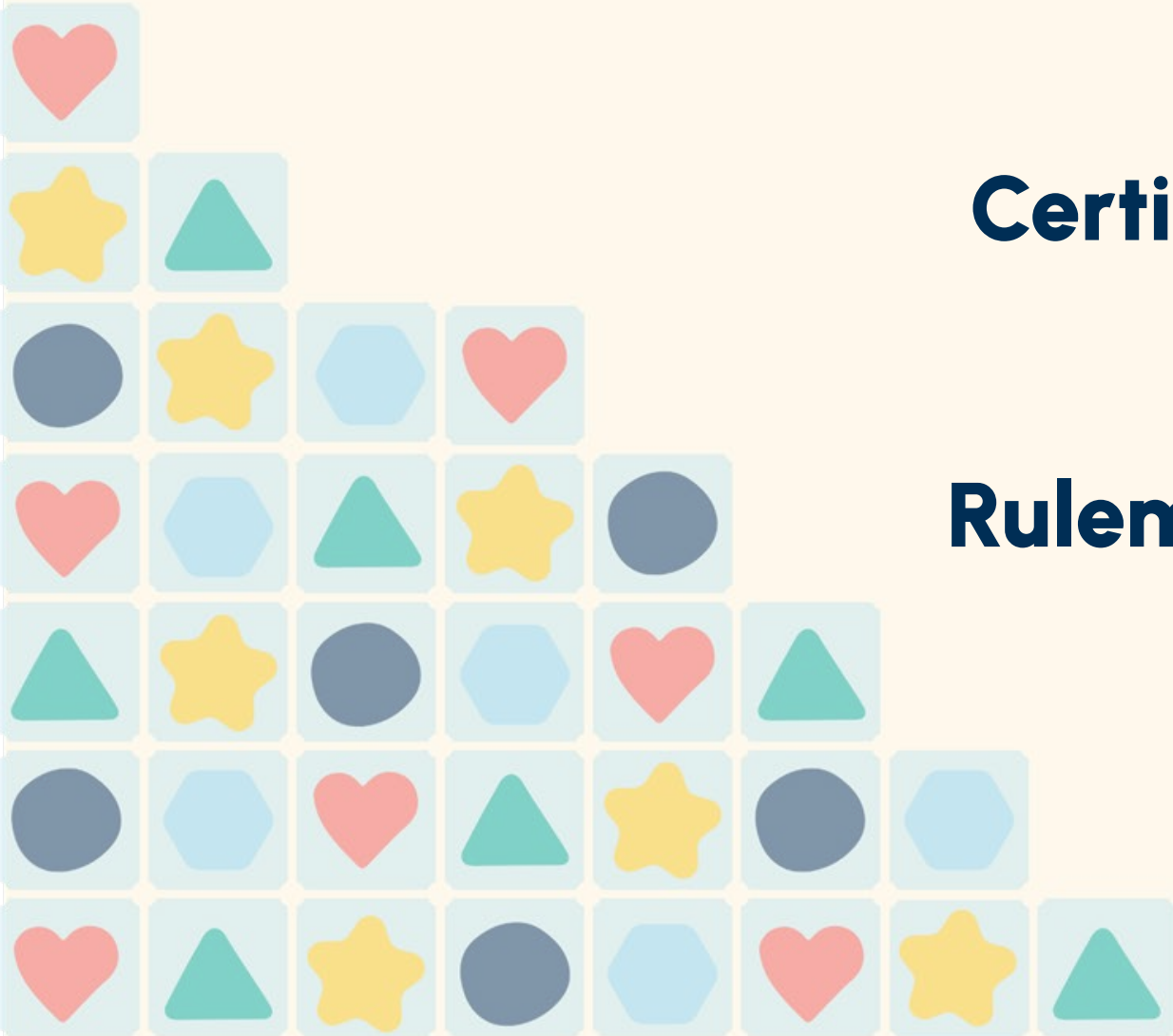




Oregon Department of  
**Early Learning and Care**



# **Certified Outdoor Nature-Based (ONB) Child Care**

## **Rulemaking Advisory Committee (RAC)**

**February 7, 2025**

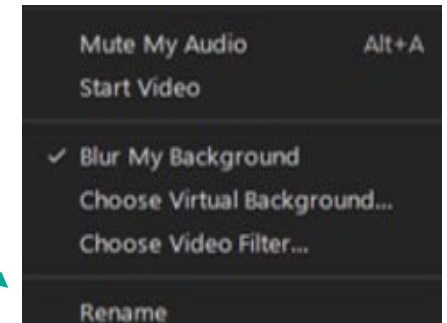
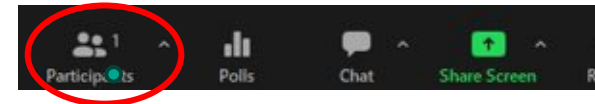
# Welcome to the ONB RAC!

We are glad you are here. While we are waiting to begin, please add your name and role in the chat.

Rename your participant icon with your first and last name.

