
 - (b) Initial and ongoing training requirements.
- (4) If a certified ONB program uses volunteers, the program must provide a copy of volunteer policies to any volunteers that includes procedures for ensuring training if the volunteer counts in the staff-to-child ratio, compliance with certification rules and ONB program procedures, and an understanding of emergency preparedness plans.
- (5) A certified ONB program must have and follow risk management policies and procedures to address potential hazards and risks of the ONB program. These must include, but are not limited to, policies or procedures related to the following:
- (a) Encountering non-ONB program pets and wildlife pursuant to OAR 414-320-1400, Domestic Animals and Pets, and 414-320-1350, Encountering Wildlife Supervision and Safety;
 - (b) Interacting with strangers, preventing unsupervised access to any child in care, pursuant to OAR 414-320-0500, Supervision of Children;
 - (c) The shared use of public space or any outdoor space not under the exclusive control of the certified ONB program;
 - (d) Weather requiring the use of an emergency shelter;



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(e) Required clothing and keeping children dressed for the weather pursuant to OAR 414-320-0940, Weather Conditions and Outdoor Hazards;

(f) Using public facilities or buildings;

(g) Encountering poisonous species; and

(h) All other potentially hazardous situations and natural features.

(6) As required by state and federal civil rights laws and the Americans with Disabilities Act (ADA), a certified ONB program cannot discriminate against any child on the basis of race, religion, color, national origin, gender, marital status of parent, or because of a need for special care.

(a) Suspected violations will be reported to the overseeing agency, with whom DELC may share any information available to it.

(b) DELC may deny an initial or renewal application or revoke a regular or temporary certification if a certified ONB program is determined to have discriminated in violation of this requirement by any authority with jurisdiction to make the determination.

(7) To ensure the physical, emotional and mental health, safety, and wellbeing of children, A certified ONB program must complete an individualized assessment whenever the ONB program becomes aware that of a child known to have with specific needs has either applied for enrollment or is already in care at the ONB program. The individual assessment must examine the ONB program's physical environment, policies, and practices to identify reasonable modifications that are needed to support meeting both the child with specific needs, and other children enrolled in the program before determining whether the certified ONB program can meet the child's care needs in its program. The assessment must be based on all available information from the child's parents, professionals who are knowledgeable about the child's care needs, and certified ONB program personnel. The assessment must be documented for each child and must include:

(a) Reasonable accommodations-Descriptions of changes the certified ONB program made or will make to the ONB program's environment to support the individual child's with specific needs participation in the program, or an explanation of why the changes necessary to support the child's participation cannot reasonably be made; certified ONB program could not make reasonable accommodations;

(b) Reasonable modifications-Descriptions of changes the certified ONB program made or will make to their the ONB program's policies and practices to fully integrate the child with specific needs into the program or an explanation of why the changes necessary to fully integrate the child into the program cannot the certified ONB program could not make reasonably be made modifications;

(c) If applicable, any direct threats to the health and safety of others posed by the particular child's presence at the facility ONB program and an explanation of whether the threats can be eliminates with changes described pursuant to subparagraphs (a) or (b) of this rule; and

(d) If a child enrolled in care at the certified ONB program is a young child, as defined in these rules, documentation that the certified ONB program has complied with OAR 414-305-0750.

(8) Compliance with the requirements in subsection (7) (a) to (d) of this rule is not intended to describe the requirements of or to ensure full compliance with applicable civil rights laws, including the federal Americans with Disabilities Act (ADA).



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Rule Summary: 414-320-0260 is amended to add suspension and expulsion prevention policy to items available for review.

414-320-0260

Items Available to View

(1) A certified ONB program must post the following items in a prominent and frequently visited location for the parents and public to view:

(a) The most current certification issued by DELC;

(b) All serious valid complaints and serious non-compliance letters for 12 calendar months from the date of the letter;

(c) Notices of proposed legal actions, emergency orders of suspension or imposing conditions, and final orders, immediately upon receipt by the certified ONB program and while pending or in effect, including throughout any appeal period; and

(d) The Department of Early Learning and Care Website [<https://www.oregon.gov/delc>] and phone number [1-800-556-6616], and a statement advising parents that they can access information about their child care provider on the child care safety portal.

(2) A certified ONB program must have the following items available in a prominent and frequently visited location for the parents and public to view:

(a) A notice that the most recent DELC inspection report and the current rules for certification of ONB programs are available upon request;

(b) The most recent water test results summary provided by DELC;

(c) Information on how to report a complaint to DELC regarding certification requirements;

(d) The Oregon Child Abuse and Neglect Hotline number and requirement to report suspected abuse or neglect;

(e) The certified ONB program director's full name and at least one additional personnel who is responsible for the program if the director is not present at the ONB program. When the individuals listed are not present, the appointed personnel in charge is identified in writing;

(f) A notice that parents must be permitted access to their child and all child care areas while their child is in care. Advance notice is not required;

(g) Certified ONB program closures (vacation days, holidays, etc.);

(h) The dated current week's menu of all snacks and meals served by the certified ONB program with any substitutions recorded;

(i) A notice of planned field trips showing the date, times, and place of each field trip and posted at least 48 hours in advance of the field trip;

(j) When all staff and children have left the outdoor classroom but are on the ONB program premises, a notice with staff contact information and approximate return time;

(k) A notice when any child or staff member has a child care restrictable disease, as defined in Oregon Health Authority administrative rule OAR 333-019-0010, or food poisoning (also see OAR 414-320-1010, illness);

(l) The ONB program's behavior and guidance policy;



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(m) Emergency numbers to include 9-1-1, where available, or local law enforcement, local mental health crisis line, fire department, and ambulance service; the certified ONB program name and address, with main cross streets or directions to the certified ONB program; child abuse reporting hotline and poison control (1-800-222-1222);

(n) Emergency evacuation and relocation diagram, including primary and secondary routes;

(o) Daily schedule and dated weekly lesson plan;

(p) The applicable ratios and group sizes; and

(q) The certified ONB program's suspension and expulsion prevention policy.:

414-320-0270

Notifications

Rule Summary: 414-320-0270 is amended to correct cross-reference with updated numbering in Definitions. Includes notification requirements when implementing a temporary safety-based intervention.:

(1) A certified ONB program must notify DELC by 5:00pm the next business day of the following items:

(a) A change of director;

(b) A change in mailing address, when different from the physical address;

(c) A change in phone number;

(d) A known legal action or child abuse or neglect investigation, such as an arrest, criminal investigation or charge, or Victim Protection Order, involving any person for which a certified ONB program is required to request confirmation of Central Background Registry enrollment;

(e) Any occurrence, including a natural disaster or contaminated water, that renders all or part of the licensed premises unsafe for a child;

(f) An incident that exposes children to an imminent risk of harm, such as a child leaving the ONB program without the ONB program's knowledge or being left alone on or off site or in a vehicle;

(g) An animal bite to an adult or child that occurs on site at any time or off site when participating in ONB program activities;

(h) An accident involving transportation, unless there were no injuries and only minor damage to the vehicles;

(i) Any serious injury or incident, as defined in OAR 414-320-0100 ([5758](#)), involving a child;

(j) A child who is given the incorrect dosage of any medication;

(k) A child who took or received another person's medication;

(l) The death of a child or staff member that occurred on the premises of the ONB program;

(m) Other dangers or incidents requiring emergency response such as a fire or temporarily relocating children;

(n) Any time prohibited discipline or prohibited actions occur (also see OAR 414-320 -0710, Prohibited Discipline and Actions);

(o) Any incident where physical restraint is used (also see OAR 414-320 -0720, Physical Restraint); and

(p) The implementation of a temporary safety-based intervention.

(2) A certified ONB program must notify DELC prior to any of the following:



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- (a) An anticipated temporary or permanent certified ONB program closing, other than a scheduled closing identified in ONB program policy;
 - (b) An anticipated temporary or permanent change in location of outdoor classroom or certified ONB program premises;
 - (c) An anticipated certified ONB program change or alteration that impacts the amount of usable square footage or compliance with the requirements;
 - (d) A change in licensed space; and
 - (e) A change in ONB program name.
- (3) Any staff member who has reason to believe a child has been abused or neglected is required to report the matter immediately to the Oregon Child Abuse Hotline (1-855-503-7233), Department of Human Services Child Welfare, or a law enforcement agency. This requirement applies 24 hours a day. This requirement applies to any suspected physical, sexual or emotional abuse; child neglect, child endangerment, or child exploitation; inappropriate sexual contact between two or more children; or attempted suicide or threats of suicide by a child.
- (4) A certified ONB program must immediately notify the Oregon Health Authority of a known case, in individuals associated with the ONB program, of a child care-restrictable disease, as defined in Oregon Health Authority administrative rules, OAR 333-019-0010.
- (5) A certified ONB program must immediately notify parents or an emergency contact if the parent cannot be reached and document if their child:
- (a) Does not arrive on their own at the certified ONB program as scheduled, such as when a school-age child is walking to the program or when a child is transported from another program;
 - (b) Is not present at the pick-up location as scheduled;
 - (c) Is involved in an incident that placed the child at risk such as being lost, missing or left alone on the certified ONB program premises, a field trip, or in a vehicle;
 - (d) Has experienced any suspected allergic reactions, as well as the ingestion of or contact with the allergen even if a reaction did not occur;
 - (e) Was not administered medication in accordance with directions;
 - (f) Received emergency medication such as epinephrine for a life-threatening condition;
 - (g) Sustains an injury that may need evaluation by a physician or any impact to a child's head;
 - (h) Has been exposed to poison;
 - (i) Has been exposed to poison oak, poison ivy, or other poisonous plant;
 - (j) Is bitten by an animal, when the skin is broken or when an evaluation by a physician may be needed;
 - (k) Is separated from the group due to an illness;
 - (l) Dies while in care;
 - (m) Is involved in any incident where physical restraint is used; or
 - (n) Exhibits behaviors that require the use of a temporary safety-based intervention..
- (6) A certified ONB program must immediately notify parents in writing if a condition or restriction is placed on the license.
- (7) A certified ONB program must notify parents upon child pick-up of:
- (a) Daily happenings;
 - (b) Significant changes in their child's physical or emotional state;



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- (c) Known minor injuries such as minor cuts, scratches, and bites from other children requiring first aid treatment by employees;
- (d) Their child being unsupervised at school or another location when not picked up on time;
- (e) Illness or infestation symptoms that developed or changed;
- (f) A child care restrictable disease or infestation exposure from staff or another child;
- (g) Administration of a medication for a non-life-threatening condition that is only administered as needed;
- (h) An animal bite to a child, when the skin is not broken;
- (i) Implemented emergency plans and procedures, except for drills; and
- (j) Anticipated closure of the certified ONB program.

Rule Summary: 414-320-0720 is being amended to require ONB programs contact Every Child Belongs when physical restraint is used more than once with a child.

414-320-0720

Physical Restraint

- (1) A certified ONB program may only use physical restraint after complying with all requirements of OAR 414-320-0700, Behavior and Guidance and OAR 414-320-0710, Prohibited Discipline and Actions, and in accordance with OAR 414-320-0200(2)(o).
- (2) Physical restraint must only be used if a child's safety or the safety of others is threatened and must be:
 - (a) Limited to holding a child as gently as possible to accomplish restraint;
 - (b) Limited to the minimum amount of time necessary to control the situation; and
 - (c) Developmentally appropriate.
- (3) A staff member must not use bonds, ties, blankets, straps, or weights (including an adult sitting on a child) to physically restrain children.
- (4) Certified ONB program staff must discontinue the use of physical restraint if they sense a loss of their own self-control or concern for the child when using physical restraint.
- (5) If physical restraint is used, a certified ONB program must:
 - (a) Report the use of physical restraint, pursuant to OAR 414-320-0270, Notifications;
 - (b) Assess any incident of physical restraint to determine if the decision to use physical restraint and its application were appropriate; and
 - (c) Document the incident in the child's file, including the date, time, duration, certified ONB program staff involved, and what happened before, during, and after the child was restrained.
- (6) If physical restraint is used more than once on a specific child, the certified ONB program must develop a written plan with input from individuals who have knowledge of the child's behaviors, including, but not limited to: the child's primary care provider, mental health provider, school counselor, and the parents or guardians, to address underlying issues and reduce the need for further physical restraint. A certified ONB program must notify DELC when a written plan has been developed.



