

# Child Care Center Manual Table of Contents

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# **Child Care Center Manual Transmittal Letters**

# CCCMTL 18 (Child Care Center Rule Amendments)

## Child Care Center Manual Transmittal Letter No. 18

October 17, 2017

TO: All Child Care Center Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Child Care Center Rule Amendments

### Background:

The Ohio Department of Job and Family Services (ODJFS) has amended child care center licensing rules as a result of feedback received from the Ohio Alliance of Early Learning Advocates in November 2016 and from stakeholder meetings held on January 31, 2017 and March 17, 2017. ODJFS has also amended rules to implement Amended Substitute Senate Bill No. 99 of the 131<sup>st</sup> General Assembly which were previously detailed in Child Care Center Manual Procedure Letter No. 16.

The following rules and form will be effective October 29, 2017.

### Amended rules:

5101:2-12-07 "Administrator responsibilities, requirements and qualifications for a licensed child care center" outlines the education and responsibilities required to become an administrator in a licensed child care center. This rule has been amended to clarify when an administrator for programs that operate overnight/weekends has to be on-site. Appendix B to this rule has been amended to clarify the breastfeeding policy requirements and to specify that the requirement is only for programs that serve infants or toddlers.

5101:2-12-08 "Employee and child care staff member requirements in a licensed child care center" outlines the qualifications required for employees and child care staff members in a licensed child care center. This rule has been amended to clarify that the child care staff orientation does not have to be retaken if the staff changes programs or owners. This rule was also amended to remove language that required child care staff members already employed to complete the online orientation by June 30, 2017.

5101:2-12-10 "Training and professional development requirements for a licensed child care center" outlines the initial and on-going training and professional development requirements for child care center staff. This rule has been amended to remove paragraph (A)(3) that required administrators, child care staff members, including substitutes, to complete the one-hour child abuse and neglect training by June 30, 2017. This rule was also amended to clarify that the training document only has to be given to employees if it is not stored in the Ohio Professional Registry (OPR) and to require the one hour child abuse training be taken within the first 60 days of employment instead of the first 30 days.

5101:2-12-12 "Safe equipment and environment for a licensed child care center" outlines the requirements for safe equipment and environments in a licensed child care center. This rule has been amended to update the weapons language to implement the changes to Ohio's Concealed Carry law as required by Amended Substitute Senate Bill No. 99 of the 131<sup>st</sup> General Assembly.

5101:2-12-13 "Sanitary equipment and environment for a licensed child care center" outlines the requirements for sanitary equipment and environments for a licensed child care center. Appendix B to this rule has been amended to remove the 15 second requirement to wash hands, to remove the requirement that staff must wash hands when moving from one group to another or after removing disposable gloves, to add that staff must wash hands when visibly soiled and to allow the use of hand sanitizer for staff and all children over 24 months.

5101:2-12-14 "Transportation and field trip safety for a licensed child care center" outlines transportation requirements for a licensed child care center. Appendix A to this rule has been amended to clarify that a single permission slip can apply to multiple routine trips or multiple field trips.

5101:2-12-16 "Emergency and health-related plans for a licensed child care center" outlines medical, dental, first aid and communicable disease procedures, incidents and injuries and disaster planning for a licensed child care center. This rule has been amended to update the revision date of the JFS 01156 "Serious

Incident Reporting for Child Care." Appendix A to this rule has been amended to remove "A guide to emergency first aid" from the list of first aid kit contents.

5101:2-12-18 "Group size and ratios for a licensed child care center" outlines the requirements for staff to child ratios and grouping in a licensed child care center. This rule has been amended to clarify that programs are no longer required to document on the daily attendance records the schedule of transitioning children and an additional employee or child care staff member is only needed to be onsite if there are seven or more children present. This rule has also been amended to allow school-age programs to leave children at double ratio to answer the door, to clarify that attendance records for in and out times are only required at the program level (not group), to allow flexibility in tracking group attendance and to remove the language prohibiting bumping children to maintain ratio. Although bumping is not best practice for the children, it is an issue to be addressed between the center and caretaker(s).

5101:2-12-23 "Infant care and diaper care for a licensed child care center" outlines requirements when caring for infants in a licensed child care center. This rule has been amended to remove the requirement that programs ensure that each child has a clean supply of diapers and an extra change of clothing available at all times.

5101:2-12-25 "Medication administration, food supplements and medical foods for a licensed child care center" outlines the requirements for administering medication and modified food diets for a licensed child care center. This rule has been amended to clarify the requirements for non-prescription medication.

**Revised form:**

JFS 01156 "Serious Incident Reporting for Child Care" has been revised to add "Approved Child Day Camp" in the section where the type of program is identified.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# CCCMTL 17 (Background Check Rule Revisions for Child Care Centers)

## Child Care Center Transmittal Letter No. 17

October 17, 2017

TO: All Child Care Center Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Background Check Rule Revisions for Child Care Centers

### **Background:**

The Office of Family Assistance has amended child care center licensing rules pertaining to background checks as a result of the Child Care Development Block Grant Act (CCDBG) of 2014. Federal law requires the following five background checks be completed for each individual who owns, works or applies to work in a child care program:

- Bureau of Criminal Investigation (BCI)
- Federal Bureau of Investigation (FBI)
- National Sex Offender Registry
- State Sex Offender Registry
- Statewide Automated Child Welfare Information System (SACWIS).

The Federal Law requires that all background check results be reviewed by the Ohio Department of Job and Family Services (ODJFS). In addition, individuals will no longer be required to complete new background checks if they change employers within a specified timeframe.

Licensing rules have also been amended as a result of feedback received from the Ohio Alliance of Early Learning Advocates in November 2016 and from stakeholder meetings held on January 31, 2017 and March 17, 2017.

The following rules and forms will be effective October 29, 2017.

### **New rule:**

5101:2-12-09 "Background check requirements for a licensed child care center" has been replaced as a new rule due to the number of revisions and rearrangement of the paragraphs and to update the appendix to include language regarding sealed records. This rule outlines the new background check requirements that must be completed before working in a child care center. Appendix A to the rule has been amended to clarify that for rehabilitation, three years does not need to elapse for misdemeanors that are sealed and ten years does not need to elapse for felonies that are sealed.

### **Amended rules:**

5101:2-12-01 "Definitions for licensed child care centers" defines the terms used throughout the chapter of center licensing rules. This rule has been amended to add language to the definition of child care.

5101:2-12-02 "Application and amendments for a child care center license" outlines the process and requirements for applying for a child care center license and the process to amend a currently existing child care center license. Appendix A to this rule has been amended to reflect the updated requirements for background checks that are to be submitted at the time of application. Additionally, building approval documentation requirements were clarified in the appendix.

5101:2-12-03 "Compliance inspection and complaint investigation of a licensed child care center" outlines guidelines and timeframes for inspections and investigations of licensed child care centers. This rule has been amended to clarify language regarding types of inspections. The appendix to this rule has also been amended with updated language to reflect the new background check process (rule 5101:2-12-09), the updated concealed weapons requirements in Ohio (rule 5101:2-12-12), and to clarify the moderate risk noncompliance for using vehicles that do not meet the requirements of rule 5101:2-12-14 of the Administrative Code (rule 5101:2-12-14).

5101:2-12-05 "Denial, revocation and suspension of a licensed child care center application or license" outlines the parameters for denying an application or revoking or suspending a child care center license. This rule has been amended to include the updated background check requirements for denying or revoking a license.

**New forms:**

JFS 01175 "Request for a Background Check for Child Care" is a new form that will be used by individuals to request a background check to work in child care.

JFS 01176 "Program Notification of Background Check Review for Child Care" is a new form that will be used to inform child care programs of background check results for applicants, owners, employees and child care staff members.

JFS 01177 "Individual Notification of Background Check Review for Child Care" is a new form that will be used to inform individuals if the results of their background check allow them to be an owner, employee or child care staff member in a center.

JFS 01178 "Request for Review of Background Check Decision for Child Care" is a new form that will be completed by an individual to appeal the results of their background check.

**Amended forms:**

JFS 01247 "Inspection Report for Child Care Centers" has been revised to update the rules included in this package as well as the following rules being amended in a separate package:

- 5101:2-12-07
- 5101:2-12-08
- 5101:2-12-10
- 5101:2-12-12
- 5101:2-12-13
- 5101:2-12-14
- 5101:2-12-16
- 5101:2-12-18
- 5101:2-12-23
- 5101:2-12-25

**Obsolete forms:**

JFS 01206 "Rehabilitation Criteria"

JFS 01328 "Statement of Nonconviction for Child Care"

**Implementation:**

New Program:

Any program that applies for a license after the effective date of these rules shall follow the new background check process.

New Staff:

Any employee or child care staff member of currently licensed programs hired after the effective date of the rules shall follow the new background check process.

Current Staff:

Current owners, administrators, employees and child care staff members as of the effective date of these rules will be phased-in to the new process.

Itinerant teachers who are left alone with children and/or used to meet ratio or group size will now need files on site at the program (including background checks pursuant to rule 5101:2-12-09). The Ohio Department of Education itinerant teacher form will no longer be accepted to meet the requirements for background checks, medical statements or education verification.

Each program shall send the following to [CCBackgroundCheck@jfs.ohio.gov](mailto:CCBackgroundCheck@jfs.ohio.gov) by January 1, 2018:

- A cover sheet detailing each person and their role within the program (owner, administrator, child care staff member or employee). JFS 01171 "Background Check Cover Sheet for Child Care" is a sample form that can be used to meet this requirement.
- JFS 01175 for each owner, administrator, child care staff member and employee.
- Copies of current BCI and FBI results on file for each employee and child care staff member at the program. Each program must keep the original copy of the results on file until it receives the new JFS 01176 for each employee and child care staff member.
  - If an individual's BCI and FBI checks expire prior to January 1, 2018, that individual will follow the entire new process for background checks detailed in rule 5101:2-12-09 by the expiration date of the checks instead of submitting the current (expiring) checks to ODJFS by January 1, 2018. The individual should be noted on the cover sheet as "requested new BCI and FBI checks."
  - If an individual's BCI or FBI checks on file have already expired, were not sent directly to the licensed child care center, or were not run pursuant to section 5104.013 of the Ohio Revised Code (as noted on the results), the individual shall follow the new process for background checks detailed in rule 5101:2-12-09 instead of submitting the non-compliant checks on file to ODJFS. If the non-compliant checks are submitted to ODJFS, this may result in the program being cited a low risk noncompliance for failing to comply with rule 5101:2-12-09 of the Ohio Administrative Code. The individual should be noted on the cover sheet as "requested new BCI/FBI checks."

ODJFS will use these results along with the results from new child abuse and neglect checks and state and national sex offender registry checks to determine if the individual is eligible for continued employment. Each program and individual will receive notification from ODJFS regarding eligibility after review of the background check results. If ODJFS determines the person is not eligible to work in a child care program, the owner shall immediately terminate employment, unless the individual requests a review. If the individual requests a review, the individual cannot be on-site at the program during the review process.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.



# CCCMTL 16 (Child Care Center Rule Revisions for Ohio Child Licensing and Quality System)

## Child Care Center Manual Transmittal Letter No. 16

December 23, 2016

TO: All Child Care Center Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Child Care Center Rule Revisions for Ohio Child Licensing and Quality System

**Background:** The Office of Family Assistance has completed a thorough review and restructuring of all child care licensing rules. All licensing rules have been reviewed to ensure that the Ohio Department of Job and Family Services (ODJFS) is only mandating essential health and safety requirements and not including requirements that could inhibit small business in Ohio. Additionally, the rules for all settings have been aligned, renumbered and updated to reference the Ohio Child Licensing and Quality System currently in development.

The following rules and forms will be effective December 31, 2016.

### **New Rules:**

**5101:2-12-01** "Definitions for licensed child care centers" is a new rule that defines the terms used throughout the new chapter of center licensing rules.

**5101:2-12-02** "Application and amendments for a child care center license" is a new rule that describes the process and requirements for applying for a child care center license and the process to amend a currently existing child care center license. This rule is replacing in part rescinded rules 5101:2-12-04 and 5101:2-12-05 of the Administrative Code.

**5101:2-12-03** "Compliance, inspection and complaint investigation of a licensed child care center" is a new rule that outlines guidelines and timeframes for inspections and investigations of licensed child care centers. This rule is replacing in part rescinded rules 5101:2-12-07 and 5101:2-12-08 of the Administrative Code.

**5101:2-12-04** "Building department, fire inspection and food service licensure for a licensed child care center" is a new rule that outlines the separate requirements of building inspections, fire inspections and food service licensure for licensed child care centers. This rule is replacing in part rescinded rules 5101:2-12-10, 5101:2-12-11, and 5101:2-12-12 of the Administrative Code.

**5101:2-12-05** "Denial, revocation and suspension of a child care center application or license" is a new rule that outlines the parameters for denying an application and suspending or revoking a child care center license. This rule is replacing in part rescinded rule 5101:2-12-09 of the Administrative Code.

**5101:2-12-06** "Procedures for a licensed child care center operating under a provisional license" is a new rule that outlines the operating requirements during the provisional licensing period. This rule is replacing in part rescinded rule 5101:2-12-04 and 5101:2-12-04.1 of the Administrative Code.

**5101:2-12-07** "Administrator responsibilities, requirements and qualifications for a licensed child care center" is a new rule that outlines the education and responsibilities to become an administrator in a licensed child care center. This rule is replacing rescinded rule 5101:2-12-24 of the Administrative Code.

**5101:2-12-08** "Employee and child care staff member requirements in a licensed child care center" is a new rule that outlines the qualifications for employees and child care staff members in a licensed child care center. This rule is replacing rescinded rule 5101:2-12-25 of the Administrative Code.

**5101:2-12-09** "Criminal records check requirements for a licensed child care center" is a new rule that outlines Bureau of Criminal Investigation, Federal Bureau of Investigation and nonconviction statement requirements. This rule is replacing rule 5101:2-12-26 of the Administrative Code.

**5101:2-12-10** "Training and professional development requirements for a licensed child care center" is a new rule that outlines the initial and on-going training and professional development requirements for child care center staff.



**5101:2-12-11** "Indoor and outdoor space requirements for a licensed child care center" is a new rule that outlines indoor and outdoor space requirements in a licensed child care center. This rule is replacing in part rescinded rules 5101:2-12-13 and 5101:2-12-14 of the Administrative Code.

**5101:2-12-12** "Safe equipment and environment for a licensed child care center" is a new rule that outlines the requirements for safe equipment and environments in a licensed child care center. This rule is replacing in part rules 5101:2-12-13, 5101:2-12-14 and 5101:2-12-15 of the Administrative Code.

**5101:2-12-13** "Sanitary equipment and environment for a licensed child care center" is a new rule that outlines the requirements for sanitary equipment and environments for a licensed child care center. This rule is replacing in part rules 5101:2-12-15, 5101:2-12-15.1, 5101:2-12-15.2, 5101:2-12-15.3, and 5101:2-12-15.4 of the Administrative Code.

**5101:2-12-14** "Transportation and field trip safety for a licensed child care center" is a new rule that outlines transportation requirements for a licensed child care center. This rule is replacing in part rules 5101:2-12-18, 5101:2-12-18.1, and 5101:2-12-18.2 of the Administrative Code.

**5101:2-12-15** "Child record requirements for a licensed child care center" is a new rule that outlines child record requirements for a licensed child care center. This rule is replacing in part rule 5101:2-12-34 and 5101:2-12-37 of the Administrative Code.

**5101:2-12-16** "Emergency and health-related plans for a licensed child care center" is a new rule that outlines medical, dental, first aid and communicable disease procedures, incidents and injuries and disaster planning for a licensed child care center. This rule is replacing in part rules 5101:2-12-15.1, 5101:2-12-34 and 5101:2-12-37 of the Administrative Code.

**5101:2-12-17** "Programming and materials for a licensed child care center" is a new rule that outlines daily activities in a licensed child care center. This rule is replacing in part rescinded rule 5101:2-12-16 of the Administrative Code.

**5101:2-12-18** "Group size and ratios for a licensed child care center" is a new rule that outlines the requirements for staff to child ratios and grouping in a licensed child care center. This rule is replacing in part rule 5101:2-12-20 of the Administrative Code.