You can do that one of two ways:

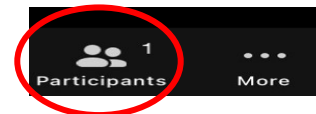
1. Click on the participants icon on the bottom of your screen.
  - At the top right, your participant name will appear.
  - Hover over your name and click on the 3 dots to the right and click rename.
2. Right mouse click on the screen to get a short menu. Choose rename.



Accessing Zoom from a phone App:

Rename your participant icon with your first and last name.

1. On the Zoom in-meeting controls, tap Participants
2. Tap your name, then tap rename
3. Other controls:
  - \*6 Mute/Unmute
  - \*9 Raise/Lower hands



# Meeting Agenda

- Welcome /Attendance: (5 minutes)
- Review Group Norms: (5 minutes)
- Rule Addition and Clarification (10 minutes)
- Review the Scope of the ONB RAC (5 minutes)
- Additional Feedback Opportunities (5 minutes)
- Review Draft Rule Language (30 Minutes)
- Break (5 minutes)
- Review Draft Rule Language (50 minutes)
- Closing and Next Steps (5 minutes)





# Group Norms



- Allow opportunities for all voices to be heard
  - *Take space, make space*
- Remain focused on the scope of the RAC
- Be open for respectful discussion
  - *Have an open mind and ask clarifying questions to confirm understanding*
- Encourage and honor individual perspectives and truths
  - *All experiences are valuable and contribute to our shared understanding*
- Use the "raise hand" function or chat for comments
- Practice active listening
  - *Listen to understand and give time to reflect before responding*
- Seek commonality
  - *We may disagree-which is okay-but will be guided by our shared commitment*

# Rule Addition and Rule Clarification



## Rule 414-320-0525-Activity Plan for All Children

(9): A certified ONB program, in addition to carrying out benefit-risk assessments, pursuant to OAR 414-320-0215, must engage children in a developmentally appropriate assessment of risky play by:

(a): Providing additional support when children engage in new levels of risky play

(b): Helping children determine risks and identify ways to mitigate risk;

(c): Prohibiting staff from physically placing children into risky situations, such as in trees or on top of boulders

**Feedback:** The way the rule is written, subrules a-c seem to conflict each other. The wording should be adjusted to clearly state the child must be capable of completing the activity on their own.

**Adjustment made to (a):** Providing additional **instructional** support when children engage in new levels of risky play.

## Rule 414-320-0840 Prevention and Management of Hazards:

**Feedback:** Would this include management of or parental notice of exposure to poison ivy or poison oak?

**Adjustment made:** Added exposure to poison oak, ivy, or other poisonous plants to items that need immediate parent notification.

# Rule Addition and Rule Clarification



## Rule 414-320-0860 Fire Protection

(3): To ensure a safe environment for children in care, a certified ONB program must comply with all applicable fire safety requirements of the Oregon Structural Specialty Code:

(e) Chimneys, fireplaces, gas burning fireplaces, wood stoves or similar wood-burning devices and portable outdoor fireplaces must be inspected.....

**Feedback:** Gas burning fireplaces are not wood-burning.

**Adjustment made to (e):** Added a comma after wood burning devices to clarify that phrase is connected to wood stoves and not the entire list of items.

## Rule 414-320-1100 Kitchen and Food Service Areas

(11): A certified ONB program that prepares or serves food must have a method to wash, rinse, and sanitize dishes, pans, kitchen utensils, and equipment.

**Feedback:** Could you wash, rinse, and sanitize in the same sink?

**No adjustment made:** Per EHS guidance the rule language will stay the same. It was suggested each program work directly with their EHS on potential options. Reminder, children can provide their own lunches and snacks to help minimize the need for dishwashing.

# Rule Addition and Rule Clarification



## Rule 414-320-0840 Prevention and Management of 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 CCLD to be necessary. A certified ONB program must:

(b): Inspect and mitigate any hazards related to natural materials of a certified ONB program, **such as logs and trees**, such as removing broken limbs from climbing trees;

**Feedback:** It may read better to remove "such as logs and trees" from the rule.

**Adjustment made:** Agree with the suggestion! The portion of the rule that states "such as logs and trees" has been removed from the rule text.

## General Questions Received:

**Question:** Will the requirement to clean and sanitize outdoor equipment be in the rules given they are in an outdoor environment and exposed to UV rays?

**Answer:** Yes, this will still be a requirement based on EHS guidance.

**Question:** Will other agencies be informed of the ONB rules so they are aware these programs exist?

**Answer:** Yes. Other agencies involved with licensing ONB programs will be informed. Additionally, prior to developing the rules, we met with partner agencies to inform them of this new license type.

# Questions Continued



**Question:** Do these drinking fountain rules apply to drinking fountains that children may use at public parks?

**Answer:** Yes, based on EHS guidance. However, if that is the only source of drinking water available to the children, consult with your licensing specialist for options.

**Question:** Is what is meant by sufficient emergency shelters clarified anywhere? I am wondering about people on land that have no buildings.