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(7) If not done previously, a certified ONB program must contact Every Child Belongs if physical restraint is used more than once on a specific young child. [The certified ONB program must contact Every Child Belongs by 5:00pm the next business day.](#)

Rule Summary: 414-320-0750 is being adopted to address suspension and expulsion prevention requirements.

414-320-0750

Suspension and Expulsion Prevention

- (1) A certified ONB program must develop and implement a suspension and expulsion prevention policy. [The intent of the suspension and expulsion prevention policy is to ensure that young children are supported to remain in care.](#)
- (2) The suspension and expulsion prevention policy must:
 - (a) Be consistent with the certified ONB program's Behavior and Guidance policy (OAR 414-320-0700);
 - (b) Identify existing certified ONB program supports or tools that may be accessed;
 - (c) Identify when and how classroom staff must seek support when challenges related to the care of children arise, including:
 - (A) When and in what circumstances classroom staff must seek support;
 - (B) How the director or designated certified ONB program personnel will respond to requests for support from classroom staff; and
 - (C) What internal certified ONB program supports will be made available to the classroom staff.
 - (d) Identify how the certified ONB program will determine if additional supports are needed for a child;
 - (e) Identify when the certified ONB program will request services from Every Child Belongs (ECB); and
 - (f) Include the method that the certified ONB program will use to notify a family of concerns related to a child's [ability](#), behavior, ~~or development~~, such as written notification or an in-person conference.
- (3) When a young child is facing potential expulsion, as defined in these rules, a certified ONB program must:
 - (a) Document the challenging behaviors and any known triggers (for example: specific activities, times of day, transitions);
 - (b) Document what strategies [and supports](#) the certified ONB program has used to support the child and their effectiveness;
 - (c) Request services from Every Child Belongs (ECB); and
 - (d) Simultaneously with the request for services from ECB, notify the child's family regarding the behavior concerns to:



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- (A) Begin to collaboratively problem-solve to identify potential strategies and supports for the child; and
 - (B) Establish frequency and method of ongoing communication with the family.
- (4) If the certified ONB program is unable to connect with the child's family, as outlined in OAR 414-305-0750(3)(d), the center must attempt alternative methods of communication and document those attempts.
- (5) A certified ONB program may implement a temporary safety-based intervention if a child's behavior creates a serious safety threat, as defined by these rules.
- (6) A certified ONB program may only use a temporary safety-based intervention if:
- (a) There is behavior that meets the definition of serious safety threat. The certified ONB program must document the behavior; and
 - (b) The certified ONB program has attempted to address the behavior through strategies outlined in their behavior and guidance policy (OAR 414-320-0700), strategies suggested by the family, and any recommendations from professionals previously consulted about the child.
- (7) If a certified ONB program initiates a temporary safety-based intervention, the ONB program must:
- (a) [Notify the child's family or other emergency contact immediately;](#)
 - (b) Contact ECB immediately to request services, if not already done; and
 - (c) Notify CCLD of the temporary safety-based intervention and its expected duration by 5:00pm the next business day.
- (8) The length of a temporary safety-based intervention may only be for the time necessary to incorporate supports to reduce the occurrence of the behavior. The temporary safety-based intervention must end as soon as safety can be maintained with supports in place.
- (9) The certified ONB program must document the basis for the duration of the temporary safety-based intervention.
- (10) During the temporary safety-based intervention, the certified ONB program must communicate with the family regarding:
- (a) Updates on access to supports;
 - (b) Any changes to the child's behaviors while not in care; and
 - (c) Timeline to return to care.
- (11) If requested by CCLD, a certified ONB program must update CCLD if the expected duration of the temporary safety-based intervention changes.

414-320-0840

Prevention and Management of Hazards

Rule Summary: 414-320-0840(1) is amended to correct cross-reference with updated numbering in Definitions.



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- (1) A certified ONB program must ensure that all toxic or potentially dangerous items, such as cleaning supplies and equipment, poisonous and toxic materials, and flammable and corrosive materials, are inaccessible to children, as defined in OAR 414-320-0100(28).
 - (a) Toxic substances must be stored separately from medication, food service equipment, and food supplies.
 - (b) Sanitizing and disinfecting solutions must be inaccessible to children.
 - (c) Products including toxic substances must be stored and used according to the manufacturer's instructions, including not storing products near heat sources.
 - (d) Products must be stored in the original labeled containers. Any smaller containers or solutions mixed by staff must be labeled with the contents of the container.
- (2) When an environmental concern, including potentially harmful environmental pollutants, is identified, a certified ONB program must evaluate and work collaboratively with appropriate agencies to mitigate the concern.
- (3) If the certified ONB program operates on a site undergoing remedial work by the Oregon Department of Environmental Quality (DEQ), the certified ONB program must take additional steps to ensure children do not ingest contaminated soil.
- (4) A certified ONB program must take steps to prevent children's exposure to the following, if they exist on the premises:
 - (a) Lead based paint. Any building or play structure constructed before 1978 that has peeling, flaking, chalking, or failing paint must be tested for lead. If lead-based paint is found, the certified ONB program must contact the Oregon Health Authority within five working days and follow their required procedures for remediation of the lead hazard.
 - (b) Plumbing and fixtures containing lead or lead solders;
 - (c) Asbestos;
 - (d) Toxic mold; and
 - (e) Other identified toxins or hazards.
- (5) A certified ONB program and staff must recognize, address, or remove potentially dangerous items and situations, using protective barriers to prevent children's access, if determined by DELC to be necessary. A certified ONB program must:
 - (a) Inspect the outdoor play areas and equipment daily for hazards, such as missing parts or broken equipment, sharp edges, splinters, and trash. All equipment with broken parts or damage must be repaired as soon as possible and must be inaccessible to children until repairs are made according to the manufacturer's instructions, if available;
 - (b) Inspect and mitigate any hazards related to natural materials of a certified ONB program, such as removing broken limbs from climbing trees;
 - (c) Visually inspect meeting spaces and outdoor classrooms or other commonly used spaces prior to children arriving. A certified ONB program must have a method of removing or mitigating any hazard on ONB licensed space such as, but not limited to, loose overhead branches, hazardous materials or devices left in public spaces, wildlife, or wildlife droppings;
 - (d) Ensure open containers of water such as bathtubs, buckets, and mop pails are emptied immediately after use;



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- (e) Store personal items belonging to staff members according to applicable rules; and
- (f) Ensure that all plastic bags that are large enough to fit over a child's head are inaccessible to children.
- (6) A certified ONB program must not permit any tobacco products such as cigarettes, cigars, and smokeless or vaping devices, illegal drugs, drug paraphernalia, hemp, marijuana and marijuana infused products, or alcohol on the premises during operating hours or when children are present. This includes in any certified ONB program vehicles or on any field trips. If the certified ONB program is operated on public land and the law allows members of the public to smoke in the area, the certified ONB program must reasonably protect children from second-hand smoke.
- (7) A certified ONB program must not permit the possession or storage of guns, firearms, weapons, or ammunition on the certified ONB program premises at any time, unless the certified ONB program operates on property containing a residential home and the residential home is under the control of the certified ONB program. In this case, firearms, ammunition, and other potentially hazardous equipment within the home shall be kept under lock, such as a key, combination, or biometric lock. A child safety lock or trigger lock does not meet this requirement. In addition:
 - (a) Firearms, pellet or BB guns must be unloaded and kept in areas not used by child care children; and
 - (b) Ammunition shall be stored separately from firearms.
- (8) A certified ONB program operating in natural environments must prevent and manage the children's exposure to toxic or infectious agents, such as potentially toxic animal waste, bee stings, and potentially toxic plants or fungi. When appropriate, certified ONB program staff must check children for ticks.
- (9) A certified ONB program must notify staff, parents, and guardians if pesticides or herbicides are applied on or near the ONB program space.
- (10) A certified ONB program operating on private or public land must work with the owners or park directors or their designees to comply with the following:
 - (a) The certified ONB program must take steps to prevent attracting pests including, but not limited to, identifying and removing food and water sources that attract pests.
 - (b) Indoor and outdoor areas in and around the licensed space must be inspected for evidence of potentially hazardous pests. The certified ONB program must document the date and location if evidence is found and take appropriate pest mitigation measures.
 - (c) If pesticides or herbicides are used, except in the case of an emergency such as the discovery of a wasp nest, the certified ONB program must notify the parents or guardians of enrolled children at least 48 hours before application what pesticide or herbicide will be applied and where it will be applied.
 - (d) Pesticides or herbicides must not be applied to certified ONB program space when children are present. Children must be excluded from areas where pesticides or herbicides are applied per the pesticide or herbicide manufacturer's instructions.
- (11) A certified ONB program must take precautions to protect children from vehicular traffic including but not limited to:
 - (a) Requiring drop off and pick up only at the curb or at an off-street location protected from traffic; and
 - (b) Ensuring that any adult who supervises drop-off and loading can see and ensure that children are clear of the perimeter of all vehicles before any vehicle moves.



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414-320-1020

Injuries

Rule Summary: 414-320-1020(2) is amended to correct cross-reference with updated numbering in Definitions

(1) A certified ONB program must have and follow written procedures for handling injuries that are made known to all staff, including:

- (a) Procedure for requesting or taking a child to emergency medical care;
- (b) First aid measures for serious accidents;
- (c) Routine care for treatment of minor injuries;
- (d) Standard precautions to handle potential exposure to blood and other potentially infectious fluids (also see OAR 414-320-0850(4), Maintenance and Sanitation);
- (e) Notification of parents:

(A) Any injury that may need evaluation by a physician or impact to a child's head must be reported to the child's parent(s) immediately and documented.

(B) Any injury requiring first aid or requiring observation must be reported to the child's parent(s) on the day of occurrence.

(f) Ensuring supervision of other children in the group.

(2) A certified ONB program must complete a report of any serious injury or incident, as defined in OAR 414-320-0100(5857) and include:

- (a) The child's full name and age;
- (b) The date of occurrence, time, type, circumstances, witnesses, and location at the ONB program or off-site;
- (c) Time and date of notification of parents;
- (d) The signatures of the reporting staff and director;
- (e) Action taken to prevent reoccurrence; and
- (f) The signature of the parent indicating that they reviewed it or received a copy of the report within 48 hours of when the incident occurred. An email or text with confirmation of receipt will count as a parent signature.

(3) A certified ONB program must maintain, at a minimum, the following first aid supplies at the program, in any vehicle used to transport children in care, and for group activities away from the ONB program:

- (a) Non-medicated adhesive bandages (assorted sizes);
- (b) Adhesive tape;
- (c) Sterile gauze pads (various sizes);
- (d) A sling, or a large triangular bandage;
- (e) Bottled water (for cleaning wounds or eyes);
- (f) Liquid handwashing soap or handwashing gel;
- (g) Sealed antiseptic towelettes or solution to be used as a wound cleaning agent;
- (h) Scissors;
- (i) Tweezers;
- (j) Disposable latex-free, powder-free gloves;



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- (k) Plastic bags (for disposing of blood and other body fluids);
 - (l) Mercury-free and glass-free thermometer;
 - (m) Cold pack;
 - (n) Chlorine bleach or other disinfectant for cleaning of blood and other bodily fluids;
 - (o) Flexible rolled gauze;
 - (p) A fire suppression blanket for ONB programs that engage in campfire activities;
 - (q) Hand-warmers and a method to prevent direct skin contact for hand-warmers that reach temperatures above 120 degrees Fahrenheit;
 - (r) Emergency thermal blanket; and
 - (s) A chart or handbook of first aid instructions.
- (4) A certified ONB program must ensure that the first aid supplies are readily available to staff and kept inaccessible to children.
- (5) A certified ONB program must maintain the first aid supplies in a clean and sanitary manner and replace them as needed, including expired items.