**5101:2-12-19** "Supervision of children and child guidance for a licensed child care center" outlines the requirements for supervision and acceptable and unacceptable discipline for a licensed child care center. This rule is replacing in part rules 5101:2-12-20 and 5101:2-12-21 of the Administrative Code.

**5101:2-12-20** "Sleeping and napping requirements for a licensed child care center" is a new rule that outlines requirements for the use of cribs, mats, cots and other sleep surfaces for a licensed child care center. This rule is replacing in part rules 5101:2-12-19 and 5101:2-12-42 of the Administrative Code.

**5101:2-12-21** "Evening and overnight care for a licensed child care center" is a new rule that outlines the evening and overnight care guidelines for a licensed child care center. This rule is replacing rule 5101:2-12-23 of the Administrative Code.

**5101:2-12-22** "Meal preparation/nutritional requirements for a licensed child care center" is a new rule that outlines meal and snack procedures for a licensed child care center. This rule is replacing rule 5101:2-12-39 of the Administrative Code.

**5101:2-12-23** "Infant care and diaper care for a licensed child care center" is a new rule that outlines requirements when caring for infants in a licensed child care center. This rule is replacing rules 5101:2-12-40 and 5101:2-12-41 of the Administrative Code.

**5101:2-12-24** "Swimming and water safety requirements for a licensed child care center" is a new rule that outlines swimming and water activity requirements for a licensed child care center. This rule is replacing rule 5101:2-12-17 of the Administrative Code.

**5101:2-12-25** "Medication administration, food supplements and medical foods for a licensed child care center" is a new rule that outlines the requirements for administering medication and modified food diets for a licensed child care center. This rule is replacing rule 5101:2-12-31 of the Administrative Code.

## **New Forms:**

**JFS 01155** "Request for Review for Licensing and Step Up to Quality" is a new form used to request a review of licensing findings after an inspection.

**JFS 01156** "Serious Incident Reporting for Child Care" is a new form used to report serious incidences to ODJFS by the program or provider.

**JFS 01276** "Health Training Documentation for Child Care" is a new form used to track the health training hours required for all administrators, providers and child care staff members.

#### **Amended Forms:**

**JFS 01201** "Dental First Aid" is being revised to update language on dental procedures.

**JFS 01206** "Rehabilitation Criteria for Child Care" is being revised to update rule citations.

**JFS 01215** "Children's Record Review for Child Care" is being revised to include all child care settings.

**JFS 01217** "Request for Administration of Medication for Child Care" is being revised to include type B provider language.

**JFS 01230** "Vehicle Inspection Report for Child Care Centers" is being revised to remove type A provider language and update the rule cites.

**JFS 01234** "Child Enrollment and Health Information for Child Care" is being revised to include all child care settings.

**JFS 01235** "Sleep Position Waiver Statement for Child Care" is being revised to include all child care settings.

**JFS 01236** "Child Medical/Physical Care Plan for Child Care" is being revised to include all child care settings.

**JFS 01242** "Medical, Dental and General Emergency Plan for Child Care" is being revised to include all child care settings and update procedures.

**JFS 01250** "Plan of Operation for Child Care" is being revised to include all child care settings and to streamline what documents are required at application.

**JFS 01266** "Contracted Driver Qualifications Statement for Child Care" is being revised to update the rule citations.

**JFS 01281** "Child Care Playground Inspection Report" is being revised to update rule citations and rule language.

**JFS 01295** "Complaint Intake, Alleged Operations and Disposition Report for Child Care" is being revised to include complaints and alleged operations on one form for all licensed child care settings.

**JFS 01299** "Incident/Injury Report for Child Care" is being revised to include incidents that are not required to be reported the day of the incident.

**JFS 01306** "Employee Record Chart for Child Care" is being revised to include all child care settings.

**JFS 01307** "Professional Development Documentation for Child Care" is being revised to change the title and remove the health training heading from the form.

**JFS 01328** "Statement of Nonconviction for Child Care" is being revised to include all providers in all settings; child care centers, type A homes, type B homes, and in-home aides.

**JFS 08087** "Communicable Disease Chart" is being revised to update disease information.

#### **Rescinded Rules:**

**5101:2-12-01** "Definitions for licensed child care centers"

**5101:2-12-02** "Types of licensed child care centers"

**5101:2-12-03** "License capacity for licensed child care centers"

**5101:2-12-04** "Initial application and issuance of a provisional license for child care centers"

**5101:2-12-04.1** "Procedures for child care centers operating under a provisional license"

[5101:2-12-05](#) "License amendments for licensed child care centers"

[5101:2-12-07](#) "Inspection of licensed child care centers in a regular license and the investigation of unlicensed child care centers"

[5101:2-12-08](#) "Complaint investigations for licensed and unlicensed child care centers"

[5101:2-12-09](#) "Denial or revocation of a child care center application or license"

[5101:2-12-09.1](#) "Suspension of a child care center license"

[5101:2-12-10](#) "Building approval for licensed child care centers"

[5101:2-12-11](#) "Fire department approval for licensed child care centers"

[5101:2-12-12](#) "Food service licensure for licensed child care centers."

[5101:2-12-13](#) "Indoor floor space requirements for licensed child care centers"

[5101:2-12-14](#) "Outdoor play requirements for licensed child care centers"

[5101:2-12-15](#) "Safe and sanitary equipment and environment in licensed child care centers"

[5101:2-12-15.1](#) "Handwashing and standard precautions for licensed child care centers"

[5101:2-12-15.2](#) "Diapering and toilet training for licensed child care centers"

[5101:2-12-15.3](#) "Smoke free environment for licensed child care centers"

[5101:2-12-15.4](#) "Toothbrushing in licensed child care centers"

[5101:2-12-16](#) "Requirements for programming and equipment in licensed child care centers"

[5101:2-12-17](#) "Swimming and water safety requirements for licensed child care centers"

[5101:2-12-18](#) "Transportation and field trip safety procedural requirements for licensed child care centers"

[5101:2-12-18.1](#) "Transportation/vehicle requirements for licensed child care centers"

[5101:2-12-18.2](#) "Transportation/driver requirements for licensed child care centers"

[5101:2-12-19](#) "Requirements for children who rest, nap or sleep and use of cots in licensed child care centers"

[5101:2-12-20](#) "Supervision, staff/child ratios and grouping for licensed child care centers"

[5101:2-12-21](#) "Care and nurturing of children for licensed child care centers"

[5101:2-12-22](#) "Child guidance and management for licensed child care centers"

[5101:2-12-23](#) "Evening and overnight care for licensed child care centers"

[5101:2-12-24](#) "Administrator responsibilities and qualifications for licensed child care centers"

[5101:2-12-25](#) "Employee and child care staff member requirements for licensed child care centers"

[5101:2-12-26](#) "Statement of nonconviction and criminal records checks for licensed child care centers"

[5101:2-12-27](#) "Training in first aid, CPR, management of communicable disease and child abuse prevention for staff in licensed child care centers"

[5101:2-12-28](#) "In-service training for licensed child care centers"

[5101:2-12-30](#) "Written information, policies and procedures to be provided to parents/guardians of children in licensed child care centers"

[5101:2-12-31](#) "Administration of medication in licensed child care centers"

[5101:2-12-33](#) "Management of illness of licensed child care centers"

[5101:2-12-34](#) "Medical, dental, and general emergency plan for licensed child care centers"

[5101:2-12-35](#) "Incident/injury report for licensed child care centers"

[5101:2-12-36](#) "First aid supplies/procedures for licensed child care centers"

[5101:2-12-37](#) "Children's medical and enrollment records for licensed child care centers"

[5101:2-12-38](#) "Care of children with health conditions in licensed child care centers"

[5101:2-12-39](#) "Requirements for meals and snacks in licensed child care centers"

[5101:2-12-40](#) "Daily program for infants in licensed child care centers"

[5101:2-12-41](#) "Infant feeding requirements in licensed child care centers"

[5101:2-12-42](#) "Cribs in licensed child care centers"

**Obsolete Forms:**

JFS 01238 "Second Adult Statement for Child Care Centers"

JFS 01241 "Child Care Center Administrator Rules Review Course Certificate"

JFS 01246 "Child Care Staff Member Orientation and Employee Policy Review Statement for Child Care Centers and Type A Homes"

JFS 01250-I "Instructions for Completing the Plan of Operation for a Child Care Center"

JFS 01310 "Required Staff/Child Ratios for Child Care Centers"

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# CCCMTL 15 (Chapter 5101:2-12 [Child Care Center Rules] Five Year Review)

## Child Care Center Manual Transmittal Letter No. 15

November 23, 2015

TO: All Child Care Center Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Chapter 5101:2-12 (Child Care Center Rules) Five Year Review

### **Background:**

The Office of Family Assistance has amended the following child care center rules contained in Chapter 5101:2-12 of the Ohio Administrative Code due to the five year review.

### **New policy:**

The following rules will become effective November 22, 2015:

[5101:2-12-10](#) "Building approval for licensed child care centers" has been amended to make minor grammatical changes.

[5101:2-12-12](#) "Food service licensure requirements for licensed child care centers" has been amended to provide clarity.

[5101:2-12-13](#) "Indoor floor space requirements for licensed child care centers" has been amended to provide clarity and to make minor punctuation changes.

[5101:2-12-15](#) "Safe and sanitary equipment and environment in licensed child care centers" has been amended to provide clarity and to make minor punctuation changes. The appendix to this rule has been amended to remove all references to the daily bleach and water solution, including those listed in the "cleaning and sanitizing detail" column. Centers shall adhere to the manufacturer's instructions when using any product to sanitize.

[5101:2-12-15.2](#) "Diapering and toilet training in licensed child care centers" has been amended to make minor grammatical and punctuation changes and to remove duplicative language.

[5101:2-12-15.3](#) "Smoke free environment for licensed child care centers" has been amended to provide clarity.

[5101:2-12-15.4](#) "Toothbrushing in licensed child care centers" has been amended to provide clarity.

[5101:2-12-16](#) "Requirements for programming and equipment in licensed child care centers" has been amended to make minor grammatical and punctuation changes.

[5101:2-12-17](#) "Swimming and water safety requirements for licensed child care centers" has been amended to provide clarity.

[5101:2-12-29](#) "Unlawful discriminatory practices in licensed child care centers" has been rescinded and the requirements from this rule have been added to rule 5101:2-12-30 of the Administrative Code.

[5101:2-12-31](#) "Administration of medication in licensed child care centers" has been amended for minor punctuation changes and to provide clarity.

[5101:2-12-39](#) "Requirements for meals and snacks in licensed child care centers" has been amended to provide clarity.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# CCCMTL 14 (Chapter 5101:2-12 [Child Care Center Rules] Five Year Review)

## Child Care Center Manual Transmittal Letter No. 14

November 23, 2015

TO: All Child Care Center Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Chapter 5101:2-12 (Child Care Center Rules) Five Year Review

### Background:

The Office of Family Assistance has amended the following child care center rules contained in Chapter 5101:2-12 of the Ohio Administrative Code due to the five year review.

### New policy:

The following rules will become effective November 22, 2015:

**5101:2-12-04** "Initial application and issuance of a provisional license for child care centers" has been amended to add a reference to the statement of nonconviction and to make the requirements more clear.

**5101:2-12-11** "Fire department approval for licensed child care centers" has been amended to remove language regarding failure to comply.

**5101:2-12-14** "Outdoor play requirements for licensed child care centers" has been amended to update the website address where the "Public Playground Safety Handbook" can be found. Minor punctuation and grammatical changes were also made to this rule.

**5101:2-12-15.1** "Handwashing and standard precautions for licensed child care centers" has been amended for minor punctuation changes.

**5101:2-12-18** "Transportation procedural requirements for licensed child care centers" has been amended to include new language that children being transported on routine trips do not count in the center's capacity. This rule was also amended to provide clarity and to make minor grammatical changes.

**5101:2-12-18.1** "Transportation/vehicle requirements for licensed child care centers" has been amended for minor punctuation changes.

**5101:2-12-18.2** "Transportation/driver requirements for licensed child care centers" has been amended for minor punctuation changes and to remove language that the administrator is responsible for assuring that the copy of the driver's license on file is kept current.

**5101:2-12-19** "Requirements for children who rest, nap or sleep and use of cots in licensed child care centers" has been amended for minor punctuation changes and to provide clarity.

**5101:2-12-30** "Written information, policies and procedures to be provided to parents/guardians of children in licensed child care centers" has been amended for minor punctuation changes and to include language that the child care center shall provide the tax identification number to the parent or guardian even if the children are no longer enrolled. Language regarding unlawful discriminatory practices from a rule that was rescinded in a different transmittal letter has been added to this rule.

**5101:2-12-33** "Management of illness in licensed child care centers" has been amended for minor punctuation changes.

**5101:2-12-42** "Cribs in licensed child care centers" has been amended to remove the "full size" crib requirement and to remove all references to "porta" cribs. Additional language has been added to require a "certificate of compliance" be on file for any crib manufactured before June 28, 2011.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.



# CCCMTL 13 (Revisions to Criminal Records Checks Rules for Child Care Centers)

## Child Care Center Manual Transmittal Letter No. 13

November 5, 2015

TO: All Child Care Center Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Revisions to Criminal Records Checks Rules for Child Care Centers

### **Background:**

The Office of Family Assistance has amended the following child care center rules as a result of Amended Substitute House Bill 64 of the 131st General Assembly.

### **Policy updates:**

The following rules will become effective November 1, 2015:

**5101:2-12-09** "Denial or Revocation of a Child Care Center Application or License" is being amended to change the revised code citation for criminal records checks.

**5101:2-12-26** "Statement of Nonconviction and Criminal Records Checks for Licensed Child Care Centers" was amended to change the revision date of the JFS 01328 "Statement of Nonconviction for Child Care Centers and Type A Homes" and to change the revised code citation for criminal records checks. This rule was also amended as a result of the five year review, all references to "BCII" have been replaced with "BCI" and the criminal records check requirement has been updated to state that it is required every five years.



# CCCMTL 12 (Definitions for Licensed Child Care Centers)

## Child Care Center Manual Transmittal Letter No. 12

September 30, 2015

TO: All Child Care Center Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Definitions for licensed child care centers

### **Background:**

Amended Substitute House Bill 64 of the 131st General Assembly amended section 5104.01 of the Ohio Revised Code, which defines the terms used for licensed child care programs, to redefine the terms "child care" and "owner."

### **New Policy:**

The following rule will be effective September 28, 2015:

[5101:2-12-01](#) "Definitions for licensed child care centers" has been amended to update the terms "child care" and "owner."

# CCCMTL 11 (Suspension of Child Care Center License)

## Child Care Center Manual Transmittal Letter No. 11

October 7, 2015

TO: All Child Care Center Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Suspension of Child Care Center License

### **Background:**

Amended Substitute House Bill 64 of the 131st General Assembly created section 5104.042 of the Ohio Revised Code, which gives the Ohio Department of Job and Family Services (ODJFS) the authority to immediately suspend the license of a child care center.

### **New Policy:**

The following rule will be effective October 25, 2015:

[5101:2-12-09.1](#) "**Suspension of a child care center license**" has been adopted to set forth the circumstances under which the ODJFS may immediately suspend the license of a child care center as well as the duration of the suspension. The rule also provides the process for the provider to appeal the decision to suspend.

# CCCMTL 10 (Five Year Rule Review Rule 5101:2-12-02 "Types of licensed child care centers")

## Child Care Center Manual Transmittal Letter No. 10

March 26, 2014

TO: All Child Care Center Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Five Year Rule Review Rule 5101:2-12-02 "Types of licensed child care centers"

The Ohio Department of Job and Family Services (ODJFS) rule review process requires all rules to be reviewed at least every five years. The following rule was amended as part of the five year review and will be effective on April 1, 2014.

Rule [5101:2-12-02](#) "Types of licensed child care centers" defines the different types of child care that may be provided and the exemptions that apply to certain types of programs. This rule has been amended to remove the reference to rule 5101:2-12-32 that has been rescinded.