**Answer:** Programs operating on "bare land" would need to determine their plan for an emergency shelter. The way the rule is currently written allows for flexibility for the ONB program and CCLD staff to determine the sufficiency of the emergency shelter.

**Question:** Why are the fonts different with some words in the rule notice we are reviewing?

**Answer:** When the draft rules get updated, the rule notice gets updated as well. This allows you to have the most up-to-date information. Due to the format of the notice, the fonts will appear differently, but the actual rule text in the rule book will be consistent.

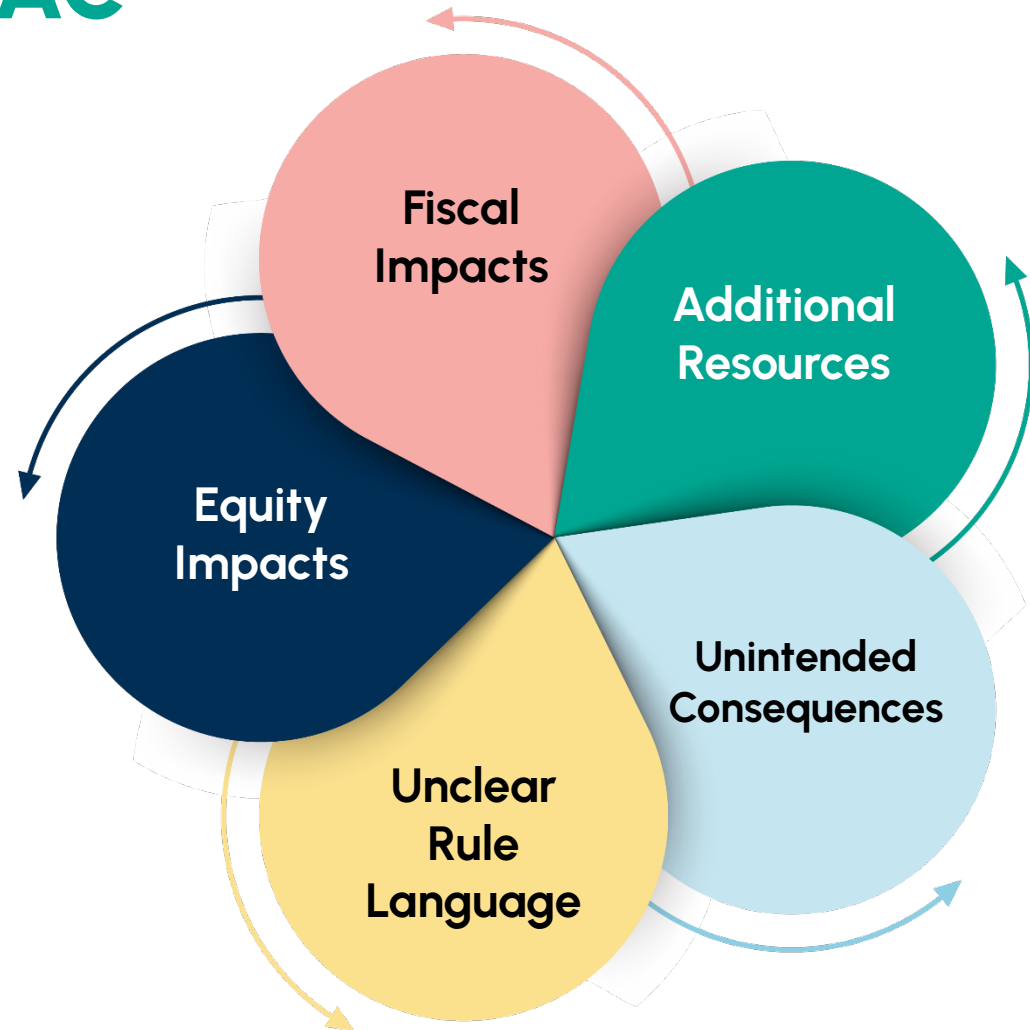


# Outdoor Nature-Based RAC Scope



**The Outdoor Nature-Based RAC will help identify:**

- Fiscal impacts (resources needed to implement the change).
- Equity impacts (unintended consequences that may impact specific groups or communities)
- Unclear rule language
- Any unintended consequences due to the rule language
- Any additional resources that may be needed to support the implementation of these rules.



# Opportunities to Provide Feedback



## Smartsheet Form

Available until Monday February 10<sup>th</sup> for you to access.

## Public Comment Period: 1/1/2025 to 2/28/2025

Written comments may be submitted to:

[Crys.ogrady@delc.Oregon.gov](mailto:Crys.ogrady@delc.Oregon.gov)

**Or via postal mail:**

DELIC, ATTN: Rulemaking, 700 Summer Street NE, # 350  
Salem, OR 97301

## Public Hearing 2/24/2025 From 5:00-6:00PM

A virtual public hearing will be held to take oral comments from people.

**Please refer to the ELC calendar on the DELIC website for information on how to participate.**