414-320-1030

Medications

Rule Summary: 414-320-1030(5) is amended to correct cross-reference with updated numbering in Definitions

- (1) Before a certified ONB program gives a child any prescription or non-prescription medication, including, but not limited to, pain relievers, cough syrup, and nose drops, the certified ONB program must:
- (a) Have a signed, dated, written authorization by the parent(s) on file (also see OAR 414-320-0230, Parental Permissions);
 - (b) For chronic medical conditions, a certified ONB program may obtain permission for 12 months or less with specific instructions including when administration is needed, such as inhalers.
 - (c) Parental authorization over the phone is permitted for single dose administration of non-prescription medication. The date and time of the consent must be documented and signed by the parent upon picking up their child.
 - (d) Ensure that the original container is labeled with the name of the medication, dosage, and directions for administration and storage.
 - (e) For prescription medication, the label must include the child's name, the date the prescription was filled, the prescribing physician's name, and length of time to give the medication.
 - (f) If parent instructions differ from the container instructions, a certified ONB program must have a licensed physician's written instructions for that medication.
 - (g) Medication must not be administered after the expiration date.
 - (h) Any medication provided by the parents must be labeled with the child's name.
 - (i) Ensure that cleaned and sanitized medication measuring devices are used when providing medication to a child care child, if applicable.



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- (2) A certified ONB program must immediately document any medication administered, listing the name of the child, type of medication, date, time, and dosage given, any side effects exhibited by the child, and the signature of the person administering the medication.
- (3) A certified ONB program must inform parent(s) daily of all medications administered to their child.
- (4) If medication is provided by the parent, a certified ONB program must administer medication only to the child for whom it is intended, and follow the directions on the label.
- (5) A certified ONB program must ensure that all medications are inaccessible to children, with child-resistant caps when available, and stored away from food.
- (a) If only stored per OAR 414-320-0100 (28)(d), the medication bottle or package must be stored in a container with a tight-fitting lid.
- (b) Emergency medication may be kept with a staff member. Emergency medication may not be left unattended at any time.
- (6) A certified ONB program must keep medications requiring refrigeration in a separate tightly-covered, leakproof container clearly marked "medication" and inaccessible to children. A certified ONB programs may use coolers and reusable water-activated cooling packs for medication storage if the medication's manufacturer directions require the medication to be stored at a temperature below the indoor or outdoor temperature. Coolers must contain an accurate thermometer, as outlined in OAR 414-320-1100 (8).
- (7) The application of sunscreen and diaper cream does not need to be documented, but a certified ONB program must:
- (a) Have annual written parental authorization;
- (b) Use only as needed and according to manufacturer's instructions;
- (c) Inform parents of the type of sunscreen used if provided by the program;
- (d) Label the item with the child's name if provided by the parent, and use only for that child; and
- (e) Allow children to apply sunscreen to themselves with direct staff supervision and written parental approval.

Rule Summary: 414-320-1050 is being amended to specify when a written care plan is needed and that facility staff must follow the plan.

414-320-1050

Care of Children with Specific Needs

- (1) [For the purpose of this section, a qualified professional includes but is not limited to physician, early intervention/early childhood special education specialist, related service providers, infant and early childhood mental health consultant, behavior specialist, or other similarly qualified professional.](#)
- (2) When a qualified professional develops a written care plan for a child with a documented physical, developmental, behavioral, emotional, or medical condition requiring services beyond those typically needed by children of the same age, and the plan is provided to the certified ONB program with parental consent, the ONB program must implement the written care plan, [except as provided in](#)



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[subsection \(3\) of this rule. The written care plan may be developed collaboratively with the family and the ONB program.](#)

- (3) ~~A certified ONB program must implement~~ [If implementing the a](#) written care plan [would cause the ONB program to be out of compliance with these rules, the certified ONB program, unless the plan requires ONB program to be out of compliance with the rules for certified outdoor nature-based programs \(Chapter 414, Division 320\). A certified ONB program](#) may apply for an exception to accommodate the needs of a specific child as outlined in OAR 414-320-0160.
- (4) The certified ONB program must ensure that all [facility-ONB program](#) staff that come in contact with the child are aware of and follow the written care plan.

414-320-1620

Civil Penalty

Rule Summary: 414-320-1620(3) is amended to correct cross-reference with updated numbering in Definitions

- (1) DELC may assess a civil penalty of up to \$2500 per violation of these rules or terms and conditions of the ONB program certification.
- (2) DELC may assess a civil penalty in addition to any other appropriate legal action, considering:
 - (a) Numbers of previous violations of the same rule;
 - (b) Circumstances surrounding the rule violations; and
 - (c) Prior warnings, technical assistance, or legal actions regarding the certified ONB program's compliance with the rule.
- (3) For a serious violation, as defined in OAR 414-320-0100(~~5657~~), a certified ONB program may be subject to a civil penalty not to exceed \$2500 for each violation.
- (4) For a non-serious violation, a certified ONB program may be subject to a civil penalty of \$800 for each violation.
- (5) DELC may assess a separate civil penalty for each day for which DELC has made a valid finding that a certified ONB program is in violation of ORS 329A.250 to ORS 329A.450, these rules, or the terms and conditions of certification. DELC may assess civil penalties for multiple days in a single action.
- (6) An individual or entity that provides child care subject to registration or certification in a home or facility that is not registered or certified with DELC may be subject to a civil penalty not to exceed \$1,500 per day of operation of the uncertified facility, as provided in OAR 414-075-0230.
- (7) Notwithstanding DELC's decision to impose or not to impose a civil penalty for one or more rule violations, DELC may take action at any time to deny, suspend or revoke a certification for the same rule violation or violations.
- (8) A certified ONB program may appeal any decision to impose a civil penalty, subject to the provisions of chapter 183, Oregon Revised Statutes.
- (9) Failure to pay a civil penalty in which DELC has issued a final order by default or a final order after a contested case hearing shall be grounds for denial or revocation of a certified ONB program certification.



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414-360-0100

Definitions

Rule Summary: 414-360-0100 is being amended to include definitions related to suspension and expulsion prevention.

- (1) The following words and terms within these rules have the following meanings:
- (2) "Activity Area" means the area of the home that is available, during all the hours of operation, for the children's activities. This area excludes but is not limited to food preparation areas of the kitchen, bathrooms, heating units, storage areas, furniture and stationary equipment not used by children.
- (3) "Applicant" means an individual who submits the child care license application and in whose name the certificate will be issued.
- (4) "Behavior and Guidance" means the on-going process of helping children develop self-regulation and assume responsibility for their own behaviors and actions.
- (5) "Business Day" means Monday through Friday, but does not include any holiday as defined by ORS 187.010 and ORS 189.020, or any day that the central office of CCLD is closed.
- (6) "Capacity" means the total number of children allowed in care at the certified family child care or in care away from the home at any one time.
- (7) "Caregiver" means any person, including the provider, who cares for the children in the certified family child care home and works directly with the children, providing care, supervision and guidance.
- (8) "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 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.



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- (9) "CCLD" means the Child Care Licensing Division in the Department of Early Learning and Care.
- (10) "Child Care" means the care, supervision, and guidance on a regular basis of a child, unaccompanied by a parent, guardian, or custodial parent, during a part of the 24 hours of the day, with or without compensation.
- (11) "Certified Family Child Care" or "Home" means a child care facility located in a building constructed as a single family dwelling or other dwelling that has a certificate to care for a maximum of 16 children at any one time. References in these rules to "certified family child care home" or "home" refer to the provider or any agent, including a substitute provider, operating under the certificate.
- (12) "Child Care Child" means any child six weeks of age or older and under 13 years of age, or a child who is under the age of 18 with special needs or disabilities and who requires a level of care that is above normal for the child's age, for whom the provider has supervisory responsibility in the temporary absence of the parent.
- (13) "Child with Specific Needs" means a child who requires specialized supports or other accommodations including some adaptation of the certified family child care's standard program of care, activities or equipment to accommodate a physical, developmental, behavioral, mental or medical condition or disability which is either permanent or temporary.
- (14) "Civil Penalty" means a fine imposed by CCLD on a provider for violation of these rules.
- (15) "DELDC" means the Department of Early Learning and Care.
- (16) "Developmentally Appropriate" means:
- (a) Caregivers interact with each child in a way that respects the child's unique abilities;
 - (b) Caregivers have knowledge about how children grow and learn;
 - (c) Activities, materials, and curriculum reflect the interests and abilities of a specific child or group of children being served; and
 - (d) Equipment is appropriately sized or adapted so that each child can participate fully and safely.
- (17) "Disinfect" means to destroy or inactivate all germs from an inanimate surface. Disinfecting involves cleaning and rinsing followed by applying a disinfectant, such as:



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- (a) A chlorine and water solution following the manufacturer's instructions; or
 - (b) An EPA-registered disinfectant, used according to the manufacturer's instructions including correct concentrations, contact time, drying or rinsing requirements, and suitability for the surface.
- (18) **"Every Child Belongs (ECB)"** is Oregon's early childhood suspension and expulsion prevention initiative program. The goal of Every Child Belongs is to help early childhood care and education programs keep children in care by offering timely-responsive support when challenges arise.
- (19) "Facing Potential Expulsion" refers to the risk of a child being expelled permanently from the certified family child care home. Indicators of potential expulsion include, but are not limited to:
- (a) The use of strategies identified in the program's behavior and guidance policy (OAR 414-360-0700) without reducing or eliminating the challenging behavior;
 - (b) The use of temporary safety-based intervention; or
 - (c) The use of physical restraint with the child on more than one occasion.
- "Expulsion" or "Expel" means to permanently end a child's enrollment in a certified family child care due to child's ability, specialized needs, or behavior.
- (20) "Family" means a group of individuals related by blood, marriage or adoption, or individuals whose functional relationships are like those found in such associations.
- (21) "Field Trip" means an excursion or program activity with a specific destination away from the home that begins when caregivers and children leave the premises, whether by vehicle or by walking. It does not include neighborhood walks, routine school or home pick-up and drop-offs provided by the certified family child care.
- (22) "Fire Code Official" means a Fire Inspector II, Fire Marshal, Deputy State Fire Marshal or designated person defined by ORS 476.030, ORS 476.060 and OAR 837-039-0016.
- (23) "Hazard" means anything that may inflict injury or cause harm.
- (24) "Inaccessible to children" means a method to prevent a child from reaching, entering, using, or getting to items, areas, or materials of a certified family child care by one or more of the following means:
- (a) Secured with a child safety device, such as a child safety cupboard lock or doorknob device:
 - (A) A device specifically manufactured as a child safety product; or



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- (B) For a product not manufactured as a child safety product, the device must have a multi-step opening process, or require two hands to open.
- (b) Locked, such as in a locked room, cupboard, or drawer; or locks that do not use a key or combination, such as a deadbolt or hook-and-eye latch, only if they are installed at least 60 inches high;
 - (c) Behind a properly secured child safety gate; or
 - (d) In a cupboard or on a shelf that is not within reach of any surface from where a child could stand or climb.
- (25) "Infant" means a child who is 6 weeks to 12 months of age.
- (26) "Infestation" means the invasion of insects and worms that causes a disease to the host. These insects can be mites, ticks, fleas or lice. Worms can be roundworms, pinworms, flatworms or other helminths.
- (27) "License" means the document that is issued by CCLD to a certified family child care. A license may also be referred to as a certificate.
- (28) "Licensing period" means the 12 months for which a certified family child care license is issued.
- (a) For an initial license, the licensing period begins the day the temporary or regular license is issued and ends the same day the following year. For example, if a certified family child care is issued a license on July 6, 2024, the licensing period is July 6, 2024 through July 6, 2025.
 - (b) For a renewal license for which the provider submitted a timely renewal application, the licensing period begins the day the prior licensing period ended and ends the same day the following year, regardless of the date the renewal license is issued, unless the provider and CCLD agree to change the licensing period to begin on a different date.
- (29) "Lockdown" means restricted to an interior room with few or no windows while the facility or building is secured from a threat.
- (30) "Night Care" means care given between 9:00 p.m. and 5:00 a.m. or when any enrolled child sleeps for more than 3 hours at the certified family child care.