The electronic version of the Child Care Center Manual is located at:

<http://emanuals.odjfs.state.oh.us/emanuals>. The manual contains all rules, forms, transmittal letters and procedure letters that the department has issued to child care providers. A current version of this manual should be utilized by all child care providers.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4 if you have any questions.

# CCCMTL 9 (Five Year Rule Review-No Change Package for Licensed Child Care Centers)

## Child Care Center Manual Transmittal Letter No. 9

November 8, 2013

To: All Child Care Center Manual Holders  
From: Cynthia C. Dungey, Director  
Subject: Five Year Rule Review-No Change Package for Licensed Child Care Centers

The Ohio Department of Job and Family Services' (ODJFS) rule review process requires all rules to be reviewed at least every five years. The following rules are due for the five year review, but, as the department is in the process of reviewing and restructuring all child care licensing rules, no changes are being made at this time.

The following is a list of the rules that will be filed with no changes made to the current version. The effective dates of these rules will not change.

Rule 5101:2-12-08 "Complaint Investigations for Licensed and Unlicensed Child Care Centers" details the procedures for investigating complaints received by ODJFS on licensed and unlicensed child care programs.

Rule 5101:2-12-40 "Daily Program for Infants in Licensed Child Care Centers" details the required components of an infant's care while in a child care center.

Rule 5101:2-12-41 "Infant Feeding Requirements in Licensed Child Care Centers" sets forth the requirements for feeding infants while in the care of a child care center.

The electronic version of the Child Care Manual is located at:

<http://emanuals.odjfs.state.oh.us/emanuals>. The manual contains all rules, forms, transmittal letters and procedure letters that the department has issued to child care providers. A current version of this manual should be utilized by all child care providers.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, if you have any questions.

### INSTRUCTIONS:

The following chart identifies the material that needs to be inserted into the Child Care Manual (CCCMTL).

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
CCCMTL Transmittal Letters		CCCMTL No. 9

# CCCMTL 8 (Five-Year Rule Review for Licensed Child Care Centers)

## Child Care Center Manual Transmittal Letter No. 8

November 29, 2011

To: All Child Care Center Manual Holders  
From: Michael B. Colbert, Director  
Subject: Five-Year Rule Review for Licensed Child Care Centers

In accordance with Ohio Revised Code (ORC) Section 119.032, each state agency is required to review its rules a minimum of once every five years. The intent of the law is to ensure that rules are clearly written and that program requirements are accurate, up-to-date and clearly expressed. To the extent possible, unnecessary paperwork will be eliminated and local agencies will be given increased flexibility. The purpose of a rule review is to determine whether a rule should be continued without amendment, be amended or be rescinded, taking into consideration each rule's scope and purpose.

A number of rules related to child care centers were recently reviewed and some changes were made. The following revisions will be effective December 1, 2011:

**Rule 5101:2-12-21** "Care and Nurturing of Children in Licensed Child Care Centers." This rule has been revised to remove references to websites that list choking hazards and to replace it with an appendix to the rule which lists common food choking hazards.

**Rule 5101:2-12-22** "Child Guidance and Management in Licensed Child Care Centers." This rule has been revised to clarify that child guidance must occur at the time of the incident.

**Rule 5101:2-12-23** "Evening and Overnight Care in Licensed Child Care Centers." This rule has been revised to clarify who is to provide basic hygiene items.

**Rule 5101:2-12-27** "Training in First Aid, CPR, Management of Communicable Disease and Child Abuse Prevention in Licensed Child Care Centers." This rule has been revised to separate the requirements for First Aid and Management of Communicable Disease and to clarify that the department will accept online training courses that have been reviewed and approved by ODJFS.

**Rule 5101:2-12-28** "In-Service Training for Licensed Child Care Centers." This rule has been revised to update language regarding electronic media training and to clarify what online courses are to be accepted.

**Rule 5101:2-12-34** "Medical, Dental, and General Emergency Plans for Licensed Child Care Centers." This rule is being revised to reflect that the JFS 01242 Medical/Dental/General Emergency Plan has been updated and to add the requirement that weather emergency drills be practiced monthly March through September. Additionally, the current appendix to this rule has been removed.

**Rule 5101:2-12-35** "Incident/Injury Report for Licensed Child Care Centers." This rule is being revised to update the ways that a JFS 01299 can be submitted and to clarify programs responsibilities regarding reporting of serious incidents.

**Rule 5101:2-12-36** "First Aid Supplies/Procedures for Licensed Child Care Centers." This rule is being revised to replace the requirement for "vinyl" gloves in the first aid kit to "non-latex" gloves. The language regarding having a system to review the first aid kit and replace missing items has also been removed.

**Rule 5101:2-12-37** "Children's Medical and Enrollment Records for Licensed Child Care Centers." This rule has been revised to include a Certified Nurse Practitioner (CNP) as a health care provider whom can sign off on a child's medical statement.

**Rule 5101:2-12-38** "Care of Children with Health Conditions in Licensed Child Care Centers." This rule has been revised to define who is required to have a Medical/Physical Care Plan on file and what information must be included in that plan.

The electronic version of the Child Care Center Manual is located at:

<http://emanuals.odjfs.state.oh.us/emanuals>. The manual contains all rules and transmittal letters that the department has issued to licensed child care centers. A current version of this manual should be accessible

and utilized by all providers in all licensed child care centers. Please contact the Help Desk for the Office for Families and Children at 1-866-886-3537, option 4 if you have any questions.

INSTRUCTIONS: The following chart identifies the material that needs to be removed from and inserted into the Child Care Center Manual (CCCM).

<b>LOCATION</b>	<b>REMOVE AND FILE AS OBSOLETE</b>	<b>INSERT/REPLACEMENT</b>
Child Care Center Manual	5101:2-12-21	<a href="#"><u>5101:2-12-21</u></a>
	5101:2-12-22	<a href="#"><u>5101:2-12-22</u></a>
	5101:2-12-23	<a href="#"><u>5101:2-12-23</u></a>
	5101:2-12-27	<a href="#"><u>5101:2-12-27</u></a>
	5101:2-12-28	<a href="#"><u>5101:2-12-28</u></a>
	5101:2-12-34	<a href="#"><u>5101:2-12-34</u></a>
	5101:2-12-35	<a href="#"><u>5101:2-12-35</u></a>
	5101:2-12-36	<a href="#"><u>5101:2-12-36</u></a>
	5101:2-12-37	<a href="#"><u>5101:2-12-37</u></a>
	5101:2-12-38	<a href="#"><u>5101:2-12-38</u></a>
Transmittal Letters		CCCMTL No. 8

# CCCMTL 7 (Rule Revisions for Licensed Child Care Centers)

## Child Care Center Manual Transmittal Letter No. 7

September 29, 2011

To: All Child Care Center Manual Holders  
From: Michael B. Colbert, Director  
Subject: Rule Revisions for Licensed Child Care Centers

This letter is to notify stakeholders that the five rules listed below have been revised to improve the process for obtaining an initial license and renewing a license. These rules are effective September 29, 2011. The following is a summary of the changes to the rules:

Rule 5101:2-12-18.1 "Transportation/Vehicle Requirements for Licensed Child Care Centers" has been amended to clarify the intent of the rule requirements. The changes to the rule are to simplify language so it is clearly understood that appropriate child safety restraints must be used in vehicles used to transport children, when the vehicle is required by the United States Department of Transportation to be equipped with seat belts at the time of manufacture. This rule does not require school busses to have seat belts or to use child safety restraints.

Rule 5101:2-12-18.2 "Transportation/Driver Requirements for Licensed Child Care Centers" has been amended to simplify the record keeping requirements for contracted drivers who provide services to child care centers. The change to the rule requires the center to have the driver's employer complete a JFS 01266 "Contracted Driver Qualification Statement." This one form replaces the numerous documents contracted drivers currently must provide to the center.

Rule 5101:2-12-25 "Employee and Child Care Staff Member Requirements for Licensed Child Care Centers" has been amended as a result of the Five Year Review and to simplify the requirements for information that child care staff are required to have on file at the center. The changes to this rule include removing language requiring employees that have been home schooled to submit a letter from their local board of education or state board of education verifying they have met high school graduation requirements. This rule is also being amended to remove the requirement that child care staff members receive a tuberculosis test as part of the employee medical and to specify when all employees must receive the Pertussis immunization. Additionally, the requirement that each employee provide three references has been removed.

Rule 5101:2-12-26 "Statement of Nonconviction and Criminal Records Check for Licensed Child Care Centers" has been amended to clarify which employees of a child care center must have the results of a criminal records check on file at the center. The changes to this rule include clarification that persons providing contracted driving services may have their criminal records checks verified by a written statement from their employer rather than having a copy of the information on file at the child care center.

Rule 5101:2-12-42 "Cribs in Licensed Child Care Programs" has been amended to clarify the requirements for dividers between cribs and to implement the new federal standards for cribs. The changes to the rule include broadening the requirements for what type of material may be used for dividers between cribs and to reflect changes made to federal requirements regarding crib construction standards. The revision date of the JFS 01235 "Sleep Position Waiver" has been updated.

The electronic version of the Child Care Center Manual is located at:

<http://emanuals.odjfs.state.oh.us/emanuals> . The manual contains all rules and transmittal letters that the department has issued to licensed child care centers. A current version of this manual should be accessible and utilized by all providers in all licensed child care centers.

Please contact the Help Desk for the Office for Families and Children at 1-866-886-3537, option 4 if you have any questions.

INSTRUCTIONS: The following chart identifies the material that needs to be removed from and inserted into the Child Care Center Manual (CCCM).

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
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Child Care Center Manual	5101:2-12-18.1	<a href="#"><u>5101:2-12-18.1</u></a>
	5101:2-12-18.2	<a href="#"><u>5101:2-12-18.2</u></a>
	5101:2-12-25	<a href="#"><u>5101:2-12-25</u></a>
	5101:2-12-26	<a href="#"><u>5101:2-12-26</u></a>
	5101:2-12-42	<a href="#"><u>5101:2-12-42</u></a>
Transmittal Letters		CCCMTL No. 7

# CCCMTL 6 (2011 Rule Revisions for Licensed Child Care Centers as a Result of HB 153)

## Child Care Center Manual Transmittal Letter No. 6

September 29, 2011

To: All Child Care Center Manual Holders  
From: Michael B. Colbert, Director  
Subject: 2011 Rule Revisions for Licensed Child Care Centers as a Result of HB 153

This letter is to notify stakeholders that as a result of the passage of Am. Sub. H.B. 153 of the 129<sup>th</sup> General Assembly, and the agency's rule review process that requires all rules to be reviewed at least every five years, the following rules have been reviewed and adopted, rescinded or amended. These rules are effective September 29, 2011.

The following is a summary of the changes to the rules:

**Rule [5101:2-12-01](#)** "Definitions for Licensed Child Care Centers." This rule has been amended to include the definition of "career pathways model" and "serious risk noncompliance" and to remove the definition of "license capacity."

**Rule [5101:2-12-03](#)** "License Capacity for Licensed Child Care Centers." This rule has been amended to detail the differences in the way license capacity is determined for programs in a regular license versus programs in the provisional license period.

**Rule [5101:2-12-04](#)** "Initial Application and Issuance of a Provisional License for Child Care Centers." This rule has been amended to define a "continuous license." Programs will no longer need to reapply every two years to have their licenses renewed. After the center completes the provisional period, the license will continue as a regular license without an expiration date, unless the program demonstrates that it cannot operate in compliance with the licensing rules. The rule has also been amended to increase the initial application fee, to extend the provisional period to twelve months and to add language regarding the application process.

**Rule [5101:2-12-04.1](#)** "Procedures for Child Care Centers Operating Under a Provisional License." This rule is a new rule which explains the requirements for compliance inspections during the provisional period, what happens at the end of the provisional period and under what circumstances a license may be proposed for revocation during the provisional period. An appendix has been added to this rule to detail sanctions that may be taken for serious risk noncompliances found during the provisional period.

**Rule [5101:2-12-05](#)** "License Amendments for Licensed Child Care Centers." This rule has been amended to revise the title of the rule, to remove language regarding initial applications and to move that language to 5101:2-12-04, and to detail the process for requesting an amendment to a child care license.

**Rule [5101:2-12-06](#)** "Procedures for Renewal of a Child Care Center License." This rule has been rescinded as a result of the change to a continuous license for child care.

**Rule [5101:2-12-07](#)** "Inspection and Investigation of Licensed and Unlicensed Child Care Centers." This rule has been amended to revise the title of the rule, to move language regarding inspections to 5101:2-12-04.1, to require the center to respond to the inspection report by the date listed in the report and to remove language regarding renewal of a license.

**Rule [5101:2-12-09](#)** "Denial or Revocation of a Child Care Center Application or License." This rule has been amended to remove language about renewal of a license and to increase the number of years required to pass before someone who has had their license revoked can apply again for a child care license.

**Rule [5101:2-12-10](#)** "Building Approval for Licensed Child Care Centers." This rule has been amended to include the requirement that the center follow any stipulations or limitations that the building inspection department indicates on the report.

**Rule [5101:2-12-11](#)** "Fire Department Approval for Licensed Child Care Centers." This rule has been amended to specify that a center must secure a new fire inspection approval if the program changes location.

**Rule [5101:2-12-20](#)** "Supervision, Staff/Child Ratios and Grouping for Licensed Child Care Centers." This rule has been amended to clarify supervision standards, to revise the requirement for employing adequate numbers of staff for the center's license capacity, to update the revision date of the JFS 01238 and to clarify attendance policies.

**Rule [5101:2-12-24](#)** "Administrator Responsibilities and Qualifications for Licensed Child Care Centers." This rule has been amended to increase the number of qualifications that a person must have to qualify as a child care administrator and to allow an additional year for the administrator to meet the second part of the qualifications. This rule has also been amended to increase the ways that an administrator may meet the education qualifications.

**Rule [5101:2-12-30](#)** "Written Information, Policies and Procedures to be Provided to Parents/Guardians of Children in Licensed Child Care Centers." This rule has been amended to include the specifics of the parental participation policy language from 5101:2-12-32. The revision date of the JFS 1237 has also been updated.

**Rule [5101:2-12-32](#)** "Parental Participation Policies and Parent Roster Requirements in Licensed Child Care Centers." This rule has been rescinded as the statutory requirement for child care centers to prepare and maintain a parent roster has been removed. Language regarding the parental participation policy has been moved to 5101:2-12-30.

The electronic version of the Child Care Center Manual is located at: <http://emanuals.odjfs.state.oh.us/emanuals> . The manual contains all rules and transmittal letters that the department has issued to licensed child care centers. A current version of this manual should be accessible and utilized by all providers in all licensed child care centers.

Please contact the Help Desk for the Office for Families and Children at 1-866-886-3537, option 4 if you have any questions.

**INSTRUCTIONS:** The following chart identifies the material that needs to be removed from and inserted into the Child Care Center Manual (CCCM).

<b>LOCATION</b>	<b>REMOVE AND FILE AS OBSOLETE</b>	<b>INSERT/REPLACEMENT</b>
Child Care Center Manual	5101:2-12-01	<a href="#">5101:2-12-01</a>
	5101:2-12-03	<a href="#">5101:2-12-03</a>
	5101:2-12-04	<a href="#">5101:2-12-04</a>
		<a href="#">5101:2-12-04.1</a>
	5101:2-12-05	<a href="#">5101:2-12-05</a>
	<a href="#">5101:2-12-06</a>	
	5101:2-12-07	<a href="#">5101:2-12-07</a>
	5101:2-12-09	<a href="#">5101:2-12-09</a>
	5101:2-12-10	<a href="#">5101:2-12-10</a>
	5101:2-12-11	<a href="#">5101:2-12-11</a>
	5101:2-12-20	<a href="#">5101:2-12-20</a>
	5101:2-12-24	<a href="#">5101:2-12-24</a>
	5101:2-12-30	<a href="#">5101:2-12-30</a>
	<a href="#">5101:2-12-32</a>	

Transmittal Letters		CCCMTL No. 6
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# CCCMTL 4 (Rule Revisions for Licensed Child Care Centers)

## Child Care Center Manual Transmittal Letter No. 4

June 21, 2010

To: All Child Care Center Manual Holders  
From: Douglas E. Lumpkin, Director  
Subject: Rule Revisions for Licensed Child Care Centers

This letter is to notify stakeholders that the two rules listed below have been revised to improve the process for obtaining an initial license and renewing a license. These rules will be effective July 1, 2010. All child care licensing rules will be reviewed again when the Center for Early Childhood Development becomes operational in the Ohio Department of Education.