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- (31) "Oregon Registry" means the voluntary registry at the Oregon Center for Career Development in Childhood Care and Education at Portland State University that documents the training, education and experience of individuals who work in childhood care and education.
- (32) "Oregon Registry Online" (ORO) means the statewide database that stores all submitted training and education to be verified for use by CCLD.
- (33) "Owner" means the person who holds the certified family child care business as property and has a major financial stake in the operation of the home.
- (34) "Parent" means a child's parent, a guardian, or a person 18 years of age or older with supervisory responsibility of the child in the absence of the child's parent.
- (35) "Physical Restraint" means purposely limiting or obstructing the freedom of a person's bodily movement. Physical restraint does not include:
- (a) Holding a child to comfort the child when in distress;
 - (b) Holding a child to move them safely from one area to another without the use of force (e.g. redirecting a toddler to another activity);
 - (c) Assisting a child to complete a task, if the child does not resist the physical contact (helping a child to tie their shoe or hold a pencil or tool, bottle feeding, etc.); or
 - (d) Any prohibited discipline or action listed in OAR 414-360-0710.
- (36) "Play yard" means a framed enclosure with mesh or fabric sides. A play yard is intended for sleeping and playing accommodations.
- ~~(37) "Potential Expulsion" refers to the risk of a child being expelled permanently from the certified family child care. Indicators of potential expulsion include, but are not limited to:-~~
- ~~(a) The use of strategies identified in the program's behavior and guidance policy (OAR 414-360-0700) without reducing or eliminating the challenging behavior;~~
 - ~~(b) The use of temporary safety-based intervention; or~~
 - ~~(c) The use of physical restraint with the child on more than one occasion.~~
- ~~(37) "Potentially hazardous food" means any food or beverage containing milk or milk products, eggs, meat, fish, shellfish, poultry, cooked rice, beans or pasta, and all other previously cooked foods, including leftovers.~~



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- (38) "Premises" means the physical location used by a certified family child care to provide care subject to regulation or investigation by CCLD, including all indoor and outdoor areas not directly used for child care if the provider, child care staff, or child care children have actual or potential access to the areas.
- (39) "Preschool-Age Child" means a child who is at least 36 months of age but not yet eligible to be enrolled in kindergarten or above, before the first day of the current school year.
- (40) "Provider" means the person in the certified family child care home who is responsible for the children in care, is the children's primary caregiver, and in whose name the certificate is issued. The provider is the person responsible for the overall operation of the home and who has the authority to perform the duties necessary to meet certification requirements.
- (41) "Restrictable Disease" means an illness or infection as identified by the Public Health Division in OAR 333-019-0010 that would prohibit the child from attending child care.
- (42) "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."
- (43) "School-Age Child" means a child eligible to be enrolled in kindergarten or above on or before the first day of the current school year (also see ORS 329A.250(12)). This includes the months from the end of the prior school year to the start of the kindergarten school year.
- (44) "Serious Injury or Incident" means any of the following:
- (a) Injury requiring surgery;
 - (b) Injury requiring admission to a hospital;
 - (c) Injury requiring emergency medical attention;
 - (d) Choking and unexpected breathing problems;
 - (e) Unconsciousness;



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- (f) Concussion;
 - (g) Poisoning;
 - (h) Medication overdose;
 - (i) Broken bone or joint dislocation;
 - (j) Severe head or neck injury;
 - (k) Chemical contact in eyes, mouth, skin, inhalation or ingestion;
 - (l) All burns;
 - (m) Allergic reaction requiring administration of Epi-Pen;
 - (n) Severe bleeding or stitches;
 - (o) Shock or confused state; or
 - (p) Near drowning.
- (45) "Serious Complaint" and "Serious Violation" means an allegation or finding of noncompliance in which:
- (a) Children are in imminent danger;
 - (b) There are more children in care than allowed by licensed capacity;
 - (c) Disciplinary methods prohibited under OAR 414-360-0710 are being used;
 - (d) Children are not being supervised;
 - (e) Multiple or serious fire, health or safety hazards are present in the certified family child care;
 - (f) Extreme unsanitary conditions are present in the certified family child care;
 - (g) Adults are in the home who are not enrolled in the CBR; or



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(h) A home is providing child care without the appropriate certification.

- (46) "Serious safety threat" refers to a child's behavior that presents a danger to the physical safety of themselves or others, which cannot be reduced or eliminated by the program's existing guidance and behavior strategies (OAR 414-360-0700).
- (47) "Shelter-in-Place" means caregivers and children staying at the home due to an external threat such as a storm, chemical or gas leak or explosion, or other event that prohibits the occupants from safely leaving the building.
- (48) "Substitute Provider" means a person who acts as the children's primary caregiver in the certified family child care in the temporary absence of the provider.
- (49) "Supervision" means the act of caring for a child or group of children. This includes awareness of and responsibility for the ongoing activity of each child. It requires physical presence, knowledge of children's needs, and accountability for their care and well-being. Supervision also requires that caregivers be near and have ready access to children in order to intervene when needed.

~~(50) "Suspension" means reductions in the amount of time a young child may be in attendance of a certified family child care, such as requiring the child to cease attendance for a temporary period of time (except if in connection with temporary safety-based interventions, as defined in these rules) or reducing the number days or hours that the child may attend due to the child's ability, specialized need, or behavior.~~

(50) "Technical Assistance" means consultation and advice given to providers to assist them in maintaining compliance.

(51) "Temporary Safety-Based Intervention" means temporarily removing a young child from a certified family child care when the child's behavior poses a serious safety threat, as defined in these rules, for such time period and for no longer than necessary to incorporate supports to reduce the occurrence of the behavior, ensure child safety, and have the child return to the program as quickly as possible.

(52) "Toddler" means a child who is 12 months of age to 36 months of age.

(a) "Younger Toddler" means a child who is 12 months of age to 24 months of age.

(b) "Older Toddler" means a child who is 24 months of age to 36 months of age.



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

(54) "Visitor" means someone who is at the home for a single event, including but not limited to: a repair person, privately contracted professional working with an individual child, or librarian visiting the program. Visitors are not potential employees and are not counted in ratio.

(55) "Volunteer" includes any person who provides labor or services to a certified family child care but is not compensated with employment pay or benefits.

(56) "Young Child" means any child who is six weeks of age until eligible to be enrolled in kindergarten on or before the first day of the current school year.

Rule Summary: 414-360-0200 is being amended to add suspension and expulsion prevention policy. Includes amendments to individual child assessment.

414-360-0200

Policies

- (1) A provider must have written information and policies identified in OAR 414-360-0200(2)(a) through (j) and provide them to:
 - (a) Caregivers and volunteers at the time of hire and when policies change; and
 - (b) Parents at the time of a child's enrollment and when policies change.
- (2) A provider must provide the following written information to parents, caregivers, and volunteers:
 - (a) Name, business address, and business telephone number of the person(s) who has immediate responsibility for the daily operation of the home;
 - (b) Arrival and departure procedures, including sign-in and out requirements and individuals authorized for pick-up;
 - (c) Parent responsibilities for providing current required information and what parents are expected to provide;
 - (d) Emergency preparedness and response plan (also see OAR 414-360-0210, Emergency Preparedness and Response);
 - (e) Standard precautions to handle potential exposure to blood and other potentially infectious fluids (see OAR 414-360-0850(7));
 - (f) Information on transportation, when provided by the certified family child care;
 - (g) Behavior and guidance policy;
 - (h) Prevention of and duty to report suspected child abuse and neglect;
 - (i) Night care, if provided; and
 - (j) Suspension and expulsion prevention policy (OAR 414-360-0750).



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(3) As required by state and federal civil rights laws and the Americans with Disabilities Act (ADA), a provider cannot discriminate against any child on the basis of race, religion, color, national origin, gender, marital status of parent, or because of a need for special care.

(a) Suspected violations will be reported to the overseeing agency, with whom CCLD may share any information available to it.

(b) CCLD may deny an initial or renewal application or revoke a certification if a provider is determined to have discriminated in violation of this requirement by any authority with jurisdiction to make the determination.

(4) ~~To ensure the physical, emotional and mental health, safety, and wellbeing of children, A~~ provider must complete an individual assessment ~~whenever the provider becomes aware that of~~ a child ~~known to have with~~ specific needs ~~has either applied for enrollment or is already in the care of the provider, before determining whether the certified family child care can meet the child's needs in its program.~~ The individual assessment must ~~examine the home's physical environment, policies, and practices to identify any reasonable modifications that are needed to support meeting both the child with specific needs, and other children enrolled in the program. The assessment must~~ be based on ~~all available~~ information from ~~the child's~~ parents, professionals ~~who are~~ knowledgeable about the child's care needs, and certified family child care caregivers. The assessment must be documented for each child and must include:

(a) ~~Reasonable accommodations-Descriptions of changes~~ the provider made ~~or will make to the home's physical environment to~~ support the ~~participation of the individual-child's participation with specific needs~~ in the program, or an explanation of why ~~changes necessary to support the child's participation cannot reasonably be made the provider could not make reasonable accommodations;~~

(b) ~~Reasonable modifications-Descriptions of changes~~ the provider made ~~or will make to their provider's~~ policies and practices to fully integrate the child ~~with specific needs~~ into the program or an explanation of why ~~the changes necessary to fully integrate the child into the program cannot the provider could not make~~ reasonable ~~be made~~ modifications;

(c) If applicable, any direct threats to the health and safety of others posed by the ~~particular~~ child's presence at the home ~~and an explanation of whether the threats can be eliminated with changes described pursuant to subparagraphs (a) or (b) of this rule;~~ and

(d) If a child enrolled in care at the certified family child care is a young child, as defined in these rules, documentation that the provider has complied with OAR 414-360-0750.

~~(5) Compliance with the requirements in subsection (4) (a) to (d) of this rule is not intended to describe the requirements of or to ensure full compliance with applicable civil rights laws, including the federal Americans with Disabilities Act (ADA).~~

Rule Summary: 414-360-0260 is amended to add suspension and expulsion prevention policy to items available for review.

414-360-0260

Items Available for Review



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- (1) A provider must display the following near the entrance, or in some other area of the home where they may be clearly viewed by parent(s) and caregivers of children in care:
 - (a) The most current certification issued by CCLD;
 - (b) All serious valid complaints and serious non-compliance letters for 12 calendar months from the date of the letter;
 - (c) A notice of any current or pending legal sanctions posted immediately and while in effect, including throughout any appeal period;
 - (d) The DELC website [www.oregon.gov/DELC] and phone number [1-800-556-6616], and a statement advising parents that they can access information about their child care provider on the child care safety portal; and
 - (e) A notice that the items listed in (3) of this rule are available.
- (2) A provider shall display a floor plan identifying the locations of the following near the entrance, or in some other area of the home where they may be clearly viewed by all individuals responsible for evacuation procedures:
 - (a) Exits;
 - (b) Primary evacuation routes;
 - (c) Secondary evacuation routes; and
 - (d) Fire extinguishers.
- (3) A provider must have the following items available in a prominent and frequently visited location for the parents and public to view:
 - (a) The most recent CCLD inspection and rules for certification of child care homes are available upon request;
 - (b) The most recent water test results summary provided by CCLD (also see OAR 414-360-0820, Water Supply and Plumbing);
 - (c) Information on how to report a complaint to CCLD regarding certification requirements;
 - (d) The Oregon Child Abuse and Neglect Hotline number and requirement to report suspected abuse or neglect;
 - (e) A notice that parents must be permitted access to their child and all child care areas while their child is in care. Advance notice is not required.
 - (f) The provider's behavior and guidance policy;
 - (g) Emergency numbers to include 9-1-1, where available, or local law enforcement, local mental health crisis line, fire department, and ambulance service;
 - (h) A daily schedule, as identified in OAR 414-360-0520;
 - (i) The current week's menu with substitutions recorded;
 - (j) A plan to ensure that any visitor or other adult not enrolled or conditionally enrolled in the CBR does not have unsupervised access to children; and
 - (k) The provider's suspension and expulsion prevention policy.

Rule Summary: 414-360-0270 is amended to add notification requirements when implementing a temporary safety-based intervention.