The following is a summary of the proposed changes to the rules:

Rule [5101:2-12-04](#), "Application and Issuance of Initial Licenses for Child Care Centers," has been amended to reorganize the order of events needed to apply for an initial license, to change the revision dates of the JFS 01210 and the JFS 01250 and to require applicants for an initial license to attend an orientation and training sessions prior to submitting their JFS 01210 packets.

Rule [5101:2-12-06](#), "Procedures for Renewal of a Child Care Center License," has been amended to change the revision date of the JFS 01210 and to reorganize information previously contained in the rule.

The electronic version of the Child Care Center Manual is located at: <http://emanuals.odjfs.state.oh.us/emanuals>. The manual contains all rules and transmittal letters that the department has issued to licensed child care centers. A current version of this manual should be accessible and utilized by all providers in all licensed child care centers. Please contact the Help Desk for the Office for Children and Families at 1-866-886-3537, option 4 if you have any questions.

INSTRUCTIONS: The following chart identifies the material that needs to be removed from and inserted into the Child Care Center Manual (CCCM).

<b>LOCATION</b>	<b>REMOVE AND FILE AS OBSOLETE</b>	<b>INSERT/REPLACEMENT</b>
Child Care Center Manual	5101:2-12-04	<a href="#">5101:2-12-04</a>
	5101:2-12-06	<a href="#">5101:2-12-06</a>
Transmittal Letters		CCCMTL No. 4

# CCCMTL 3 (Five Year Rule Review for Licensed Child Care Centers)

## Child Care Center Manual Transmittal Letter No. 3

June 8, 2010

To: All Child Care Center Manual Holders  
From: Douglas E. Lumpkin, Director  
Subject: Five Year Rule Review for Licensed Child Care Centers

This letter is to notify stakeholders that the rules listed below have been either amended or have been reviewed and have no changes. This rule review is a result of the Ohio Department of Job and Family Services rule review process, which requires all rules to be reviewed at least every five years. The first section below lists rules with changes and a summary of the changes. The second section lists the rules that have no changes. All rules will be reviewed again when the Center for Early Childhood Development becomes operational in the Ohio Department of Education.

The following is a summary of the rules with changes:

**5101:2-12-05 License fees and notification requirements for licensed child care centers** has been revised to reflect the current fiscal process for application fees.

**5101:2-12-11 Fire department approval for licensed child care centers** has been revised to update the form revision date of the fire inspection form and to add language that specifies that centers must comply with restrictions documented on the inspection form by the fire inspector.

**5101:2-12-14 Outdoor play requirements for licensed child care centers** has been revised to require that large muscle play must be provided inside on days children are not taken outside, mechanical units are to be made inaccessible to children, a trash can may be kept on the playground if kept clean and that an administrator's designee may conduct the playground inspection. This rule has also been revised to require that playground equipment pass the playground probe inspection when using tools from the Consumer Product Safety Commissions handbook, to prohibit the use of trampolines that are more than four feet in diameter and to clarify language about the playground equipment fall zones.

**5101:2-12-15.1 Handwashing and basic precautions for licensed child care centers** has been revised to clarify times employees must wash their hands, to clarify the use of hand sanitizer and to change language to reflect the same language as used by the communicable disease training curriculum.

**5101:2-12-18 Transportation procedural requirements for licensed child care centers** has been revised to require that when children are transported in the parent/guardian's cars that the child care staff member for the children have a written record of which car the child is and how to contact the adult with the children. The rule is also to be revised to clarify current requirements.

**5101:2-12-18.1 Transportation/vehicle requirements for licensed child care centers** has been revised to clarify current rule requirements.

**5101:2-12-18.2 Transportation/driver requirements for licensed child care centers** has been revised to differentiate between drivers that are employees of the center and contracted drivers and to clarify current rule requirements.

**5101:2-12-19 Cots Requirements for children who rest, nap or sleep and use of cots in licensed child care centers** has been revised to correct a rule citation.

**5101:2-12-22 Child guidance and management for licensed child care centers** has been revised to include a prohibition for any type of prone restraint and to define what prone restraint is.

**5101:2-12-26 Statement of nonconviction and criminal records checks for licensed child care centers** has been revised to update the revision date of a prescribed form, to eliminate the use of the JFS 01311, to update the WebCheck informational website, to remove dated language and to require the use of a prescribed form when assessing rehabilitation for an employee.

**5101:2-12-27 Training in first aid, CPR, management of communicable disease and child abuse prevention for staff in licensed child care centers** has been revised to clarify the requirements for review classes and to exempt trainers from needing to complete the trainings they are qualified to teach.

**5101:2-12-30 Provision of information, policies and procedures in licensed child care centers** has been revised to remove information from the rule which is listed on the prescribed JFS 01237 and to move the requirement for a written outdoor play policy from 5101:2-12-14 to this rule.

**5101:2-12-33 Management of illness in licensed child care centers** has been revised to mirror language used in the communicable disease management training curriculum and to update the revision dates of the JFS 08087.

**5101:2-12-42 Cribs in licensed child care centers** has been revised to allow for see through dividers between two cribs and to require that crib mattress supports be kept in their lowest position and crib rails in the highest position when an infant is in the crib.

The following rules have been filed with no changes to the current rule language:

**5101:2-12-10 Building approval for licensed child care centers.**

**5101:2-12-12 Food service licensure requirements for licensed child care centers**

**5101:2-12-13 Indoor floor space requirements for licensed child care centers**

**5101:2-12-15 Safe and sanitary equipment and environment in licensed child care centers**

**5101:2-12-15.2 Diapering and toilet training for licensed child care centers**

**5101:2-12-15.3 Smoke free environment for licensed child care centers**

**5101:2-12-15.4 Toothbrushing in licensed child care centers**

**5101:2-12-16 Requirements for programming and equipment in licensed child care centers**

**5101:2-12-17 Swimming and water safety requirements for licensed child care centers**

**5101:2-12-29 Unlawful discriminatory practices**

**5101:2-12-31 Administration of medication in licensed child care centers**

**5101:2-12-32 Parental participation policies and parent roster requirement in licensed child care centers**

**5101:2-12-39 Requirements for meals and snacks in licensed child care centers**

The electronic version of the Child Care Center Manual is located at:

<http://emanuals.odjfs.state.oh.us/emanuals>. The manual contains all rules and transmittal letters that the department has issued to licensed child care centers. A current version of this manual should be accessible and utilized by all providers in all licensed child care centers.

Please contact the Help Desk for the Office for Children and Families at 1-866-886-3537, option 4 if you have any questions.

**INSTRUCTIONS:** The following chart identifies the material that needs to be removed from and inserted into the Child Care Center Manual (CCCM).

<b>LOCATION</b>	<b>REMOVE AND FILE AS OBSOLETE</b>	<b>INSERT/REPLACEMENT</b>
Rules	5101:2-12-05	<b><u>5101:2-12-05</u></b>
	5101:2-12-11	<b><u>5101:2-12-11</u></b>
	5101:2-12-14	<b><u>5101:2-12-14</u></b>
	5101:2-12-15.1	<b><u>5101:2-12-15.1</u></b>



	5101:2-12-18	<a href="#"><u>5101:2-12-18</u></a>
	5101:2-12-18.1	<a href="#"><u>5101:2-12-18.1</u></a>
	5101:2-12-18.2	<a href="#"><u>5101:2-12-18.2</u></a>
	5101:2-12-19	<a href="#"><u>5101:2-12-19</u></a>
	5101:2-12-22	<a href="#"><u>5101:2-12-22</u></a>
	5101:2-12-26	<a href="#"><u>5101:2-12-26</u></a>
	5101:2-12-27	<a href="#"><u>5101:2-12-27</u></a>
	5101:2-12-30	<a href="#"><u>5101:2-12-30</u></a>
	5101:2-12-33	<a href="#"><u>5101:2-12-33</u></a>
	5101:2-12-42	<a href="#"><u>5101:2-12-42</u></a>
Transmittal Letters		CCCMTL No. 3

# CCCMTL 2 (5101:2-04, 05, 06 eff. 3/1/2009)

## Child Care Center Manual Transmittal Letter No. 2

February 9, 2009

TO: All Child Care Center Manual Holders  
FROM: Douglas E. Lumpkin, Director  
SUBJECT: Amendment of Child Care Center Rules

This letter transmits amended rules as a result of recently revised forms for licensed child care centers. These rules will be effective on **March 1, 2009**.

The following is a summary of the rule amendments:

Rule [5101:2-12-04](#) Application and Issuance of Initial Licenses for Child Care Centers has been amended to change the revision date of the JFS 01210 and the JFS 01250 and to clarify language.

Rule [5101:2-12-05](#) License Fees and Notification Requirements for Licensed Child Care Centers has been amended to change the revision date of the JFS 01210.

Rule [5101:2-12-06](#) Procedures for renewal of a Child Care Center License has been amended to change the revision date of the JFS 01210. Language regarding the license renewal requirements regarding penalties and procedures for failing to submit the application in a timely manner has been revised.

The electronic version of the Child Care Center Manual is located at:

<http://emanuals.odjfs.state.oh.us/emanuals>. The manual contains all rules and transmittal letters that the department has issued to licensed child care centers. A current version of this manual should be accessible and utilized by all providers in all licensed child care centers.

Please contact the Help Desk for the Office for Children and Families at 1-866-886-3537, option 4 if you have any questions.

**INSTRUCTIONS:** The following chart identifies the material that needs to be removed from and inserted into the Child Care Center Manual (CCCM).

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
Rules	5101:2-12-04	<a href="#">5101:2-12-04</a>
	5101:2-12-05	<a href="#">5101:2-12-05</a>
	5101:2-12-06	<a href="#">5101:2-12-06</a>
Transmittal Letters		CCCMTL No. 2

# CCCMTL 1 (Introduction of new Child Care Center Manual)

## Child Care Center Manual Transmittal Letter No. 1

January 15, 2009

To: All Child Care Manual Holders  
From: Douglas E. Lumpkin, Director  
Subject: Introduction of new Child Care Center Manual

This letter transmits the creation of a new manual for child care centers. All rules, future manual transmittal letters and procedure letters for child care centers will now be placed into the newly created Child Care Center Manual (CCCM). Previously released manual transmittal letters and manual procedure letters will remain in the current Child Care Manual (CCM). All forms will be available in the appendix link in the CCCM.

The electronic version of the Child Care Center Manual is located at:

<http://emanuals.odjfs.state.oh.us/emanuals>. The manual contains all rules, transmittal letters and procedure letters that the department has issued to child care centers. A current version of this manual should be utilized by all providers in all licensed child care centers. A current and updated copy of the manual should be accessible at all times to all providers.

Please contact the Help Desk for the Office for Children and Families at 1-866-886-3537, option 4 if you have any questions.

**INSTRUCTIONS:** The following chart identifies the material that needs to be removed from the Child Care Manual (CCM) and inserted into the Child Care Center Manual (CCCM).

<b>LOCATION</b>	<b>REMOVE FROM CCM</b>	<b>INSERT INTO CCCM</b>
CCM Licensed Child Care Centers: Chapter 12	5101:2-12-01	
	5101:2-12-02	
	5101:2-12-03	
	5101:2-12-04	
	5101:2-12-05	
	5101:2-12-06	
	5101:2-12-07	
	5101:2-12-08	
	5101:2-12-09	
	5101:2-12-10	
	5101:2-12-11	
	5101:2-12-12	
	5101:2-12-13	
	5101:2-12-14 and Appendix	

	5101:2-12-15 and Appendix	
	5101:2-12-15.1	
	5101:2-12-15.2	
	5101:2-12-15.3	
	5101:2-12-15.4	
	5101:2-12-16	
	5101:2-12-17	
	5101:2-12-18 and Appendix	
	5101:2-12-18.1	
	5101:2-12-18.2	
	5101:2-12-19	
	5101:2-12-20	
	5101:2-12-21	
	5101:2-12-22	
	5101:2-12-23	
	5101:2-12-24	
	5101:2-12-25	
	5101:2-12-26	
	5101:2-12-27	
	5101:2-12-28	
	5101:2-12-29	
	5101:2-12-30	
	5101:2-12-31	
	5101:2-12-32	
	5101:2-12-33	
	5101:2-12-34 and Appendix	

	5101:2-12-35	
	5101:2-12-36	
	5101:2-12-37	
	5101:2-12-38	
	5101:2-12-39	
	5101:2-12-40	
	5101:2-12-41	
	5101:2-12-42	
CCCM Rules		<a href="#"><u>5101:2-12-01</u></a>
		<a href="#"><u>5101:2-12-02</u></a>
		<a href="#"><u>5101:2-12-03</u></a>
		<a href="#"><u>5101:2-12-04</u></a>
		<a href="#"><u>5101:2-12-05</u></a>
		<a href="#"><u>5101:2-12-06</u></a>
		<a href="#"><u>5101:2-12-07</u></a>
		<a href="#"><u>5101:2-12-08</u></a>
		<a href="#"><u>5101:2-12-09</u></a>
		<a href="#"><u>5101:2-12-10</u></a>
		<a href="#"><u>5101:2-12-11</u></a>
		<a href="#"><u>5101:2-12-12</u></a>
		<a href="#"><u>5101:2-12-13</u></a>
		<a href="#"><u>5101:2-12-14</u></a> and Appendix
		<a href="#"><u>5101:2-12-15</u></a> and Appendix
		<a href="#"><u>5101:2-12-15.1</u></a>
		<a href="#"><u>5101:2-12-15.2</u></a>
		<a href="#"><u>5101:2-12-15.3</u></a>
		<a href="#"><u>5101:2-12-15.4</u></a>

		<a href="#"><u>5101:2-12-16</u></a>
		<a href="#"><u>5101:2-12-17</u></a>
		<a href="#"><u>5101:2-12-18</u></a> and Appendix
		<a href="#"><u>5101:2-12-18.1</u></a>
		<a href="#"><u>5101:2-12-18.2</u></a>
		<a href="#"><u>5101:2-12-19</u></a>
		<a href="#"><u>5101:2-12-20</u></a>
		<a href="#"><u>5101:2-12-21</u></a>
		<a href="#"><u>5101:2-12-22</u></a>
		<a href="#"><u>5101:2-12-23</u></a>
		<a href="#"><u>5101:2-12-24</u></a>
		<a href="#"><u>5101:2-12-25</u></a>
		<a href="#"><u>5101:2-12-26</u></a>
		<a href="#"><u>5101:2-12-27</u></a>
		<a href="#"><u>5101:2-12-28</u></a>
		<a href="#"><u>5101:2-12-29</u></a>
		<a href="#"><u>5101:2-12-30</u></a>
		<a href="#"><u>5101:2-12-31</u></a>
		<a href="#"><u>5101:2-12-32</u></a>
		<a href="#"><u>5101:2-12-33</u></a>
		<a href="#"><u>5101:2-12-34</u></a> and Appendix
		<a href="#"><u>5101:2-12-35</u></a>
		<a href="#"><u>5101:2-12-36</u></a>
		<a href="#"><u>5101:2-12-37</u></a>
		<a href="#"><u>5101:2-12-38</u></a>
		<a href="#"><u>5101:2-12-39</u></a>
		<a href="#"><u>5101:2-12-40</u></a>

		<a href="#"><u>5101:2-12-41</u></a>
		<a href="#"><u>5101:2-12-42</u></a>
CCCM Transmittal Letters		CCCMTL 1



# **Child Care Center Manual Procedure Letters**

# CCCMPL 18 (Requesting to be an Approved Training Organization for Communicable Disease for Child Care Programs)

## Child Care Center Manual Procedure Letter No. 18

January 19, 2018

TO: All Child Care Center Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Requesting to be an Approved Training Organization for Communicable Disease for Child Care Programs

### Background:

This letter is to provide notification of the process to become an approved training organization as set forth in rules 5101:2-12-10, 5101:2-13-10 and 5101:2-14-03 of the Administrative Code. The process allows for training organizations to be considered as "an ODJFS approved health organization," which allows the training conducted by these organizations to fulfill the requirements set forth in rule. Currently, an individual trainer must be one of the following:

- Licensed Registered Nurse;
- Physician; or
- Authorized communicable disease trainer for an Ohio Department of Job and Family Services (ODJFS) approved health organization.

### Updated Approval Process:

ODJFS has clarified the procedure outlined in rule for organizations wishing to be recognized as an ODJFS approved health organization to provide the ODJFS/Ohio Department of Health (ODH) approved communicable disease curriculum used by child care programs.

In order for an organization to be recognized as an ODJFS approved health organization for communicable disease training, the organization must submit the following information to ODJFS at CCDTrainer-Registration@jfs.ohio.gov:

- Name
- Contact information (address, phone number, fax number and email address)
- Company website

The organization must provide proof of all the following information:

- The organization currently provides communicable disease training to other agencies;
- A licensed nurse (RN) or physician is employed by the organization and is responsible for oversight of individuals who will be responsible for conducting the communicable disease training; and
- Staff within the organization have been trained on communicable disease prevention either through higher education coursework or through training offered within the organization.

Once all the required documents have been received, the ODJFS child care program office will review the information and inform the agency as to whether or not the agency has been approved to be recognized as an ODJFS approved health organization and will be added to the "At-a-Glance Training Chart" located on the website here <http://jfs.ohio.gov/cdc/docs/TrainingChartCPR2017.stm>. Health organizations that are already approved do not need to reapply.

An individual requesting to be an approved communicable disease trainer must submit the JFS 01278 "Communicable Disease Trainer Registration for Child Care" and one of the following:

- Proof of being a registered nurse or a licensed physician as outlined on the form;
- Proof of being an employee of an ODJFS approved health organization; or
- American Red Cross (ARC) Communicable Disease instructor card

- Note: Although ARC is no longer conducting communicable disease training for instructors, if an individual has previously received this card, he or she may still be approved as a communicable disease instructor.

The ODJFS will mail a compact disk with the ODJFS approved communicable disease training to an approved organization or individual.

# CCCMPL 17 (Requirements for Carbon Monoxide Detectors)

## Child Care Center Manual Procedure Letter No. 17

November 30, 2017

TO: All Child Care Center Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Requirements for Carbon Monoxide Detectors

### **Background:**

Effective December 31, 2016, Ohio Administrative Code (OAC) rules 5101:2-12-12 and 5101:2-13-12 required child care centers and family child care homes to have carbon monoxide (CO) detectors present in the program. At the time, the Ohio Fire Code did not address CO detectors for these settings. Effective December 15, 2017, the Ohio Fire Code will be amended to address the requirement for CO detectors for child care centers and Type A Home providers.

### **New Policy:**

Effective December 15, 2017, the Ohio Department of Job and Family Services (ODJFS) will no longer assess compliance with OAC rules 5101:2-12-12 (B)(4) for centers and 5101:2-13-12 (B)(4) for Type A Homes. Since Type B Home providers are exempt from the Ohio Fire Code requirements and are not inspected by the State Fire Marshal's office, the ODJFS will continue to assess that these providers comply with the rule requirements for CO detectors.

Both rules will be amended to reflect these changes.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# CCCMPL 16 (Implementation of New Weapons Requirements)

## Child Care Center Manual Procedure Letter No. 16

### Family Child Care Manual Procedure Letter No. 7

March 22, 2017

TO: All Child Care Center Manual Holders  
All Family Child Care Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Implementation of New Weapons Requirements

#### **Background:**

Current licensing rules prohibit all weapons in child care centers and require family child care providers to keep weapons locked and out of sight of all children. Both centers and family child care providers are required by section 2923.1212 of the Ohio Revised Code (ORC) to display a sign that states "Unless otherwise authorized by law, pursuant to the Ohio Revised Code, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance onto these premises."

#### **New Policy Requirements:**

Effective March 21, 2017, Amended Substitute Senate Bill No. 199 of the 131st General Assembly amended section 2923.126 ORC to no longer include licensed child care programs in the list of the places concealed handguns are prohibited. This includes centers and family child care programs. The bill does allow child care program owners to choose to prohibit all weapons, including concealed handguns. The bill did not change the requirement for all programs to display the sign pursuant to section 2923.1212.

#### Child Care Centers:

Each of the following groups will be permitted to have the following weapons in a child care center, unless specifically not permitted by the child care center owner. Although permitted to be in the program, the weapons must not be accessible to children.

1. Handguns may be carried by an individual with a valid concealed handgun license and must be kept out of sight of the children.
2. Weapons may be carried by an active duty member of the U.S. armed forces if also carrying valid military identification and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of section 2923.125 ORC.
3. Weapons may be carried by a law enforcement official who can document that his or her jurisdiction requires ready and immediate access to the weapon.

#### Family Child Care Providers:

Each of the following groups will be permitted to have the following weapons unsecured in a family child care home, unless specifically not permitted by the family child care program owner. Although permitted to be in the home, the weapons must not be accessible to children.

1. Handguns may be carried by an individual with a valid concealed handgun license and must be kept out of sight of the children.
2. Weapons may be carried by an active duty member of the U.S. armed forces if also carrying valid military identification and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of section 2923.125 ORC.
3. Weapons may be carried by a law enforcement official who can document that his or her jurisdiction requires ready and immediate access to the weapon.

Rules 5101:2-12-12 (B)(1) and 5101:2-13-12 (B)(1) will be amended to reflect these changes. Until then, compliance with the rules will be assessed according to this letter.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# CCCMPL 15 (Rehabilitation Criteria for Child Care Centers)

## Child Care Center Manual Procedure Letter No. 15

March 7, 2017

TO: All Child Care Center Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Rehabilitation Criteria for Child Care Centers

### **Background:**

The child care licensing rules that were effective December 31, 2016 included updated rehabilitation criteria for prohibitive offenses. This criteria was updated to meet new federal requirements for criminal records checks. The amended rules also require anyone with a criminal records check indicating a prohibitive offense who met the previous rehabilitation criteria be reviewed by April 1, 2017 to ensure the individual meets the new rehabilitation criteria. The rule did not include the specific email address to use to submit documentation for center owners and administrators.

### **Child Care Staff Members and Employees:**

If a child care staff member or employee was employed prior to December 31, 2016, and previously met the rehabilitation standards, the following steps shall be followed:

- (1) The owner or administrator shall review the criminal records checks that had previously been reviewed to determine if the individual meets the current rehabilitation standards, detailed in appendix A to OAC 5101:2-12-09 and shall have the individual complete a new JFS 01206 "Rehabilitation Criteria for Child Care" (rev. 12/2016) by April 1, 2017.
- (2) If the individual does not meet the updated rehabilitation standards, the administrator shall terminate the individual's employment immediately.

### **Administrator:**

If an administrator was approved by ODJFS prior to December 31, 2016, and previously met the rehabilitation standards, the following steps shall be followed:

- (1) The administrator shall submit a new JFS 01206 "Rehabilitation Criteria for Child Care" (rev. 12/2016) and any applicable documentation to ODJFS via email to [CCBackgroundCheck@jfs.ohio.gov](mailto:CCBackgroundCheck@jfs.ohio.gov) for review by April 1, 2017.
- (2) If ODJFS reviews the administrator's JFS 01206 and it is determined that the administrator does not meet the updated rehabilitation standards, the program owner shall immediately terminate the administrator's employment.

### **Owner:**

If an owner was approved by ODJFS prior to the effective date of the rule, December 31, 2016, and previously met the rehabilitation standards, the following steps shall be followed:

- (1) The owner shall submit a new JFS 01206 "Rehabilitation Criteria for Child Care" (rev. 12/2016) and any applicable documentation to ODJFS via email to [CCBackgroundCheck@jfs.ohio.gov](mailto:CCBackgroundCheck@jfs.ohio.gov) for review by April 1, 2017.
- (2) If ODJFS reviews the owner's JFS 01206 and it is determined that the owner does not meet the updated rehabilitation standards, ODJFS shall propose revocation of the program's license pursuant to rule 5101:2-12-05 of the Ohio Administrative Code.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# CCCMPL 14 (Updated Process for Child Care Centers)

## Child Care Center Manual Procedure Letter No. 14

February 8, 2017

TO: All Child Care Center Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Updated Process for Child Care Centers

### **Background:**

Chapter 5101:2-12 rules and forms were effective December 31, 2016, however, the Ohio Child Licensing and Quality System (OCLQS) was not available for use at that time. Child Care Center Manual Procedure Letter (CCCMPL) 13 was issued to describe temporary procedures until the system was live.

### **Updated Process:**

OCLQS went live on January 30, 2017. This system shall be used in accordance with rule unless otherwise noted below. The updated information in this procedure letter replaces CCCMPL 13.

### Pre-licensing Training

Because of an issue with the tool that feeds the training to the Ohio Professional Registry (OPR), the pre-licensing training is not yet available in the OPR. This, paired with provider feedback, has led ODJFS to review the issue and create an alternative process for the pre-licensing training requirement to be met. Beginning February 24, 2017, the pre-licensing training will be available on the ODJFS website at: <http://ifs.ohio.gov/cdc/openingachildcareprogram.stm>. Full instructions for the training will also be available there. Once the training is complete, applicants will follow the directions on the website, and at the end of the training, to print and submit documentation of completion to [prelicensing@ifs.ohio.gov](mailto:prelicensing@ifs.ohio.gov) along with the OPIN number associated with their OPR profile. ODJFS will then document completion of the pre-licensing training in the OPR so that the applicant is able to begin the application process in OCLQS. This process will continue until the training tool issues are resolved and the pre-licensing training is available in the OPR.

### Application Process

If a paper application was submitted during the OCLQS transition process, the center now has until Friday, March 3, 2017 to enter the information and applicable payment into the system. If an application is not submitted in OCLQS by the deadline, the ODJFS will close the application and stop processing it for licensure.

### New Staff Orientation

Until the training is available in the OPR, the staff orientation is temporarily available on the ODJFS website at [http://ifs.ohio.gov/cdc/Licensing\\_Training.stm](http://ifs.ohio.gov/cdc/Licensing_Training.stm). Completion of the training should be documented on the JFS 01307 "Professional Development Documentation for Child Care" and kept on file at the program. The administrator shall sign at the bottom of the JFS 01307 to attest that the child care staff member completed the training. Any child care staff member hired between December 31, 2016 and January 13, 2017 will have until March 3, 2017 to complete the training. Existing child care staff must take this orientation by June 30, 2017 because it has been updated to include information required by new federal child care training requirements.

### ODJFS Prescribed Child Abuse Overview

Until the training is available in the OPR, the one-hour child abuse overview training is temporarily available on the ODJFS website at [http://ifs.ohio.gov/cdc/Licensing\\_Training.stm](http://ifs.ohio.gov/cdc/Licensing_Training.stm). Completion of the training should be documented in the "Child Abuse Prevention" section on the JFS 01276 "Health Training Documentation for Child Care." Please note in the "Other Hours" section of the JFS 01276 that the one-hour child abuse overview training was completed. The administrator shall sign the "trainer section" to attest that the child care staff member completed the training and keep a copy of the form on file at the program.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.



# CCCMPL 13 (Temporary Procedures for Child Care Centers)

## Child Care Center Manual Procedure Letter No. 13

December 23, 2016

TO: All Child Care Center Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Temporary Procedures for Child Care Centers

### **Background:**

The Office of Family Assistance has completed a thorough review and restructuring of all child care licensing rules. All licensing rules have been reviewed to ensure that the Ohio Department of Job and Family Services (ODJFS) is mandating only essential health, safety and administration requirements and not requirements that could inhibit small business in Ohio. The rules for all settings have been aligned, renumbered and updated to require the use of the Ohio Child Licensing and Quality System (OCLQS) currently in development.

### **Temporary Process:**

Chapter 5101:2-12 rules and forms are effective December 31, 2016, however, OCLQS will not be available for use at that time. The requirements listed below in this procedure letter will be effective beginning December 31, 2016 until OCLQS is operating.

### Pre-licensing Training

The pre-licensing training is currently being offered in person monthly until the online training is available via the Ohio Professional Registry (OPR). The trainings will take place in each ODJFS regional office. Applicants may register via the OPR.

### Application Process

A paper application may be used to begin the licensing process and will be accepted without payment. To obtain a fillable paper application, the applicant shall call the Child Care Policy Helpdesk at 1-877-302-2347, option 4. The applicant will then return just the completed application (no attachments or supporting documentation) to CentralOffice\_CCPackets@jfs.ohio.gov. The ODJFS will begin the licensing process once the paper application is received. Once OCLQS is operating, any applicant who submitted a paper application shall submit a new application and payment in the system within thirty days of the go-live date.

### Licensing Amendments

Licensed child care centers will continue to submit amendments in the Central Office License Tracking System – System for Online License Applications and Renewals (COLTS – SOLAR) system.

### Serious Incidents

If a serious incident occurs, the child care center will continue to call the Child Care Policy Helpdesk at 1-877-302-2347, option 4, to report the incident.

### Corrective Action Plan (CAP)

The child care center will continue to email the CAP directly to the child care licensing specialist (CCLS). Centers will not be required to enter a CAP into OCLQS for inspections completed prior to OCLQS going live, but may receive a system generated notification due to data entry and conversion. State staff will enter all CAPs submitted between December 31, 2016 and go-live.

### ODJFS Prescribed Child Abuse Overview

Until the training is available in the OPR, the one-hour child abuse overview training will be temporarily available on the ODJFS website at [http://jfs.ohio.gov/cdc/Licensing\\_Training.stm](http://jfs.ohio.gov/cdc/Licensing_Training.stm). Completion of the training should be documented in the "Child Abuse Prevention" section on the JFS 01276 "Health Training Documentation for Child Care." Please note in the "Other Hours" section of the JFS 01276 that the one-hour child abuse overview training was completed. The administrator shall sign the "trainer section" to attest that the child care staff member completed the training.

### New Staff Orientation

Until the training is available in the OPR, the staff orientation will be temporarily available on the ODJFS website at [http://jfs.ohio.gov/cdc/Licensing\\_Training.stm](http://jfs.ohio.gov/cdc/Licensing_Training.stm) beginning January 13, 2017. Completion of the training should be documented on the JFS 01307 "Professional Development Documentation for Child Care." The administrator shall sign at the bottom of the JFS 01307 to attest that the child care staff member completed the training. Any child care staff member hired between December 31, 2016 and January 13, 2017 will have until February 13, 2017 to complete the training.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# CCCMPL 12 (Child Care Center and Family Child Care Request for Review)

## Child Care Center Manual Procedure Letter No. 12

### Family Child Care Manual Procedure Letter No. 5

January 3, 2017

TO: All Child Care Center Manual Holders  
All Family Child Care Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Child Care Center and Family Child Care Request for Review

#### **Background:**

Ohio Administrative Code rules 5101:2-12-07 and 5101:2-13-07 outline the process for child care centers and Type A Homes to request a review if there is a disagreement with a licensing finding. The requirement states if the administrator or designee disagrees with a finding and an informal discussion with the licensing specialist does not provide a resolution, the administrator or designee can submit a written request for review to the licensing supervisor within seven days from the receipt of the licensing report. If the center or Type A Home administrator or designee disagrees with the decision of the licensing supervisor, a written request can be submitted to the chief of the licensing section, whose decision is final.

Currently, Type B Home rules do not include a process for owners/administrators to request a review of a licensing finding.

#### **New Request for Review Protocol:**

Effective December 31, 2016, Ohio Administrative Code rules 5101:2-12-03 and 5101:2-13-03 will outline the requirements for centers and family child care providers (Type A Homes and Type B Homes) to submit a request for review of a licensing finding. Moving forward, if the center or family child care provider disagrees with a licensing finding and an informal discussion with the licensing specialist does not provide a resolution, the owner/administrator may request a review of the finding by following the steps below:

- (1) Complete the licensing section of the JFS 01155 "Request for Review for Licensing and Step Up To Quality" (12/2016)
- (2) Submit the JFS 01155 and any applicable documentation via email to [ccreviewrequest@jfs.ohio.gov](mailto:ccreviewrequest@jfs.ohio.gov) within seven days from the receipt of the finding.