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414-360-0270
Notifications

- (l) A provider must notify CCLD by 5:00pm the next business day of the following items:
 - (a) A change in mailing address, when different from the physical address;
 - (b) A change in phone number;
 - (c) A known legal action or child abuse or neglect investigation, such as an arrest, criminal investigation or charge, or Victim Protection Order, involving any person for which a Certified family child care is required to request a background check;
 - (d) A permanent closure;
 - (e) Any damage to the building that affects the provider's ability to comply with the rules for Certified family Child Care Homes;
 - (f) An incident that exposes children to an imminent risk of harm, such as a child leaving the home without the provider's knowledge or being left alone on or off site or in a vehicle;
 - (g) An animal bite to an adult or child that occurs on the premises or that occurs away from the home when participating in child care activities;
 - (h) An accident involving transportation, unless there were no injuries and only minor damage to the vehicles;
 - (i) Any serious injury or incident involving a child;
 - (j) A child who is given the incorrect dosage of any medication;
 - (k) A child who took or received another person's medication;
 - (l) The death of a child while in care or death of a caregiver;
 - (m) Other dangers or incidents requiring emergency response such as a fire or temporarily relocating children;
 - (n) Any time prohibited discipline or prohibited actions occur (also see OAR 414-360-0710, Prohibited Discipline and Actions);
 - (o) Any incident where physical restraint is used (also see OAR 414-360-0720, Physical Restraint); and
 - (p) The implementation of a temporary safety-based intervention.
- (2) Any caregiver who has reason to believe a child has been abused or neglected is required to report the matter immediately to the Oregon Child Abuse Hotline (1-855-503-7233), Department of Human Services Child Welfare, or a law enforcement agency. This requirement applies 24 hours a day. This requirement applies to any suspected physical, sexual or emotional abuse; child neglect, child endangerment, or child exploitation; inappropriate sexual contact between two or more children; or attempted suicide or threats of suicide by a child.
- (3) A provider must immediately notify the Oregon Health Authority of a known case, in individuals associated with the certified family child care, of a child care-restrictable disease, as defined in Oregon Administrative Rule, OAR 333-019-0010.
- (4) A provider must immediately notify parents or an emergency contact if the parent cannot be reached and document if their child:
 - (a) Does not arrive on their own at the home as scheduled, such as when a school-age child is walking to the home or when a child is transported from another program;



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- (b) Is not present at the pick-up location as scheduled;
 - (c) Is involved in an incident that placed the child at risk such as being lost, missing or left alone on a playground, a field trip, or in a vehicle;
 - (d) Has experienced any suspected allergic reactions, as well as the ingestion of or contact with the allergen even if a reaction did not occur;
 - (e) Was not administered medication in accordance with directions;
 - (f) Received emergency medication for a life-threatening condition such as epinephrine;
 - (g) Sustains an injury that may need evaluation by a medical professional or any impact to a child's head;
 - (h) Has been exposed to poison;
 - (i) Has been fed human milk or formula intended for another child (see OAR 414-360-0610, Feeding Infants);
 - (j) Is bitten by an animal or another child, when the skin is broken or when an evaluation by a physician may be needed;
 - (k) Is separated from the group due to an illness;
 - (l) Dies while in care;
 - (m) Is involved in any incident where physical restraint is used (also see OAR 414-360-0720, Physical Restraint); or
 - (n) Exhibits behavior that requires the use of a temporary safety-based intervention
- (5) A provider must immediately notify parents in writing if a condition or restriction is placed on the license.
- (6) A provider must notify parents upon child pick-up of:
- (a) Significant changes in their child's physical or emotional state;
 - (b) Known injuries such as cuts, scratches, and bites from other children requiring first aid treatment;
 - (c) A child care restrictable disease or infestation exposure from a caregiver or another child;
 - (d) Any medication administered to their child;
 - (e) An animal bite to a child, when the skin is not broken; and
 - (f) Implemented emergency plans and procedures, except for drills.
- (7) A provider must notify parents if there will be a substitute provider and the substitute's name. In the event of an emergency, a good faith effort will be made to notify parents that a substitute will be caring for the children.
- (8) Prior to the occurrence, the provider must notify families of any planned field trips including estimated departure and return times and the destination.
- (9) A provider must have a method for notifying families when any child or caregiver has a child care restrictable disease, as defined in Oregon Administrative Rule or food poisoning (also see OAR 414-360-1010, Illness);
- (10) CCLD will notify parent(s) or guardian(s) of children under 12 months of age enrolled in the home of any valid non-compliance with OAR 414-360-0620(1)(a)(A) through (C), OAR 414-360-0620(1)(b) and (c), and OAR 414-360-0630(1)(a) through (l).

414-360-0400

Children in Care & Caregiver to Child Ratios



Early Learning Council

June 24, 2026

9:00 a.m. – 1:00 p.m.

Department of Early Learning and Care
700 Summer St NE, Suite 350
Salem, OR 97301

Rule Summary: 414-360-0400(1) is amended to correct cross-reference with updated numbering in Definitions.

- (1) The number of caregivers shall be determined by the number and ages of the children in attendance. The required caregiver-to-child ratios shall be met at all times. This includes:
 - (a) All child care children, as defined in OAR 414-360-0100(12);
 - (b) The provider's own child(ren), including foster child(ren), 9 years of age or younger;
 - (c) All other caregivers' own children age 12 years or younger;
 - (d) Any other children age 12 years or younger for whom the provider is responsible; and
 - (e) Any child(ren) age 17 years or younger, including the provider's own children, foster children, child care children, or other children for whom the provider is responsible, with special needs or disabilities who require a level of care that is above normal for the child's age.
- (2) Other children, including but not limited to relatives, neighborhood children or friends of the provider's children, are included in the maximum number of children allowed in care if present in the child care home during operating hours on a regular basis or if present on an occasional basis without being directly supervised by the child's parent or other adult who is not also caring for child care children.
- (3) No child younger than 6 weeks of age can be in care in a certified family child care home. This does not include the provider's child(ren).
- (4) The number of caregivers is determined by the age and number of the youngest child(ren) in the group. The caregiver to child ratio requirements identified in Table A of this rule must be met at all times.
- (5) If all children in care are school-age, the caregiver-to-child ratio is 1:15.
- (6) Even though caregiver-to-child ratios are specified in Table A above, a certified family child care may care for 10 children ages 6 weeks to school-age if:
 - (a) No more than 6 children are preschool age or younger, including the provider's own children and any caregivers' children;
 - (b) Of the 6, only 2 children are under 24 months of age; and
 - (c) Four of the children are school-age.
- (7) If infants are in care and sharing the same activity area as older children, a provider must have a written plan that addresses how caregivers will ensure safety of infants who are not yet crawling. The plan must be implemented when infants that are not yet crawling share the same activity area as older children.

[ED. NOTE: To view attachments referenced in rule text, click here to view rule.]

Rule Summary: 414-360-0720 is being amended to require certified family child cares contact Every Child Belongs when physical restraint is used more than once with a child.

414-360-0720
Physical Restraint



Early Learning Council

June 24, 2026

9:00 a.m. – 1:00 p.m.

Department of Early Learning and Care
700 Summer St NE, Suite 350
Salem, OR 97301

- (1) A provider may only use physical restraint if:
 - (a) A child's safety or the safety of others is threatened; and
 - (b) The provider has complied with all elements of Behavior and Guidance listed in OAR 414-360-0700(2)(a) through (g).
- (2) Physical restraint must be:
 - (a) Limited to holding a child as gently as possible to accomplish restraint;
 - (b) Limited to the minimum amount of time necessary to control the situation; and
 - (c) Developmentally appropriate.
- (3) A provider must not use bonds, ties, blankets, straps, or weights (including an adult sitting on a child) to physically restrain children.
- (4) Caregivers must discontinue the use of physical restraint if they sense a loss of their own self-control or concern for the child when using physical restraint.
- (5) If physical restraint is used, a provider must:
 - (a) Report the use of physical restraint pursuant to OAR 414-360-0270, Notifications;
 - (b) Assess any incident of physical restraint to determine if the decision to use physical restraint and its application were appropriate; and
 - (c) Document the incident in the child's file, including the date, time, duration, caregivers involved, and what happened before, during, and after the child was restrained.
- (6) If physical restraint is used more than once on a specific child, the provider must develop a written plan with input from individuals who have knowledge of the child's behaviors, including, but not limited to: the child's primary care provider, mental health provider, school counselor, and the parents or guardians, to address underlying issues and reduce the need for further physical restraint. The provider must notify CCLD when a written plan has been developed.
- (7) If not done previously, a provider must contact Every Child Belongs if physical restraint is used more than once on a specific young child. [The provider must contact Every Child Belongs by 5:00pm the next business day.](#)

Rule Summary: 414-360-0750 is being adopted to address suspension and expulsion prevention requirements.

OAR 414-360-0750

Title: Suspension and Expulsion Prevention

- (1) A provider must develop and implement a suspension and expulsion prevention policy. [The intent of the suspension and expulsion prevention policy is to ensure that young children are supported to remain in care.](#)
- (2) The suspension and expulsion prevention policy must:
 - (a) Be consistent with the provider's Behavior and Guidance policy (OAR 414-360-0700);
 - (b) Identify existing supports or tools that may be accessed;
 - (c) If there are additional caregivers, identify when and how caregivers must seek support when challenges related to the care of children arise, including:
 - (A) When and in what circumstances caregivers must seek support;



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- (B) How the provider will respond to requests for support from other caregivers, and
 - (C) What program level supports may be made available to the caregivers.
 - (d) Identify how the provider will determine if additional supports are needed for a child;
 - (e) Identify when the provider will request services from Every Child Belongs (ECB); and
 - (f) Include the method that the provider will use to notify a family of concerns related to a child's ~~ability, behavior, or development~~, such as written notification or an in-person conference.
- (3) When a young child is facing potential expulsion, as defined in these rules, a provider must:
- (a) Document the challenging behaviors and any known triggers (for example: specific activities, times of day, transitions);
 - (b) Document what strategies ~~and supports~~ the provider has used to support the child and their effectiveness;
 - (c) Request services from Every Child Belongs (ECB); and
 - (d) Simultaneously with the request for services from ECB, notify the child's family regarding the behavior concerns to:
 - (A) Begin to collaboratively problem-solve to identify potential strategies and supports for the child; and
 - (B) Establish frequency and method of ongoing communication with the family.
- (4) If the provider is unable to connect with the child's family, as outlined in OAR 414-360-0750(3)(d), the provider must attempt alternative methods of communication and document those attempts.
- (5) A provider may implement a temporary safety-based intervention if a child's behavior creates a serious safety threat, as defined by these rules.
- (6) A provider may only use a temporary safety-based intervention if:
- (a) There is behavior that meets the definition of serious safety threat. The provider must document the behavior; and
 - (b) The provider has attempted to address the behavior through strategies outlined in their Behavior and Guidance Policy (OAR 414-360-0700), strategies suggested by the family, and any recommendations from professionals previously consulted about the child.
- (7) If a provider initiates a temporary safety-based intervention, the provider must:
- (a) ~~Notify the child's family or other emergency contact immediately;~~
 - (b) Contact ECB immediately to request services, if not already done; and
 - (c) Notify CCLD of the temporary safety-based intervention and expected duration by 5:00pm the next business day.



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- (8) The length of a temporary safety-based intervention may only be for the time necessary to incorporate supports to reduce the occurrence of the behavior. The temporary safety-based intervention must end as soon as safety can be maintained with supports in place.
- (9) The provider must document the basis for the duration of the temporary safety-based intervention.
- (10) During the temporary safety-based intervention, the provider must communicate with the family regarding:
 - (a) Updates on access to supports;
 - (b) Any changes to the child's behaviors while not in care; and
 - (c) Timeline to return to care.
- (11) If requested by CCLD, a provider must update CCLD if the expected duration of the temporary safety-based intervention changes.

414-360-0840

Prevention and Management of Hazards

Rule Summary: 414-360-0840(1) is amended to correct cross-reference with updated numbering in Definitions.

(1) A provider must ensure that the following items are inaccessible to children as defined in OAR 414-360-0100(24):

- (a) All toxic or potentially dangerous items;
- (b) Cleaning, sanitizing and disinfecting supplies and equipment;
- (c) Poisonous plants;
- (d) Tobacco products, smokeless or vaping devices;
- (e) Alcohol;
- (f) Flammable materials, including matches and lighters, and corrosive materials;
- (g) Knives and other sharp objects; and
- (h) Motorized yard or power tools.

(2) Toxic substances must be stored separately from medication, food service equipment, and food supplies.



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(3) Products must be stored in the original labeled containers. Any smaller containers or solutions mixed by caregivers must be labeled with the contents of the container.

(4) A provider must take steps to prevent children's exposure to the following, if they exist on the premises:

(a) Any sources of lead and lead based paint. Painted surfaces must be in good condition, both inside and outside, to avoid exposing children to lead-based paint;

(b) Asbestos;

(c) Toxic mold; and

(d) Other identified toxins and hazards.