Each JFS 01155 received will be reviewed by a committee comprised of members from the Office of Family Assistance. The committee members will provide a written decision to the center owner or administrator or the family child care provider. The decision of the committee will be final.

# CCCMPL 11 (Child Care Center and Family Child Care New Inspection Protocol)

## Child Care Center Manual Procedure Letter No. 11

### Family Child Care Manual Procedure Letter No. 4

January 3, 2017

TO: All Child Care Center Manual Holders  
All Family Child Care Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Child Care Center and Family Child Care New Inspection Protocol

### **Background**

Ohio Administrative Code rules 5101:2-12-03, 5101:2-13-03 and 5101:2-14-03 outline the requirements for conducting licensing inspections of centers, Type A Homes and Type B Homes. Prior to the issuance of a provisional license, all programs received at least one pre-licensing inspection. Upon the issuance of a full license, the current inspection schedule is based on the state fiscal year (SFY) as described below:

### **Full-Time:**

Centers and Type A Homes in provisional status: At least three inspections during the first year of operation.

Centers and Type A Homes: At least one full inspection each SFY. If more than two Serious Risk Non-compliance (SRNC) findings are cited during this inspection, a second inspection is conducted prior to the end of the SFY. Step Up To Quality rated Type A Homes receive one full inspection during the SFY.

### **Part-Time:**

Centers and Type A Homes in provisional status: At least two full inspections during the first year of operation.

Centers and Type A Homes: One full licensing inspection.

Licensed Type B Homes: Two full licensing inspections.

### **New Inspection Protocol**

Ohio Administrative Code rules 5101:2-12-03 and 5101:2-13-03 outline the requirements for licensing inspections for centers and family child care (Type A and Type B Homes). Prior to the issuance of a provisional license, all programs receive at least one pre-licensing inspection. Upon the issuance of a continuous license, the inspection schedule is based on the state fiscal year (SFY) as described below:

### **Transition Period (December 31, 2016 - June 30, 2017)**

Licensed centers: At least one full inspection. All full inspections conducted after July 1, 2016 count towards the one inspection. If more than two Serious or Moderate Risk Non-Compliance are cited during this inspection, a second inspection will be conducted prior to the end of the SFY.

Licensed Family Child Care: At least two full inspections during the SFY. All inspections conducted after July 1, 2016 count towards the two inspections. County agencies may utilize points to determine if additional monitoring inspections should be conducted.

### **Ongoing Schedule (July 1, 2017 – ongoing)**

Licensed centers in provisional status: At least two full inspections. During one or a combination of both inspections, if the center receives the following points, a third provisional inspection will be conducted prior to the end of the provisional licensing period:

	<b>Total Points</b>
One or more Serious Risk Non-Compliances	6 points

Moderate Risk Non-Compliances	12 points
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Licensed centers in continuous status: At least one full inspection. During this inspection, if the center receives the following points, a second inspection will be conducted prior to the end of the SFY:

	<b>Total Points</b>
One or more Serious Risk Non-Compliances	6 points
Any combination of Moderate and Low Risk Non-Compliances.	9 points
Only Low Risk Non-Compliances	14 points

Licensed Family Child Care in provisional and continuous status: At least two full inspections. County agencies may utilize points to determine if additional monitoring inspections should be conducted.

Questions about this letter can be emailed to [BCCLM@jfs.ohio.gov](mailto:BCCLM@jfs.ohio.gov).

# CCCMPL 10 (Parental Notification of Intent to Revoke License)

## Child Care Center Manual Procedure Letter No. 10

### Family Child Care Manual Procedure Letter No. 1

November 10, 2015

TO: All Child Care Center Manual Holders  
All Child Care Family Child Care Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Parental Notification of Intent to Revoke License

#### **Background:**

Division 5104.04 of the Ohio Revised Code (ORC) gives the Ohio Department of Job and Family Services the authority to revoke the license of a child care provider if the child care provider is in non-compliance with the ORC or Ohio Administrative Code (OAC). To initiate the revocation of a license, ODJFS issues a proposed adjudication order (PAO). This order, based on an on-site inspection report, notifies the provider of the alleged non-compliance with the Ohio Administrative Code and initiates a formal hearing.

#### **Updated Procedure:**

If a licensed child care provider is issued a PAO, ODJFS will notify all families for whom the provider provides publicly funded child care services. The letter will place the families on notice of the PAO. Previously the procedure included that the hearing date would be provided. This date is not known at the time the PAO is issued.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# CCCMPL 9 (Parental Notification of Intent to Revoke License)

Child Care Center Manual Procedure Letter No. 9

[Child Care Type A Homes Manual Procedure Letter No. 9](#)

[Child Care Type B Manual Procedure Letter No. 6](#)

December 3, 2014

TO: All Child Care Center Manual Holders  
All Child Care Type A Home Manual Holders  
All Child Care Type B Home Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Parental Notification of Intent to Revoke License

## **Background:**

Division 5104.04 of the Ohio Revised Code (ORC) gives the Ohio Department of Job and Family Services the authority to revoke the license of a child care provider if the child care provider is in non-compliance with the ORC or Ohio Administrative Code (OAC). To initiate the revocation of a license, ODJFS issues a proposed adjudication order (PAO). This order, based on an on-site inspection report, notifies the provider of the alleged non-compliance with the Ohio Administrative Code and initiates a formal hearing.

## **New Procedure:**

Beginning December 1, 2014, if a licensed child care provider is issued a PAO, ODJFS will notify all families for whom the provider provides publicly funded child care services. The letter will place the families on notice of the PAO, the process and the hearing date.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# CCCMPL 8 (Changes to Background Check Requirements for Child Care Providers)

**Child Care Center Manual Procedure Letter No. 8**

**Child Care Type A Homes Manual Procedure Letter No. 8**

**Child Care Type B Manual Procedure Letter No. 5**

November 27, 2013

TO: All Child Care Center Manual Holders  
All Child Care Type A Manual Holders  
All Child Care Type B Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Changes to Background Check Requirements for Child Care Providers

## **Background:**

Currently, background checks required by rules 5101:2-12-26, 5101:2-13-26 and 5101:2-14-11 of the Ohio Administrative Code must be updated every four years. The non-conviction statement is required at application for licensure, certification and employment, and is updated annually.

## **New Policy:**

Effective September 29, 2013, Amended Substitute House Bill 59 of the 130th General Assembly amended Section 5104.013 of the Ohio Revised Code. This section now requires that background checks be updated every five years to align with teacher licensure issued through the Ohio Department of Education. The requirements for the non-conviction statement are not changing.

## **Implementation:**

All background checks dated before September 29, 2009 must be updated every four years from the date the check was completed. Background checks dated on or after September 29, 2009 must be updated every five years from the date the check was completed.

Please contact the Office of Family Assistance, Child Care Policy Help Desk at 1-877-302-2347, option 4, your licensing specialist, or your county department of job and family services if you have questions regarding these changes. The electronic versions of the child care manuals are located at:  
<http://emanuals.odjfs.state.oh.us/emanuals>.

**INSTRUCTIONS:** The following chart identifies the material that needs to be inserted into the Child Care Center Manual, Child Care Type A Manual, and the Child Care Type B Manual (CCBM):

<b>LOCATION</b>	<b>REMOVE AND FILE AS OBSOLETE</b>	<b>INSERT/REPLACEMENT</b>
Child Care Center Procedure Letters		<a href="#"><u>CCCMPL No. 8</u></a>
Child Care Type A Home Procedure Letters		<a href="#"><u>CCAMPL No. 8</u></a>
Child Care Type B Home Procedure Letters		<a href="#"><u>CCBMPL No. 5</u></a>



# CCCMPL 7 (Changes to Corrective Action Plans and Revised Inspection Protocol)

## Child Care Center Manual Procedure Letter No. 7

July 23, 2013

TO: All Child Care Center Manual Holders

FROM: Michael B. Colbert, Director

SUBJECT: Changes to Corrective Action Plans and Revised Inspection Protocol

The Child Care licensing section has modified its inspection protocol and the requirements for all child care centers submitting corrective action plans.

### Background:

Currently, compliance materials are submitted for both regular non-compliances and Serious Risk Non-Compliances (SRNC). This process does not allow child care licensing staff to provide targeted technical assistance as it is cumbersome and time consuming to receive materials for both regular non-compliances and SRNC. Presently, if a program gets any SRNC, it will result in a second inspection to be conducted.

### New Corrective Action Plan Policy:

Centers will only be required to submit corrective action plans for SRNC violations and substantiated complaint violations; the submission of a corrective action plan will not be required for regular non-compliances. Child care licensing staff will provide technical assistance at the time of the inspection to address regular non-compliances. The child care website will reflect that these non-compliances were addressed and technical assistance was provided. In the event of repetitive regular non-compliances, a corrective action plan may be required.

### New Inspection Protocol:

Full time centers will receive at least one full inspection during the fiscal year. If more than two SRNC are cited during the first inspection, a second inspection will be conducted prior to the end of the fiscal year.

More detailed information regarding the compliance reporting changes can be viewed at

<http://ifs.ohio.gov/cdc/childcare.stm>.

Please contact the Office of Family Assistance, Child Care Policy Help Desk at 1-877-302-2347, option 4 or your licensing specialist if you have questions regarding these changes. The electronic versions of the child care manuals are located at: <http://emanuals.odjfs.state.oh.us/emanuals>. These manuals contain all child care rules, transmittal letters, procedure letters and forms.

**Instructions:** The following chart identifies the material that needs to be inserted in to the Child Care Center Manual (CCCM).

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
Child Care Center Manual Procedure Letters (CCCMPL)		CCCMPL No. 7

# CCCMPL 6 (Revisions to the Child Care Center Administrator Qualifications)

## Child Care Centers Manual Procedure Letter No. 6

June 26, 2013

TO: All Child Care Center Manual Holders  
FROM: Michael B. Colbert, Director  
SUBJECT: Revisions to the Child Care Center Administrator Qualifications

Amended Substitute Senate Bill 316 of the 129th General Assembly updated the qualifications for child care center administrators. The administrator qualification rule ([5101:2-12-24](#)) will be amended to reflect this change, but will not be finalized in rule until January 2015. Effective the date of this letter, child care licensing specialists will assess compliance according to the new requirements in Section 5104.031 of the Ohio Revised Code (ORC).

### Background:

Changes to ORC 5104.031 were made to streamline the language and requirements for administrator qualifications. The changes are as follows:

ORC 5104.031 (A)(2)(h) "an infant and toddler or early childhood credential from a program accredited by the Montessori accreditation council for teach education" was added back into statute as it was inadvertently removed.

Ohio Administrative Code (OAC) 5101:2-12-24 (C)(5) "promoted one time to administrator" is no longer in statute and no longer a requirement.

### New Policy:

The qualification requirements that will be assessed for administrators, as set forth in 5104.031 of the ORC, are as follows:

(A) A child day-care center administrator shall show the director of job and family services both of the following:

(1) Evidence of at least high school graduation or certification of high school equivalency by the state board of education or the appropriate agency of another state;

(2) Evidence of having at least one of the following:

(a) An associate, bachelor's, master's, doctoral, or other postgraduate degree in child development or early childhood education, or in a related field approved by the director, from an accredited college, university, or technical college;

(b) A license designated as appropriate for teaching in an associate teaching position in a preschool setting issued by the state board of education pursuant to section 3319.22 of the ORC;

(c) Designation under the career pathways model as an early childhood professional level three;

(d) Two years of experience working as a child-care staff member in a licensed child care program, designation under the career pathways model as an early childhood professional level one, and, not later than one year after being named as administrator, designation under the career pathways model as an early childhood professional level two;

(e) Two years of experience working as a child-care staff member in a licensed child care program and, except as provided in division (B) of this section, at least four courses in child development or early childhood education from an accredited college, university, or technical college;

(f) Two years of experience working as a child-care staff member in a licensed child care program and a current child development associate credential issued by the council for professional recognition;

(g) Two years of training, including at least four courses in child development or early childhood education from an accredited college, university, or technical college;

(h) An infant and toddler or early childhood credential from a program accredited by the Montessori accreditation council for teacher education.

(B) A person who has two years of experience working as a child-care staff member in a child day-care center and is promoted to or designated as administrator of that center shall have one year from the date of the promotion or designation to complete the courses required by division (A)(2)(e) of this section.

Please Note: Statute incorrectly references (A)(1)(e). Licensing specialists will assess in accordance with (A)(2)(e) as stated above.

In addition to the requirements listed in paragraph (A)(2), an administrator may also get a credential as approved by the Ohio Department of Job and Family Services.

Currently the only ODJFS approved administrator credential is the "Ohio Administrator Credential" administered by the Ohio Professional Registry. Information on this credential is available at <https://login.occrra.org>.

Please contact the Office of Family Assistance, Child Care Policy Help Desk at 1-877-302-2347, option 4, or your licensing specialist if you have questions regarding this amended administrator qualifications policy. The electronic versions of the child care manuals are located at: <http://emanuals.odjfs.state.oh.us/emanuals>. These manuals contain all child care rules, transmittal letters, procedure letters and forms.

Instructions: The following chart identifies the material that needs to be inserted in to the Child Care Center Manual (CCCM).

<b>LOCATION</b>	<b>REMOVE AND FILE AS OBSOLETE</b>	<b>INSERT/REPLACEMENT</b>
Child Care Center Manual Procedure Letters (CCCMPL)		CCCMPL No. 6

# CCCMPL 5 (Issuance of Licensing Inspection Reports Now Electronic)

## Child Care Centers Manual Procedure Letter No. 5

October 10, 2012

To: All Child Care Center Manual Holders  
From: Michael B. Colbert, Director  
Subject: Issuance of licensing inspection reports now electronic

Effective the date of this letter, the Ohio Department of Job and Family Services (ODJFS) will no longer provide a hard copy of the inspection report after an onsite inspection. The ODJFS licensing specialist will send an electronic copy to the email address on file in the System for Online Licensing Applications and Requests (SOLAR).

Licensed programs will still be required to post a copy of all inspection reports in a conspicuous place on the premises.

<b>LOCATION</b>	<b>REMOVE AND FILE AS OBSOLETE</b>	<b>INSERT / REPLACEMENT</b>
Child Care Center Manual Procedure Letters (CCCMPL)		CCCMPL No. 5

# CCCMPL 4 (Revisions to the Child Care Center Crib Requirements)

## Child Care Centers Manual Procedure Letter No. 4

July 27, 2012

To: All Child Care Center Manual Holders  
From: Michael B. Colbert, Director  
Subject: Revisions to the Child Care Center Crib Requirements

Effective immediately, full size cribs are no longer required. The rules addressing crib requirements for child care centers will be revised to reflect this change. However, as many programs are currently replacing their older cribs with new cribs that meet the new federal standards, the department wanted programs to be notified as soon as possible. Until the rule changes are finalized, during licensing inspection visits, child care centers will be assessed according to the revised requirements contained in this letter.

The revised rule language will state that cribs must be used according to manufacturer's instructions and to discontinue the use of the porta crib when the child is able to climb out or reaches the height of thirty-five inches. Current rule language requiring the program to have a combination of porta cribs and full size cribs shall be removed. Current language regarding infants being able to be placed on a cot at sixteen months with parental permission and language regarding infants who are over thirty-five inches tall shall stay the same.

The electronic versions of the child care manuals are located at: <http://emanuals.odjfs.state.oh.us/emanuals>. These manuals contain all child care rules, transmittal letters, procedure letters and forms. Please contact the Office of Family Assistance, Child Care Policy Help Desk at 1-877-302-2347, option 4, or your licensing specialist if you have any questions regarding this new crib policy.

**INSTRUCTIONS:** The following chart identifies the material that needs to be inserted into the Child Care Center Manual (CCCM).