(5) A provider must recognize, address or remove potentially dangerous items and situations, using protective barriers to prevent children's access, if needed. Caregivers must:

(a) Regularly inspect the indoor and outdoor play areas and equipment for hazards, such as missing parts or broken equipment, sharp edges, splinters, and trash;

(b) Ensure open containers of water such as bathtubs, buckets, and mop pails are emptied immediately after use;

(c) Ensure sand boxes are free of animal waste and trash; and

(d) Ensure that all plastic bags that are large enough to fit over a child's head are inaccessible to children.

(6) A provider must not permit the use of any tobacco products such as cigarettes, cigars, and smokeless or vaping devices, drug paraphernalia, hemp, marijuana and marijuana infused products on the premises during operating hours or when child care children are present. This includes:

(a) In the child care home;

(b) In the outdoor play area;

(c) Within 10 feet of any entrance, exit, or window that opens or any ventilation intake that serves an enclosed area; or

(d) In any vehicles where child care children are present or on any field trip.



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(7) All marijuana, marijuana derivatives and associated paraphernalia must be stored through one of the following methods:

(a) Under a child safety device or child safety lock; or

(b) In a locked room.

(8) No one shall grow or distribute marijuana on the certified family child care premises.

(9) No one shall consume alcohol on the certified family child care premises during operating hours or when child care children are present.

(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) 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.

(a) Pools and hot tubs must be made inaccessible through one of the following methods:

(A) A locking, rigid cover;

(B) A minimum four foot high fence that begins at ground level, and all gates and doors that allow access are locked;

(C) Four foot non-climbable sides with pool ladder removed or inaccessible; or

(D) In a locked room or all doors that access the area are locked.

(b) For certified family child cares with licensure prior to July 1, 2025, ornamental and natural ponds within the child care outdoor play area must be made inaccessible through one of the following methods:



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- (A) Enclosed by a secure barrier and locked with either a key or a combination lock;
- (B) A grate on top of a small pond of sufficient strength and rigidity to prevent children from falling into the water. The grate must be locked or secured to prevent removal; or
- (C) A locked door to the outside area where the pond is located as long as the door is always locked during operating hours and children are not using the outside area where the pond is located.
- (c) For certified family child cares with licensure on or after July 1, 2025, ornamental or natural ponds are prohibited in the child care outdoor play area. Certified family child cares licensed prior to July 1, 2025 are prohibited from adding a new ornamental pond or natural pond to the child care outdoor activity area.
- (13) A provider must keep the home free of insects, rodents, and other pests.
- (a) Automatic insecticides dispensers, vaporizers, or fumigants must not be used.
- (b) Pest control products must not be applied or used when child care children are present. After their application, child care children must not enter the area until indicated by the manufacturer's instructions.
- (14) A provider must take precautions to protect children from vehicular traffic:
- (a) Require drop off and pick up only at the curb or at an off-street location protected from traffic; and
- (b) Assure that any caregiver who supervises drop-off and loading can see and assure that children are clear of the perimeter of all vehicles before any vehicle moves.

414-360-1030

Medications

Rule Summary: 414-360-1030(6) is amended to correct cross-reference with updated numbering in Definitions.

(l) Before a provider gives a child any prescription or non-prescription medication, including, but not limited to, pain relievers, cough syrup, and nose drops, the provider must:

(a) Have a signed, dated, written authorization by the parent(s) on file (also see OAR 414-360-0230, Parental Permissions);

(A) For chronic medical conditions, a certified family child care may obtain permission for 12 months or less with specific instructions including when administration is needed, such as inhalers.



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(B) Parental authorization over the phone is permitted for single dose administration of non-prescription medication. The date and time of the consent must be documented and signed by the parent upon picking up their child.

(b) Ensure that the original container is labeled with the name of the medication, dosage, and directions for administration and storage.

(A) For prescription medication, the label must include the child's name, the date the prescription was filled, the prescribing physician's name, and length of time to give the medication.

(B) If parent instructions differ from the container instructions, a certified family child care must have a licensed physician's written instructions for that medication.

(C) Medication must not be administered after the expiration date.

(D) Any medication provided by the parents must be labeled with the child's name.

(c) Ensure that cleaned and sanitized medication measuring devices are used when providing medication to a child care child, if applicable.

(2) A provider must immediately document any medication administered, listing the name of the child, type of medication, date, time, and dosage given, any side effects exhibited by the child, and the signature of the person administering the medication.

(3) A provider must inform parent(s) daily of all medications administered to their child.

(4) If medication is provided by the parent, a certified family child care must administer medication only to the child for whom it is intended, and follow the directions on the label.

(5) A provider must ensure that medication is stored through one of the following methods:

(a) Under a child safety device or child safety lock; or

(b) In a locked room.

(c) Emergency medicine may be placed in an unlocked container that is kept out of reach of children while inside the home.

(6) Emergency medication may either be inaccessible to children as defined in OAR 414-360-0100(24) or kept with a caregiver.



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

(8) The application of sunscreen and diaper cream does not need to be documented, but a provider must:

(a) Have annual written parental authorization;

(b) Use only as needed and according to manufacturer's instructions;

(c) Inform parents of the type of sunscreen used if provided by the certified family child care;

(d) Label the item with the child's name if provided by the parent, and use only for that child; and

(e) Allow children to apply sunscreen to themselves with direct caregiver supervision and written parental approval.

Rule Summary: 414-305-1050 is being amended to specify when a written care plan is needed and that facility staff must follow the plan.

414-360-1050

Care of Children with Specific Needs

(1) For the purpose of this section, a qualified professional includes but is not limited to physician, early intervention/early childhood special education specialist, related service providers, infant and early childhood mental health consultant, behavior specialist, or other similarly qualified professional.

(2) When a qualified professional develops a written care plan for a child with a documented physical, developmental, behavioral, emotional, or medical condition requiring services beyond those typically needed by children of the same age, and the plan is provided to the provider with parental consent, the provider must implement the written care plan, **except as provided in subsection (3) of this rule. The written care plan may be developed collaboratively with the family and the provider.**

(3) ~~If implementing the written care plan would cause A the provider must implement a written care plan, unless the plan requires the provider to be out of compliance with these rules for certified family child care homes (Chapter 414, Division 360), the provider. A provider~~ may apply for an exception to accommodate the needs of a specific child as outlined in OAR 414-360-0160.

(4) The provider must ensure that all caregivers that come in contact with the child are aware of and follow the written care plan.



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414-360-1500

Night Care

Rule Summary: 414-360-1500(1) is amended to correct cross-reference with updated numbering in Definitions.

- (1) A provider is subject to these rules when providing night care as defined in OAR 414-360-0100(30).
- (2) A provider must:
 - (a) Be awake for the arrival and departure of each child in night care; and
 - (b) Be present on the same floor level as the child care children who are sleeping.
- (3) All individuals 18 years of age and older, inclusive of guests sleeping in the home during night care hours, must comply with OAR 414-360-0310, Central Background Registry Enrollment.
- (4) Night care must not be provided on the second floor or above.
- (5) During night care, the provider must have a method for illuminating evacuation routes.
- (6) The following accommodations must be provided to sleeping children:
 - (a) Each child who spends the majority of their sleeping hours per night in night care must have an individual bed and mattress, or another sleeping arrangement that provides adequate support to a child's body and of a size appropriate to the age of the child. The mattress must be fitted with a waterproof cover.
 - (b) Each child who does not spend the majority of their sleeping hours in night care must have an individual crib, portable crib, play yard, cot, mat, or bed with bedding as specified in OAR 414-360-0620, Furniture and Equipment for Infants and Toddlers and OAR 414-360-0900, Furniture, Equipment and Play Materials.
 - (c) The upper level of bunk beds must be used only for children 10 years or older when a bed rail and safety ladder are in place.
 - (d) Other than infants, children must be provided with sheets, pillows, pillowcases, and blankets.
 - (e) Sheets, pillowcases, and blankets must be laundered at least weekly, when soiled, and before use by another child.
- (7) When bathing is provided:
 - (a) There must be at least one bathtub or shower available to children.
 - (A) The bathtub or shower must have appropriate equipment to prevent slipping.
 - (B) Glass shower doors or glass tub enclosure must be constructed with safety glass.
 - (b) There must be individual washcloths and towels for each child.
 - (c) Privacy must be maintained for school-age children when bathing and changing clothes.
 - (d) Children must not bathe with other children unless a parent(s) has given written permission for siblings to bathe together.
- (8) Each child must have the opportunity to brush their teeth with an individual toothbrush and toothpaste labeled with their name.
- (9) A provider must meet the nutritional needs of children in evening and night care as specified in OAR 414-360-1100, Food and Food Service.



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- (a) Dinner must be provided to children in night care if a child is at the child care home after their dinner time or has not had dinner before entering night care.
- (b) A nutritious snack must be offered to all children after dinner service and before bed.
- (c) Each child present at the time breakfast is scheduled must be served breakfast, unless the parent(s) specifies otherwise.

414-360-1620

Civil Penalty

Rule Summary: 414-360-1620(3) is amended to correct cross-reference with updated numbering in Definitions.

- (1) CCLD may assess a civil penalty of up to \$1200 per violation of these rules or terms and conditions of certification.
- (2) CCLD may assess a civil penalty in addition to any other appropriate legal action, considering:
 - (a) Numbers of previous violations of the same rule;
 - (b) Circumstances surrounding the rule violations; and
 - (c) Prior warnings, technical assistance, or legal actions regarding the certified family child care's compliance with the rule.
- (3) For a serious violation, as defined in OAR 414-360-0100(4546), a provider may be subject to a civil penalty not to exceed \$1200 for each violation.
- (4) For a non-serious violation, a provider may be subject to a civil penalty of \$400 for each violation.
- (5) CCLD may assess a separate civil penalty for each day for which CCLD has made a valid finding that a certified family child care is in violation of ORS 329A.250 to ORS 329A.450, these rules, or the terms and conditions of certification. CCLD may assess civil penalties for multiple days in a single action.
- (6) An individual or entity that provides child care subject to registration or certification in a home or facility that is not registered or certified with CCLD may be subject to a civil penalty not to exceed \$1,500 per day of operation of the uncertified or unregistered facility.
- (7) Notwithstanding CCLD's decision to impose a civil penalty for one or more rule violations, CCLD may also take action to deny, suspend or revoke a certification for the same rule violation or violations.
- (8) A provider may appeal any decision to impose a civil penalty, subject to the provisions of chapter 183, Oregon Revised Statutes.
- (9) Failure to pay a civil penalty in which CCLD has issued a final order by default or a final order after a contested case hearing shall be grounds for denial or revocation of a provider's certification.

Division 580

EARLY CHILDHOOD SUSPENSION AND EXPULSION PREVENTION PROGRAM

[414-580-0000](tel:414-580-0000)

Definitions

The following definitions apply to Division 580 of Chapter 414:

- (1) "Department" means the Department of Early Learning and Care.



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(2) "Early **Childhood** Care and Education Program" or "**Early Learning and Care Program**" means any of the following entities and their staff:

(a) A child care facility that is required to be certified under ORS 329A.280 or a provider that is required to be registered under ORS 329A.330;

(b) Any program receiving state public funding for early learning and care services, ~~where such funds are for the purpose of funding a Young Child's enrollment in a classroom or child care setting in which a Young Child could face potential expulsion;~~

(c) Providers of the Preschool Promise program described in ORS 329.172;

(d) Providers of the Oregon Prenatal to Kindergarten program described in ORS 329.175 ;

(e) Providers of the infant and toddler care program described in ORS 417.784; and

(f) Providers of the Relief Nursery program described in ORS 417.788.

(3) "Every Child Belongs" is Oregon's Early Childhood Suspension and Expulsion Prevention Program, as established by ORS 329A.600. The goal of Every Child Belongs is to help Early Learning and Care Programs keep Young Children in care by offering responsive support when challenges arise.

(4) "Every Child Belongs Connect" or "ECB Connect," means an online access point for Early Learning and Care Programs to submit a request for support in maintaining a Young Child's enrollment in the child care program."

(5) "Exclusionary Practices" means any action taken by an **Early Learning and Care** Education Provider Learning Program that limits the enrollment, participation, or attendance of a Young Child due to the Young Child's ability, specialized needs, or behavior.

(6) "Expulsion" or "**Expel**" means to permanently dismiss and a Young Child's from the early care and education program's enrollment in an Early Learning and Care program due to the Young Child's ability, specialized needs, or behavior.

(7) "Infant and Early Childhood Mental Health Consultation" or "IECMHC" means a prevention-based approach that pairs **an infant and early childhood** mental health consultant with adults who work with infants and Young Children in the different settings where they learn and grow, such as child care, preschool, home visiting, and early intervention. It employs a culturally responsive and Trauma-Informed lens and involves providing training and coaching **consultation** to child care and Early Learning and Care Programs that helps promote healthy social-emotional development, and which builds on child, family and provider strengths to ensure inclusive, supportive care for all Young Children.

(8) "Planned Transition" means the transition of a Young Child's enrollment from one Early Learning and Care Program to a different Early Learning and Care Program due to a Young Child's ability, specialized needs, or behavior. For a change of enrollment to be considered a Planned Transition, the plan must be developed collaboratively with the family, the staff of the Early Learning and Care



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Program, and a professional consultant or support specialist. The Early Learning and Care Program receiving the Young Child may be involved in creating the transition plan, when appropriate.

(9) **"Regional Service Provider"** means an entity that provides IECMHC services **to Early Learning and Care Programs** and coordinates IECMHC services with other early childhood technical assistance providers, to promote Early Learning and Care Program access to resources, training, and other technical assistance opportunities.

(10) "Soft Expulsion" means actions taken by an Early Learning and Care Program **due to a Young Child's ability, specialized needs, or behavior** that make the program an unviable arrangement for the family or Young Child and leaves the family with little choice but to withdraw the Young Child from the program.

(11) "Supported Break" means a brief, time-limited period that a Young Child spends apart from the early care and education environment, or from a specific activity within the environment, for the purpose of a supportive co-regulation or sensory break. A Supported Break occurs with the active engagement of an **adult in the** Early Learning and Care Program.

(12) **"Suspension" means reductions in the amount of time a Young Child may be in attendance of an Early Learning and Care Program, such as requiring the Young Child to cease attendance for a temporary period of time or reducing the number days or hours that the Young Child may attend due to the child's ability, specialized need, or behavior. A suspension may occur either as In-Program Suspension or Out-of-Program Suspension.**

(a) "In-Program Suspension" means temporarily removing the Young Child from the classroom or group setting **due to the child's ability, specialized needs, or behavior** by sending the Young Child to a different location within the program or building. A Supported Break is not an in-Program Suspension.

(b) "Out-of-Program Suspension" means dismissing or sending the Young Child home early, prohibiting them from returning to the program for one or more days, or reducing the hours the Young Child spends per week in the program **due to the child's ability, specialized needs, or behavior.**

(13) "Technical Assistance Provider" means a person or entity who provides training, consultation, coaching, or other professional development supports to **Early Learning and Care Programs.**

(14) "Young Child" means any child who is six weeks **of age until eligible to be enrolled in kindergarten on or before the first day of the current school year.**

[414-580-0005](tel:414-580-0005)

Purpose



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Department of Early Learning and Care
700 Summer St NE, Suite 350
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The purposes of the ~~Early Childhood Suspension and Expulsion Prevention Program~~ **Every Child Belongs** are:

(1) To promote inclusive values, policies, and practices that create opportunities for all Young Children and their families to participate in a broad range of activities and be supported to engage as full members of families, communities, and society. The desired result of inclusion is that children and their families of all race, ethnicity, age, appearance, language, socioeconomic status, ability, religion, immigration status, gender or gender identity, geographic location, and any other identity or intersectionality, feel a sense of belonging and membership, develop positive social relationships and friendships, and experience learning that engages the individual child's development. The defining features of inclusion that can be used to identify high quality early childhood programs and services are access, participation, and supports; and

(2) To reduce the use of Suspension, Expulsion, and other forms of Exclusionary Practices in Early childhood care and education ~~p~~ **Learning and Care** Programs and to eliminate disparities in the use of Suspension, Expulsion, and other forms of Exclusionary Practices in Early childhood care and education ~~p~~ **Learning and Care** Programs based on race, ethnicity, age, appearance, language, socioeconomic status, ability, religion, immigration status, gender or gender identity, and any other identity or intersectionality, by:

(a) Providing and enhancing professional development of the early learning and care workforce with a focus on ensuring early childhood educators have the knowledge and skills to support Young Children's social, emotional, and positive racial identity development through the use of anti-bias, culturally responsive, and inclusive practices in the early education environment.

(b) Ensuring that all Regional Service ~~Infant and Early Childhood Mental Health Consultants~~ and Technical Assistance Providers have the knowledge and skills to offer supports that include, but are not limited to, training, coaching, technical assistance, and consultation to Early ~~Care and Education Provider~~ **Learning and Care Programs** and providers to implement foundational anti-bias, culturally responsive, and inclusive Practices to ensure the stability of Young Children's placements within the early education environment.

(c) Developing and implementing culturally-responsive, Trauma-Informed Infant and Early Childhood Mental Health Consultation (IECMHC) services to support Early ~~Care and Education Provider~~ **Learning and Care Programs** and providers to effectively meet the needs of all Young Children. To be genuinely trauma informed, practices must also be culturally responsive and reflect the active process of anti-racism.

(d) Providing a coordinated system for Early ~~Care and Education Provider~~ **Learning and Care Programs** across the state to seek support, technical assistance and/or IECMHC services in maintaining the placement of specific Young Children who present with persistent challenging behaviors.

[414-580-0010](tel:414-580-0010)

Regional Service Provider Requirements

Regional Service Providers must:

(1) Ensure that Infant and Early Childhood Mental Health Consultation services are accessible to all populations, especially those most disproportionately impacted by Suspension and Expulsion; and



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(2) Collaborate with and coordinate services with Technical Assistance Providers and other cross-system partners to determine which person or program is best suited to respond to the request for services from an Early Care and Education Provider **Learning and Care Program**.

[414-580-0030](tel:414-580-0030)

Reporting

(1) Upon request by the Department, any Early-Care and Education Provider **Learning and Care Program** receiving **IECMHC** or technical assistance from the Regional Service Provider **Every Child Belongs** must make available to the Department /any information and data that the Department /determines is necessary to monitor and evaluate the Earlvery Childhood Suspension and Expulsion Prevention **Every Child Belongs** program.

(2) Regional Service Providers must cooperate and participate in the Department's program monitoring, program evaluation, and reporting requirements.



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COUNCIL ACTION REQUEST

Date: June 24, 2026

AGENDA ITEM: Preschool Promise Program Rule Adoption

ACTION: Adopt permanent rule amendments for the Preschool Promise Program that will be effective August 1, 2026.

BACKGROUND: We are establishing permanent rules for Preschool Promise to make the program more accessible, consistent, and supportive for families across Oregon—especially low-income families seeking high-quality early learning opportunities. These updates will:

- **Improve enrollment** by simplifying the process and ensuring families receive timely support
- **Align Preschool Promise with other early learning programs** to create a more coordinated and predictable system
- **Strengthen program implementation** through clearer expectations, streamlined procedures, and equitable access statewide

PROCESS: DELC convened a rules advisory committee (RAC) that met on May 13, 2026 from 5:30 – 7:00pm. A public hearing was held on May 20th at 5:00pm and the public comment period was open until June 5th, 2026.

EQUITY ANALYSIS: [OAR 41 4-470-0010 Child and Family Eligibility Criteria](#)

Expanded categorical eligibility and housing adjustment:

The expansion of categorical eligibility and the updated housing adjustment directly reduce administrative barriers for families experiencing poverty, housing instability, and involvement in multiple public systems—conditions that disproportionately affect Black, Indigenous, Latino, and other families of color. By decreasing documentation requirements and aligning eligibility criteria with Oregon Prenatal to Kindergarten (OPK) and other early learning programs, these changes create a more coherent and accessible entry point for families who often face the steepest challenges when applying for free preschool. hurdles.

This alignment supports racial equity by ensuring that families with the highest structural barriers are not excluded due to paperwork, inconsistent criteria, or system siloing.



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OAR 414-470- 0040 Minimum Requirements: Preschool Promise Program

Tribal language and culture provisions:

Explicitly affirming that Tribes may incorporate **language preservation and cultural revitalization** into Preschool Promise (PSP) implementation strengthens Tribal sovereignty and supports culturally grounded early learning environments for Native children. This rule change recognizes that Tribal language and culture are not supplemental but foundational to Native children’s well-being, identity, and educational success.

The process also included a **Dear Tribal Letter** and internal consultation with the **DELC Office of Tribal Affairs**, demonstrating a commitment to government-to-government engagement and honoring Tribal consultation obligations. These steps reinforce trust and ensure that rulemaking reflects Tribal priorities rather than imposing external definitions of quality or compliance.

OAR 414-470-0060 Waiver Application Process

Waiver flexibility and quality improvement plans:

Allowing waivers beyond the initial years of operation—and requiring quality improvement plans only **“when appropriate”**—creates a more equitable pathway for **small, rural, Tribal, and culturally specific providers** to participate in Preschool Promise. These providers often face structural barriers such as limited staffing, geographic isolation, or the need to integrate culturally specific practices that do not always align neatly with mainstream program standards.

This flexibility supports:

- **Sustained participation** of providers serving communities historically excluded from early learning systems
- **Capacity building** without punitive consequences
- **Culturally responsive program growth**, instead of pushing providers to adopt one-size-fits-all program models
- By reducing rigidity and acknowledging diverse provider contexts, the rule change advances racial equity and strengthens the cultural and geographic diversity of the Preschool Promise provider network.



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PROPOSED DRAFT MOTION: I move to adopt the proposed permanent rule language amendments dated June 24, 2026 that adopt amendments to Oregon Administrative Rules as listed on the Council Action Request for the Preschool Promise Program] Ruleset Amendments.

Motion adopts the following rules: 414-470-0005, 414-470-0010, 414-470-0025, 414-470-0040, 414-470-0047, 414-470-0055, 414-470-0060, 414 470-0065, and 414-470-0075

CONTACT: Alyssa Chatterjee, Early Learning Systems Director, Department of Early Learning and Care

Encl:

- [Hearing Officer Report – Preschool Promise](#)
- [Appendix A – Final Proposed Rule Language](#)



Oregon

Tina Kotek, Governor



MEMORANDUM

To: Executive Leadership Team, Department of Early Learning and Care
From: Kathy Wai, Administrative Rules and Legislative Coordinator
Date: June 12, 2026
Re: Presiding Officer's Report on Rulemaking Hearing

Proposed Ruleset: OAR 414-470-0005, 414-470-0010, 414-470-0025, 414-470-0040, 414-470-0047, 414-470-0055, 414-470-0060, 414 470-0065, and 414-470-0075.

The Department of Early Learning and Care (DELIC) held a public hearing to receive public comment on a proposed ruleset for the Preschool Promise Program. Notice of the hearing was published by the Secretary of State in the May 1, 2026 Oregon Bulletin. Notice was also sent to interested parties and persons who requested notice pursuant to ORS 183.335(7). The hearing was presided over by Kathy Wai.

Hearing Information:

<i>Date</i>	<i>Time</i>	<i>Location</i>
May 20, 2026	5:00 PM	Zoom (Virtual)

Attendees who wished to comment on proposed rules were given the zoom information, informed of procedures for taking comments, and notified that the hearing was recorded. To reduce barriers to participation, registration via zoom was not required and the hearing was live streamed on DELIC's YouTube.

Before receiving comment, staff briefly summarized proposed rules. A recording of the hearing is available on the DELIC website.

Summary of Oral Comments:

No members of the public attended the public hearing to watch. No persons entered written testimony during the public hearing or during the public comment period from May 1, 2026- June 5, 2026.



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Appendix A:

[414-470-0005](#)

Definitions: Preschool Promise Program

The following definitions apply to Oregon Administrative Rules 414-470-0000 through 414-470-0075.