<b>LOCATION</b>	<b>REMOVE AND FILE AS OBSOLETE</b>	<b>INSERT REPLACEMENT</b>
Child Care Center Manual Procedure Letters (CCCMPL)		CCCMPL No. 4

# CCCMPL 3 (New Inspection Schedule and Continuous License for Child Care Centers and Type A Homes)

## Child Care Centers Manual Procedure Letter No. 3

### Child Care Type A Homes Procedure Letter 4

August 19, 2011

TO: All Child Care Center Administrators

All Type A Home Administrators

FROM: Michael B. Colbert, Director

SUBJECT: New Inspection Schedule and Continuous License for Child Care Centers and Type A Homes

Am. Sub. H.B. 153 of the 129th General Assembly made changes to the Ohio Revised Code that require revisions to child care licensing inspection procedures and the implementation of a new "Continuous License" concept. The department's goals are to shift resources to focus on new businesses and those programs experiencing challenges with maintaining licensing compliance, eliminate administrative burdens for the department and providers and to strengthen the revocation process. This letter defines Continuous License, the inspection schedule for all licensed child care centers and type A homes and the time line for implementation.

### **What is a Continuous License?**

Child care programs in Ohio have historically been issued biennial licenses that required programs to apply to have their licenses renewed every two years. This involved completing the renewal application and submitting the renewal fee. With a Continuous License, child care centers and type A homes will be issued licenses that do not have an expiration date. A license will now be valid with no expiration date, unless the program requests to close and terminate the license or ODJFS revokes the license. Due to the elimination of the license expiration date, there will no longer be a two-year licensing period upon which to base the required inspection schedule and programs will no longer need to apply to renew licenses or pay renewal fees.

### **License Inspection Schedule**

#### **Current:**

The license inspection period is a two-year period beginning at the initial license issuance date and extending two years. All full-time programs receive two inspections during each year of the license period, while part-time programs receive one inspection during each year of the license period. The provisional period is a six-month period which begins with the initial license issuance date and during this provisional period one inspection is completed.

#### **Under the New Continuous License:**

During the new license inspection period, a full time child care center or type A home will receive at least two unannounced licensing inspections in the 12-month license inspection period. However, a full-time child care center or type A home that meets the following criteria will receive one unannounced licensing inspection:

- The program is a Step Up to Quality (SUTQ) Star Rated program.
- The program has been Star Rated for at least 12 months.
- The program has not had its Star Rating suspended or removed during the previous 12-month period.

**Provisional License:** Effective September 29, 2011 the Provisional License will be issued for a 12-month period. During the Provisional License, a full-time program will have at least three unannounced inspections and a part-time program will have at least two unannounced inspections during the 12 months of the license provisional period.

The chart below provides a comparison between the current inspection schedule and the new Continuous License schedule.

Current Schedule	New Schedule
<p><b>Provisional License:</b> At least one inspection during six-month provisional period (at approximately day 90).</p>	<p><b>Provisional License:</b> <u>Full-time</u> programs will have at least three unannounced inspections during 12-month provisional period.</p> <p><u>Part-time</u> programs will have at least two unannounced inspections during 12-month provisional period.</p>
<p><b>Regular two-year license, <u>full-time</u>:</b> At least two inspections each year, at least one unannounced and one may be focused.</p>	<p><b>Continuous License, <u>full-time</u>:</b> At least two unannounced inspections each year, and one may be focused.</p>
<p><b>Regular two-year license <u>part-time</u>:</b> At least one unannounced inspection each year.</p>	<p><b>Continuous License, <u>part-time</u>:</b> At least one full unannounced inspection each year and may be focused every other year.</p>
<p><b>Regular two-year license with <u>Star Rating</u>*</b></p> <p><u>Full-time</u> program: At least two inspections each year, at least one unannounced and one may be focused.</p> <p><u>Part-time</u> programs: At least one inspection each year and may be focused every other year.</p>	<p><b>Continuous License with <u>Star Rating</u>*</b></p> <p><u>Full-time</u> programs: At least one full unannounced inspection each year.</p> <p><u>Part-time</u> programs: At least one full unannounced inspection each year and may be focused every other year.</p>

\*Step Up to Quality initial Star Rating must have been awarded at least 12 months prior and the rating must not have been suspended or removed during the previous 12 months. These programs will continue to receive annual SUTQ verification visits from the SUTQ licensing specialists.

All licensed child care centers and type A homes were evaluated to determine the minimum number of inspections needed for the new license inspection period based on the above criteria. Each program is scheduled to receive the inspections as shown in the chart above. If a SUTQ program has its Star Rating suspended or removed, that program will receive a second visit.

Please contact the Help Desk for the Office of Families and Children at 1-866-886-3537, option 4 if you have any questions. The electronic versions of the Child Care Manuals are located at: <http://emanuals.odjfs.state.oh.us/emanuals>. The manuals contain all child care rules, transmittal letters and procedure letters.

INSTRUCTIONS: The following chart identifies the material that needs to be inserted into the Child Care Center Manual and into the Child Care Type A Home Manual.

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
Child Care Center Procedure Letters		CCCMPL No. 3
Child Care Type A Home Procedure Letters		CCAMPL No. 4



# CCCMPL 2 (E-mail Address Requirement for Licensed Child Care Centers)

## Child Care Centers Manual Procedure Letter No. 2

### Child Care Type A Homes Procedure Letter No. 3

November 22, 2010

To: All Child Care Center Administrators  
All Child Care Type A Home Administrators

From: Douglas E. Lumpkin, Director  
Ohio Department of Job and Family Services

Subject: E-mail Address Requirement for Licensed Child Care Centers and Type A Homes

This letter is to notify child care centers and type A home providers that effective December 1, 2010 all licensed child care programs will be required to have and maintain a current e-mail address. This new requirement is a result of the department's development of an automated system for processing initial and renewal license applications. E-mail access between providers and the department will also allow faster, easier and more effective communication regarding changes to licensing policy, rules and forms with less cost associated with the notifications.

Programs should remember the following points when utilizing an email address:

- As of January 1, 2011 all license renewal applications and fire inspection notices will only be sent electronically. Programs will no longer receive paper copies of the renewal application or fire inspection notices. For this reason, the department must have a current, valid program e-mail address on file for every licensed provider. Each program should obtain an e-mail address that the department will use as the program's official contact address. This email address will be treated as a public record. Programs are encouraged to not use the administrator's or any staff member's personal e-mail. Use of an e-mail address belonging to an administrator or a staff member who then leaves the program could result in the program no longer receiving notices, which could affect the program's ability to maintain a license.
- No later than December 1, 2010 all licensed programs must enter the Central Office License Tracking System - System for Online License Applications and Renewals (COLTS - SOLAR) and set up a user account. The only information needed to set up the account is your name and your child care program's e-mail address. Follow these steps to create your account.
  1. Go to <http://colts-solar.ohio.gov> in your browser
  2. On the Access page, create a user account by selecting the **Create Account** button
  3. Enter the required information (first name, last name, e-mail address) and create a Key (the Key is needed to access the system. The Key serves the same purpose as a password)
  4. Select the **Create Account** button
  5. Your Confirmation #, Key and activation instructions will be sent to the e-mail address you provided when you created your account
  6. Open the e-mail and follow the instructions to activate your account
  7. Once you have activated your account you are finished.
- After January 1, 2011, when the system is live, you will be able to access your application(s) online and update your program e-mail address on the application(s), if needed. Until then, if your program e-mail address changes you will need to notify your licensing specialist to change the information.
- Programs that have already submitted an e-mail address via a mailed application or through their licensing specialist must also create an account in COLTS-SOLAR. The program should be sure that the e-mail address on file matches the e-mail address used to create the account. If



the e-mail address on file does not match exactly, please notify your licensing specialist so the change can be made in the licensing system. This will prevent conflicting information from being entered into the licensing system records.

- Programs that have already submitted an application through the COLTS-SOLAR should verify that the e-mail address entered on the application under the "Facility Information" section is the program e-mail address and not a personal email address of the administrator or a staff member. If a change needs to be made, please contact your licensing specialist.

If you have questions, please contact the Help Desk for the Office of Families and Children at 1-866-886-3537, option 4.

INSTRUCTIONS: The following chart identifies the material that needs to be removed from and inserted into the Child Care Center Manual (CCCM) and the Child Care Type A Manual (CCAM).

<b>LOCATION</b>	<b>REMOVE AND FILE AS OBSOLETE</b>	<b>INSERT / REPLACEMENT</b>
CCCM Procedure Letters		CCCMPL No. 2
CCAM Procedure Letters		<a href="#"><u>CCAMPL No. 3</u></a>

# CCCMPL 1 (JFS 01299 Optional Online Submission Beginning May 15, 2009)

## Child Care Centers Manual Procedure Letter No. 1

May 20, 2009

TO: All Child Care Center Manual Holders  
All Child Care Type A Home Manual Holders  
All Child Care Type B Home Manual Holders

FROM: Douglas E. Lumpkin, Director

SUBJECT: JFS 01299 "Incident/Injury Report for Child Care Centers/Type A Homes/Type B Providers" -  
Optional Online Submission Beginning May 15, 2009

This letter announces a new option for licensed child care centers and type A providers, and certified type B providers to electronically submit the [JFS 01299](#) "Incident/Injury Report for Child Care Centers/Type A Homes/Type B Providers" for serious incidents. Serious incidents are described in rules 5101:2-12-35, 5101:2-13-35, 5101:2-14-28 and 5101:2-14-58 of the Administrative Code.

Licensed child care centers and licensed type A homes are required to contact verbally ODJFS within twenty-four hours after a serious incident and to follow with a written JFS 01299 within three business days of the serious incident. Certified type B homes are required to verbally contact the County Department of Job and Family Services (CDJFS) within twenty-four hours after a serious incident and to follow with a written JFS 01299 within three business days of the serious incident. When using the electronic submission, the written notification requirement is met. The serious incident data is retained in a database that will be accessible by ODJFS and CDJFS staff.

Beginning May 15, 2009, providers may electronically submit serious incidents to the Ohio Department of Job and Family Services (ODJFS) by accessing the form at: <http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01299> on the Forms Central website and submitting the PDF version of the form. Providers will need to have adobe acrobat version 7.0 to utilize this feature. Submission of serious reports via this system does not fulfill the 24 hour requirement to make contact with the designated person at ODJFS or the CDJFS.

As a reminder only serious incidents (as defined in rule) are to be submitted to ODJFS.

Please contact the Help Desk for the Office for Children and Families at 1-866-886-3537, option # 4 if you have any questions.

INSTRUCTIONS: The following chart identifies the material that needs to be removed from and inserted into the below Manuals.

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACE
CCCM Procedure Letters		CCCPL No. 1
CCAM Procedure Letters		CCAPL No. 1
CCBM Procedure Letters		CCBPL No. 1

# Child Care Center Rules

**CCM TL 17**

***Effective Date: October 29, 2017***

***Most Current Prior Effective Date: December 31, 2016***

- (A) "Administrator" means the person responsible for the daily operation of the center. The administrator and the owner may be the same person. The administrator is also a child care staff member.
- (B) "Adult" means an individual who is at least eighteen years of age.
- (C) "Advanced practice registered nurse (APRN)" means a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife or certified nurse practitioner under Chapter 4723. of the Revised Code. This was previously called advanced practice nurse (APN).
- (D) "Career pathways model" means an alternative pathway to meeting the requirements for a child care staff member or administrator that uses an approved framework to document formal education, training, experience, specialized credentials and certifications. This allows the child care staff member or administrator to achieve a designation as an early childhood professional level one, two, three, four, five, or six.
- (E) "Certified nurse practitioner (CNP)" means a registered nurse who holds a valid certificate of authority issued under Chapter 4723. of the Revised Code that authorizes the practice of nursing as a CNP in accordance with section 4723.43 of the Revised Code and rules adopted by the board of nursing.
- (F) "Child" means an infant, toddler, preschool child or school-age child.
- (G) "Child care" per section 5104.01 of the Revised Code means all of the following:
  - (1) Administering to the needs of infants, toddlers, preschool-age children and school-age children outside of school hours.
  - (2) By persons other than their parents, guardians, or custodians.
  - (3) For ~~any~~a part of the twenty-four-hour day.
  - (4) In a place other than a child's own home, except that an in-home aide provides child care in the child's own home.
  - (5) For the purposes and requirements of this chapter, "child care" is limited to a program licensed or required to be licensed by the department pursuant to this chapter or a program with a contract to provide publicly funded child care pursuant to section 5104.32 of the Revised Code;
- (H) "Child care staff member" means any adult employed by a child care center who is responsible for the care and supervision of children.
- (I) "Drop-in center," as defined in Chapter 5104. of the Revised Code, means a center that provides child care for children on a temporary, irregular basis. "Temporary and irregular" means no more than thirty days a year for any child enrolled. Drop-in centers shall comply with all rules in Chapter 5101:2-12 of the Administrative Code except:
  - (1) In reference to rule 5101:2-12-25 of the Administrative Code, the drop-in center shall not administer any medication, food supplement or modified diet.
  - (2) In reference to rule 5101:2-12-20 of the Administrative Code, the drop-in center shall not be required to provide a cot for each child the center is licensed to serve.
  - (3) In reference to rule 5101:2-12-04 of the Administrative Code, the drop-in center which does not prepare and serve food shall not be required to obtain a health department approval.
  - (4) In reference to rule 5101:2-12-11 of the Administrative Code, the drop-in center shall not be required to meet the provisions of paragraphs (C) and (D) of that rule, but if these provisions are not met, the drop-in center shall have a specific plan to provide for gross motor activity for

children in care. If a drop-in center chooses to include outdoor play the drop-in center shall meet the requirements of paragraph (A)(5) of rule 5101:2-12-17 of the Administrative Code.

- (J) "Employee" means a person who is at least fifteen years old, receives compensation for duties performed in a child care center or has assigned work hours or duties in a child care center.
- (K) "Field trips" means infrequent or irregularly scheduled excursions from the center.
- (L) "Food supplement" means a vitamin, mineral, or combination of one or more vitamins, minerals and/or energy-producing nutrients (carbohydrate, protein or fat) used in addition to meals or snacks.
- (M) "Infant" means a child who is under eighteen months of age.
- (N) "License capacity" is the maximum number of children who may be cared for in a child care center at any one time. License capacity is indicated on the license. License capacity is not the same as the total number of children enrolled in the center or attending the center on any given day. Children away from the center on a field trip or a special outing, and under the supervision of a child care staff member, shall be included in the count for license capacity.
- (O) "Medication" means any substance or preparation which is used to prevent or treat a wound, injury, infection, infirmity, or disease. This includes medication that is over the counter, or prescribed or recommended by a physician or advance practice nurse certified to prescribe medication, and permitted by the parent for administration or application.
- (P) "Modified diet" means any diet eliminating the use of any one or more of the four food groups or altering the amount of food required to be served to meet one-third of the recommended dietary allowance as required by rule 5101:2-12-22 of the Administrative Code.
- (Q) "Owner" includes a person, as defined in section 1.59 of the Revised Code, or government entity.
- (R) "Parent" means the father or mother of a child, an adult who has legal custody of a child, an adult who is the guardian of a child, or an adult who stands in loco parentis with respect to a child, and whose presence in the home is needed as the caretaker of the child. Parent has the same meaning as "caretaker parent" as defined in section 5104.01 of the Revised Code.
- (S) "Parent cooperative child care center", as defined in Chapter 5104. of the Revised Code, means a corporation or association organized for providing educational services only for children of its members without gain to the corporation. Ownership and control of the corporation or association rests solely with its members, and at least one parent member of the corporation is on the premises during the center's hours of operation. Parent cooperatives shall comply with all rules in Chapter 5101:2-12 of the Administrative Code except:
  - (1) In reference to rule 5101:2-12-07 of the Administrative Code, the duties of the administrator of a parent cooperative may be carried out under the supervision and in conjunction with a parent board.
  - (2) In reference to rule 5101:2-12-07 of the Administrative Code, the parent board of a parent cooperative, in cooperation with the administrator, may be responsible for conducting preadmission interviews.
  - (3) In reference to rule 5101:2-12-04 of the Administrative Code, the parent cooperative center which does not prepare and serve food shall not be required to obtain a health department approval.
- (T) "Part-time child care center," as defined in Chapter 5104. of the Revised Code, means a center that provides child care for no more than four hours per day for any child or no more than fifteen weeks per summer. Part-time child care centers shall comply with all rules in Chapter 5101:2-12 of the Administrative Code except:
  - (1) In reference to rule 5101:2-12-20 of the Administrative Code, the part-time center, which does not include a nap as part of their scheduled daily program, shall be required to provide only one washable cot, mat, or pad for an ill child.