- (1) “Child Care Provider” means a person or entity that provides 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.
- (2) “Culturally Specific Organization” means an organization that serves a particular cultural community and is primarily staffed and led by members of that community; these organizations demonstrate intimate knowledge of lived experience of the community, including but not limited to the impact of structural and individual racism or discrimination on the community; knowledge of specific disparities documented in the community and how that influences the structure of their program or service; ability to describe the community’s cultural practices, health and safety beliefs/practices, positive cultural identity/pride/resilience, immigration dynamics, religious beliefs, etc. and how their services have been adapted to those cultural norms.
- (3) “Director” means the Early Learning System Director.
- (4) ~~“Division” means the Early Learning Division of the Department of Education. “Department” means the Department of Early Learning and Care.~~
- (5) “Early Learning Hub” or “Hub” means an entity designated by regional partners to coordinate early learning services under ORS 417.827.
- ~~(6) “Fiscal Agent” means a local entity that may provide services for multiple Preschool Providers.~~
6. Federally Recognized Tribes in Oregon: Refers to the Nine sovereign Tribal Nations within Oregon's borders: Burns Paiute Tribe; Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians; Cow Creek Band of Umpqua Tribe of Indians; Confederated Tribes of Grand Ronde; Confederated Tribes of Siletz Indians; Confederated Tribes of Warm Springs; Confederated Tribes of the Umatilla Indian Reservation; Coquille Indian Tribe; Klamath Tribes.
- (7) “Preschool Promise Program” means the preschool program administered by the ~~Early Learning Division~~ Department of Early Learning and Care. as directed under ORS 329.172.
- (8) “Preschool Promise Provider/Grantee” means a local entity who receives a grant or contract to provide preschool services under the Preschool Promise Program
- (9) ~~“Spark Quality Rating and Improvement System” means the system established through ORS 329A.261 which establishes a set of progressively higher standards used to evaluate the quality of an early learning and development program and to support program improvement. “Spark” means Oregon’s Quality Recognition and Improvement system established through ORS 329A.261. Spark~~



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uses a continuous quality improvement framework and offers technical assistance, training, financial support, and other resources to help programs improve their structural and process quality to best meet the needs and priorities of the children and families they serve and the staff they employ.

[414-470-0010](#) Temporary rule language in effect until 08/23/2026.

Child and Family Eligibility Criteria

(1) Children and families who meet the following criteria are determined eligible for the Preschool Promise Program:

(a) Family income is at or below 200 percent of the Federal Poverty Level in effect at the time eligibility is determined.

(A) To verify family income at the time eligibility is being determined, eligibility staff must calculate total gross income using all applicable sources of income available from within the previous 12 months.

(B) Sources of income include tax forms, pay stubs, or other proof of income to determine the family income within the last 12 months. If paystubs are provided as a source of available income, the family must provide, at a minimum, the three most recent consecutive paystubs at the time of application.

(C) Eligibility staff may make an adjustment to a family's gross income calculation for the purposes of determining eligibility to account for excessive housing costs, as described in this rule. If a family spends more than 30 percent of their total gross income on housing costs, as defined in OAR 414-470-0005, then the calculated gross family income may be reduced by the amount spent on housing costs that exceeds 30 percent of the gross family income. Eligibility staff may use available bills, bank statements, and other relevant documentation provided by the family to calculate total annual housing costs with appropriate multipliers.

(D) If the family cannot provide tax forms, pay stubs, or other proof of income for the relevant time period, eligibility staff may accept written statements from employers, including individuals who are self-employed, for the relevant time period and use information provided to calculate total annual income with appropriate multipliers.

(E) If the family reports no income for the relevant time period, eligibility staff may accept the family's signed declaration to that effect, if eligibility staff describes efforts made to verify the family's income, and explains how the family's total income was calculated or seeks information from third parties about the family's eligibility if the family gives written consent.

(F) If the family can demonstrate a significant and persistent change in income for the relevant time period, eligibility staff may calculate gross family income using all applicable sources of income available from within the previous three months.



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(b) Children must be at least three years of age but not older than five years of age, as determined by the date used to determine kindergarten eligibility.

(2) Notwithstanding (1) (a): of this rule, a child shall be considered categorically eligible for the Preschool Promise Program when the child or family meets any of the following criteria:

(a) Children experiencing homelessness, as defined by the McKinney Vento Homeless Assistance Act.

(b) Children who meet the definition of “foster child” in ORS 418.200.

(c) Families that have a family income above 200 percent of the Federal Poverty Level at the time eligibility is determined and that live in a geographic area with low access to care, as determined by the Department.

(d) Families receiving the following forms of public assistance:

(A) Employment Related Daycare (ERDC)

(B) Families enrolled in the Oregon Health Plan (OHP)

(C) Families participating in the Women, Infants, and Children Program (WIC)

(D) Supplemental Nutrition Assistance Program (SNAP)

(E) Supplemental Security Income (SSI)

(F) Temporary Assistance for Needy Families (TANF)

(G) Families or children who are members of a federally recognized Tribe.

(H) Families or children meeting these criteria are not required to provide additional income documentation.

414-470-0025

Preschool Promise Provider Eligibility

The following entities are eligible to apply to be a Preschool Promise Provider:

(1) Child Care Provider;

(2) Community-based organization;

(3) Culturally specific organizations;

(4) Early Learning Hub as designated in ORS 417.827

(5) Education service district,

(6) Federal Head Start program;

(7) ~~Federally Recognized Oregon Indian Tribes~~ Federally Recognized Tribes in Oregon

(8) ~~Oregon Prekindergarten~~ Oregon Prenatal to Kindergarten;

(9) Private preschool;

(10) Public school;

(11) Public charter school, or:

(12) Relief Nursery.



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[414-470-0040](tel:414-470-0040)

Minimum Requirements: Preschool Promise Program

~~There are multiple pathways to become a highly qualified teacher.~~ To be eligible to provide preschool services under the Preschool Promise Program, a Preschool Promise Provider must:

- (1) Provide, at a minimum, the annual number of instructional hours required for full-day kindergarten.
- (2) Take into consideration the scheduling needs of families who need full-time service.
- (3) Provide continuity from infant and toddler services to early elementary grades.
- (4) Demonstrate an ability to maximize available federal, state and local funds.
- (5) Demonstrate quality through meeting program standards including but not limited to:
 - (a) Participates in the quality rating and improvement system (Spark) for early childhood programs.
 - (b) Adopts culturally responsive teaching methods and practices.
 - (c) Providing highly trained lead preschool teachers who have:
 - (A) At least a bachelor's degree in: (i) Early childhood education or a field related to early childhood education; or (ii) A field not related to early childhood education but teacher has completed coursework that is equivalent to a major in early childhood education and has sufficient training in early childhood education as determined by the ~~Division Department~~; or
 - (B) An associate's degree with additional training or additional certification in early childhood education or a field related to early childhood education, as determined by the ~~Division Department~~; or
 - (C) Until sufficient alternative credentialing to indicate that the teacher is highly trained is developed by the ~~Division Department~~, in partnership with the Educator Advancement Council and affected stakeholders, the lead preschool teacher must have a Child Development Associate (CDA) Preschool Credential or at least Step 8 on the Oregon Registry Online (ORO).
 - (d) ~~Providing lead preschool teachers and teacher assistants with a salary that meets the minimum salary requirements established by the Early Learning Council. Following salary guidelines established by the Early Learning Council.~~
 - (e) Providing at least one assistant teacher in each classroom who provides support for academic instruction ~~who meets the state's personnel qualification requirements of one of the top two tiers for the quality rating and improvement system. The teacher assistant must:~~
 - (A) ~~Demonstrate competencies as defined by Step 5 of the Department's professional development system.~~
 - (B) ~~Meet the requirements for an Aide II as described in OAR 414-300-0110 and other applicable rules applied to the appropriate setting; or~~
 - (C) ~~Have a similar standing within the credentialing system for K-12 teachers in Oregon-~~
- (f) Participates in an ongoing monitoring and program evaluation system that is used for



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continuous program improvement as established by the ~~Division~~ Department.

(g) Provides a high quality, culturally responsive family engagement environment that supports parents as partners in a child's learning and development.

(h) Provides high quality, culturally responsive curricula, assessments and professional development that are linked to one another and to the state's comprehensive early learning standards. Tribes may integrate efforts to preserve, revitalize, restore, or maintain the tribal language and culture.

(i) Provides a classroom environment that is inclusive of all children, regardless of ability or family income.

(j) Providing children and families with additional health and child development supports, such as screening, referrals and coordination with health care providers.

(k) Incorporates best practices in outreach, enrollment and programming for diverse cultural and linguistic populations and children who have been historically underserved in preschool programs.

(l) Works in collaboration with community programs to ensure that families have knowledge of, and are connected to, community resources and supports to meet the needs of children and families served by the preschool program.

(6) Applications to operate a Preschool Promise program as authorized in ORS 329.172 will be scored on the Preschool Promise Provider's ability to meet Preschool Promise requirements.

Scoring criteria will be established by the ~~Division~~ Department.

(7) A Preschool Promise Provider may engage one or more subcontractors to provide one or more services in connection with the preschool offered by the provider, including but not limited to services such as transportation, food preparation, janitorial services, bookkeeping, staff training, or teaching. The ~~Division~~ Department may require in its grant agreement that any subcontractors hired by the provider or subcontracts entered into by the provider are subject to review and approval by the ~~Division~~ Department. A provider may not subcontract the performance of its entire preschool operations to another entity, nor may the provider negate or transfer its obligation under a grant agreement with the ~~Division~~ Department to provide the preschool program described in the grant agreement. The provider, not its contractor, must engage or contract directly with the parent, guardian or similar authorized representative of any child enrolled in the provider's program and the provider must remain responsible for the provision of the preschool to such parent, guardian or authorized representative, despite the use of one or more subcontractors to fulfill the provider's contractual obligations.

[414-470-0047](tel:414-470-0047)

Administration



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- (1) The ~~Division~~ Department will administer grant agreements with the grant recipients and provide program guidelines.
- (2) Grant recipients must comply with the terms and conditions of the grant agreement including, but not limited to, cooperating with the ~~Division's~~ Department's program monitoring, technical assistance, program evaluations, and reporting requirements.
- (3) Noncompliance with program and agreement requirements may make the grant recipient ineligible for future grants.
- (4) Grant recipients must provide information as requested by the ~~Division~~ Department.

414-470-0055

Program Monitoring and Evaluation

Programs will be monitored and evaluated on program quality and outcomes using a process established by the ~~Department~~ Division.

414-470-0060

Waiver Application Process

- (1) A Preschool Promise Provider may request a waiver of the requirements of ORS 329.172(7) and OAR 414-470-0040 during the first years of the Preschool Promise Provider's participation in the Preschool Promise Program. Its participation in the Preschool Promise Program.
- (2) The ~~Division~~ Department administers the waiver application and approval process.
- (3) Waiver requests must be accompanied by a quality improvement plan for approval by the Division. The quality improvement plan will provide information including, but not limited to, how the program will meet the requirement for which a waiver is requested and a timeline for completing that plan. A waiver request must include a quality improvement plan when required by the Department. The quality improvement plan will provide information, including but not limited to how the program will meet the requirement for which a waiver is requested and the timeline for achieving compliance.
- (4) The ~~Division~~ Department may withdraw approval of a waiver at any time, if deemed necessary to ensure the health, safety and well-being of children in the program.
- (5) A waiver granted for any of the requirements does not negate the need for a waiver for other requirements.
- (6) The granting of a waiver shall not set a precedent.

414-470-0065

Reporting



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Upon request by the ~~Division Department~~, a Preschool Promise Provider shall make available to the ~~Division Department~~ all information and data that demonstrates that Preschool Promise Providers are meeting the program requirements and anything necessary to monitor and evaluate the Preschool Promise Program, and in a manner specified by the ~~Division Department~~.

414-470-0075

Fiscal Agent

~~(1) The following entities are eligible to apply to be a fiscal agent for multiple Preschool Promise Providers:~~

- ~~(a) Community based organization;~~
- ~~(b) Culturally specific organization;~~
- ~~(c) Early Learning Hub as designated in ORS 417.827;~~
- ~~(d) Education service district;~~
- ~~(e) Federal Head-start program;~~
- ~~(f) Federally Recognized Oregon Indian Tribe;~~
- ~~(g) Non-Profit Organizations;~~
- ~~(h) Resource and referral entity established under ORS 329A.100 to 329A.135; or~~
- ~~(i) School district.~~

~~(2) The application process will determined by the Division.~~