- (2) In reference to rule 5101:2-12-07 of the Administrative Code, an administrator of a part-time center may have duties as a child care staff member during all hours of operation.
- (3) In reference to rule 5101:2-12-17 of the Administrative Code, only the part-time center which includes outdoor play as part of their scheduled daily program shall be required to comply with all stipulations of that rule, except as indicated in paragraph (A)(5) of rule 5101:2-12-17 of the Administrative Code, for a part-time program that provides child care for no more than four hours per day for any child.
- (U) "Physician" means a person issued a certificate to practice in accordance with Chapter 4731. of the Revised Code and rules adopted by the state medical board or a comparable body in another state.
- (V) "Physician assistant (PA)" means a person who has obtained a valid certificate to practice in accordance with Chapter 4730. of the Revised Code and rules adopted by the state medical board or a comparable body in another state.
- (W) "Preschool child" means a child who is three years old or older but is not a school-age child.
- (X) "Public children services agency (PCSA)" means an entity specified in section 5153.02 of the Revised Code that has assumed the powers and duties of the children services function prescribed by Chapter 5153. of the Revised Code for a county.
- (Y) "Routine trips" means repeated excursions off the center premises which regularly occur on a previously scheduled basis and that parents have been made aware of the destinations of the trip.
- (Z) "School-age child" means a child who is enrolled in or is eligible to be enrolled in a grade of kindergarten or above, but is less than fifteen years old, unless the child meets the definition of special needs as defined in this rule.
- (AA) "Serious risk noncompliance" means a licensure rule violation that has the potential to lead to a great risk of harm to, or death of, a child.
- (BB) "Special needs" means providing child care services to a child who is under eighteen years old who does not function according to age appropriate expectations in one or more of the following areas of development: social/emotional, cognitive, communication, perceptual-motor, physical, or behavioral development, or the child has chronic health issues. The child's delays/condition(s) affect development to the extent that the child requires special adaptations, modified facilities, program adjustments or related services on a regular basis in order to function in an adaptive manner.
- (CC) "Substitute" means a child care staff member who replaces an assigned staff member on a temporary basis.
- (DD) "Toddler" means a child who is at least eighteen months of age but less than three years of age.
- (EE) "Transitioning child" means any child enrolled in a center who, for easy adjustment, is temporarily being placed with a group prior to being permanently assigned to that group.
- (FF) "Voluntary temporary closure" means the program requests to stop serving children, but not close the license. A voluntary temporary closure shall not exceed twelve months.

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CCMML 17

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**Most Current Prior Effective Date: December 31, 2016**

(A) What is the application process to establish or operate a licensed child care center?

The owner or owner's representative shall:

- (1) Complete a professional registry profile through the Ohio professional registry (OPR) at <https://www.occrra.org/opr>.
- (2) Register online through the OPR and complete the required orientation training. The orientation training shall have been taken within the two years prior to application for a license.
- (3) Complete an initial application online in the Ohio child licensing and quality system (OCLQS) at <https://oclqs.force.com> and submit the fee of five hundred dollars to the Ohio department of job and family services (ODJFS).
  - (a) The application fee submitted with an application is nonrefundable and shall not be credited or transferred to any other application.
  - (b) The application is considered filed with the ODJFS as of the date it is received electronically and the payment has cleared.
  - (c) The application will be deleted from the system after one hundred and twenty days if the fee payment is not received.
  - (d) Any application submitted without complete and accurate information will need to be amended with complete and accurate information before being licensed.
  - (e) The application will be deleted and the fee forfeited if the center is not ready to be licensed after twelve months.

(B) What additional items shall be submitted during the application process?

The items listed in appendix A to this rule are required and shall be completed and submitted prior to licensure.

(C) Does the child care center license need to be posted and where should it be posted?

- (1) The license shall be posted.
- (2) The license shall be visible to parents at all times.

(D) Can a child care center license be issued to an address that is currently licensed as a family child care provider?

A child care center license shall not be issued to any address that is currently a family child care provider.

(E) Will the license be a continuous license?

The license shall be a continuous license unless:

- (1) The center is in the provisional period pursuant to rule 5101:2-12-06 of the Administrative Code.
- (2) The center moves to a new address and does not propose a change of location amendment pursuant to paragraph (F) of this rule.
- (3) The owner of the center changes and a new application for licensure is not submitted pursuant to paragraph (A) of this rule.
- (4) The center voluntarily surrenders the license by notifying the ODJFS in writing.
- (5) It is revoked pursuant to rule 5101:2-12-05 of the Administrative Code.



(F) What is the process to change or amend a license?

- (1) The center shall log on to <https://oclqs.force.com> and submits a request and all applicable documents.
- (2) What information can be amended on an existing license?
  - (a) Name of administrator.
  - (b) License capacity.
  - (c) Change of location of the program.
- (3) What is the timeline for requesting an amendment?
  - (a) For a change in administrator, the center shall request the amendment within five days of the administrator's last day and submit qualifications for the new administrator within thirty days.
  - (b) For a change in capacity, the center shall request and be approved for the amendment prior to serving additional children.
  - (c) For a change in location, the center shall request the amendment at least thirty days prior to the last day at the current location. Failure to request within thirty days may result in a gap of care. Care shall not begin until the license has been transferred to the new location.
- (4) What are the requirements if a center wants to permanently move to a different location?

The center shall:

  - (a) Comply with paragraph (F)(3)(c) of this rule.
  - (b) Submit a fee of two hundred fifty dollars in OCLQS thirty days prior to the proposed move.
  - (c) Comply with an inspection at the new location and any applicable determinations of license capacity for the new location.
  - (d) Submit all required compliance materials prior to licensure at the new location.
  - (e) Cease child care operations at the original center location at the time the license is issued for the new address.
- (5) What are the requirements if a center needs to temporarily provide care in a different location?
  - (a) If the center is temporarily unable to provide care in the licensed location because the location has been deemed unsafe for care of children by the building department, fire department, local health department, local law enforcement or other government agency, the center may request to temporarily provide care in a new location.
    - (i) The center shall send a written request to ODJFS and comply with an inspection of the temporary location prior to providing care at the temporary location.
    - (ii) The written request shall include written documentation from the government agency that deemed the location to be unsafe for care of children and shall include the plan and timeline for addressing the needs of the licensed location.
    - (iii) Prior to resuming care at the licensed location, the center shall provide written approval to ODJFS from the government agency that has deemed the location safe to resume care of children.
  - (b) If the center is unable to return to the licensed location within ninety days, the center shall follow the process for a permanent change of location pursuant to paragraph (F)(4) of this rule.

(G) How shall an administrator, owner or owner's representative request a voluntary temporary closure status for a license of a child care center?



- (1) The administrator, owner or owner's representative shall submit in writing to ODJFS the temporary closure status.
- (2) The temporary closure status shall not exceed twelve months.
- (3) The center shall not serve any children during the temporary closure status.
- (4) The center may be required to comply with an inspection prior to the end of the temporary closure status and prior to serving children again.
- (5) If at the end of the twelve months, the center has not requested in writing to reinstate the license or is not able to be re-opened, the ODJFS may close the license without hearing rights afforded by Chapter 119. of the Revised Code.

(H) What information shall the center keep current in OCLQS?

- (1) Mailing address.
- (2) Telephone number.
- (3) Email address.
- (4) Days and hours of operation.
- (5) Services offered.
- (6) Name of program.

(I) What information shall the center keep current in the provider portal?

Private pay rates shall be kept current in the provider portal.

(J) What if an individual listed as an owner on the JFS 00598 "Owner's Authorized Representative/Partnership Form for Child Care" (rev. 10/2015) changes?

The center shall complete an updated JFS 00598 and submit to the ODJFS within thirty days of the change.

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CCM TL 17

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(A) ~~How many~~ What inspections are required for child care centers?

- (1) At least one inspection prior to the initial issuance of a provisional license.
- (2) At least two inspections during the provisional period.
- (3) At least one inspection each state fiscal year after the issuance of the continuous license.
- (4) Any complaint investigations involving the center.

(B) Will inspections be announced or unannounced?

At least one inspection shall be unannounced and all inspections may be unannounced.

(C) What is required of a licensed center for an inspection and/or complaint investigation?

The licensed child care center shall allow the Ohio department of job and family services (ODJFS) to:

- (1) Complete an inspection of all areas where child care is provided, children have access to and all areas used to verify compliance with Chapter 5101:2-12 of the Administrative Code and Chapter 5104. of the Revised Code.
- (2) Review required records and documentation.
- (3) Interview or take statements from any of the following ~~as part of any inspection or complaint investigation~~:
  - (a) Building inspectors, fire department inspectors, sanitarians, public health or other state or local officials.
  - (b) Neighbors.
  - (c) Parents and relatives of children in care.
  - (d) Staff of the public children services agency (PCSA).
  - (e) Anyone mentioned by the complainant.
  - (f) Law enforcement personnel.
  - (g) Current and past center employees.
  - (h) Other witnesses.
- (4) Document findings in writing or in photographs or by any other means.

(D) What are additional requirements for a licensed center as a result of an inspection and/or complaint investigation?

The center shall:

- (1) Provide written materials to ODJFS addressing noncompliances detailed in the inspection report within the time frame requested in the inspection report.
- ~~(2) Permit ODJFS to investigate all complaints involving the center.~~
- ~~(3)~~(2) Not misrepresent, falsify or withhold information from ODJFS.

(E) Will a licensed center have additional inspections based on noncompliances found?

Noncompliances, as detailed in appendix A to this rule, may lead to additional inspections or compliance materials required by ODJFS.

(F) What if the center does not agree with the licensing findings?

The center shall:

- (1) Complete and submit a JFS 01155 "Request for Review for Licensing and Step Up To Quality" (12/2016) with any applicable documentation.
- (2) The request and documentation shall be submitted within seven business days from the receipt of the inspection report.

(G) Are licensing inspection records available to the public?

(1) Inspections may be viewed at <http://childcaresearch.ohio.gov/>.

(2) An individual may submit a written request to ODJFS for a copy of the center's licensing record.

~~A copy of the center's licensing record shall be provided to any person who submits a written records request to the ODJFS in accordance with applicable state and federal laws.~~

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**CCCMTL 16**

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**Most Current Prior Effective Date: November 22, 2015**

**(A) What are the requirements for building inspections and approval?**

- (1) A certificate of occupancy for the purpose of operating a child care center is required in accordance with Chapters 3781. and 3791. of the Revised Code and shall be obtained from either the Ohio department of commerce or local certified building authority.**
- (2) The center shall comply with any stipulations or limitations noted on the certificate of occupancy.**
- (3) A certificate of occupancy is required in the following circumstances:**
  - (a) At the time of application for a child care center license.**
  - (b) At the time a child care center requests a license amendment for a change of location.**
  - (c) Prior to the use of any areas of the structure not previously inspected and approved for child care use.**
  - (d) At the time of major repair, modification or alteration of any existing structure presently being used for child care but prior to the continued use of modified or altered parts of the structure. Major repair, modification or alteration includes:**
    - (i) Cutting away of any wall, partition or portion thereof, the removal of or cutting of any structural beam or bearing support or the removal or change of any required means of escape, or rearrangement of parts of the structure affecting the exit requirements.**
    - (ii) Addition to, alteration of, replacement or relocation of any gas, oil, water, soil, waste or vent piping, electrical wiring or heating, ventilating or air-conditioning equipment.**
    - (iii) Any modification requiring a new certificate of occupancy as required by the Ohio department of commerce or local certified building authority.**
- (4) A new or revised certificate of occupancy is not required for the following:**
  - (a) A change in ownership with no change of use.**
  - (b) Child care is provided exclusively for school children in an existing public school or chartered nonpublic school building as described in section 5104.02 of the Revised Code.**

**(B) What are the requirements for a fire inspection and approval?**

- (1) Licensed child care centers shall secure a fire inspection and written approval from the state fire marshal or the local fire safety inspector for the municipality or township having jurisdiction. The child care center shall abide by any stipulations or limitations set forth in the written documentation by the state fire marshal or local fire safety inspector.**
- (2) A fire inspection and approval need to be obtained at the following times:**
  - (a) At the time of initial application for a child care center license.**
  - (b) At the time of a child care center license amendment when requesting a change of location.**
  - (c) At least once annually within each twelve months from the date of the last fire approval report.**
  - (d) Prior to the use of any areas of the structure not previously inspected and approved for child care use.**

(3) If child care is provided exclusively for school children in an existing public school or chartered nonpublic school building as described in 5104.02 of the Revised Code, a fire inspection for the child care center is not required.

(C) What are the requirements for a food service license or exemption?

(1) A valid food service operation license shall be obtained permitting the preparation and serving of food, or exemption status, from the local health department having jurisdiction or from the Ohio department of health.

(2) Meals or snacks may be provided by a licensed catering food service operation. The center shall maintain on file a copy of the catering food service operation's current license. If the caterer only provides the food and it is the responsibility of the center to serve the food, the center shall follow the requirements of the local health department having jurisdiction.

Replaces: 5101:2-12-10, 5101:2-12-11, 5101:2-12-12

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- (A) What are the reasons an applicant may have an application denied or a licensed child care center may have a provisional or continuous license revoked?
- (1) The center is not in compliance with Chapter 5101:2-12 of the Administrative Code or Chapter 5104. of the Revised Code.
  - (2) The owner or administrator has ~~pleaded guilty to or been convicted of an offense specified in division (A)(5) of section 109.572 of the Revised Code and does not meet the rehabilitation standards defined in~~ been determined not eligible for employment as a result of the background check requirements pursuant to rule 5101:2-12-09 of the Administrative Code.
  - ~~(3) The owner has had a child removed from his or her home due to abuse or neglect caused by the owner pursuant to section 2151.353 of the Revised Code.~~
  - ~~(4)~~(3) The center fails to submit documentation or information requested by the Ohio department of job and family services (ODJFS) within required time frames.
  - ~~(5)~~(4) The center has refused to allow ~~the~~ ODJFS staff access onto its premises or to any area used for child care.
  - ~~(6)~~(5) The center has furnished or made misleading or false statements or reports to ~~the~~ ODJFS.
  - ~~(7)~~(6) The center has accumulated eighteen or more points from moderate or serious risk non-compliances in accordance with appendix A to rule 5101:2-12-03 of the Administrative Code during the provisional period.
  - ~~(8)~~(7) Failure of any person, firm, partnership, organization, institution, or agency to cooperate with the ODJFS or any state or local official when performing duties required by Chapter 5104. of the Revised Code and Chapter 5101:2-12 of the Administrative Code.
- (B) What happens if an application is in the process of being denied or a provisional or continuous license is in the process of being revoked?
- (1) If an application for a child care center, type A home or type B home has been issued a notice of intent to deny, no new application for a child care center license shall be processed for the owner until after the completion of the denial process.
  - (2) If a provisional or continuous license for a child care center, type A home or type B home has been issued ~~an~~ a notice of intent to revoke, no new application for a child care center license shall be processed for the same owner until after the completion of the revocation process.
- (C) What if a center voluntarily surrenders the license or voluntarily withdraws the application during the revocation or denial process?
- The voluntary surrender of a license or the withdrawal of an application for licensure shall not prohibit ~~the~~ ODJFS from revoking a license or denying an application.
- (D) What happens if an application has previously been denied or a provisional or continuous license is revoked?
- (1) If a license of a child care center, type A home, or type B home is revoked, another license shall not be issued to the owner of the center, type A home, or type B home until five years have elapsed from the date the license was revoked.
  - (2) If an application for a child care center, type A home, or type B home license is denied, the owner/applicant shall not be licensed until five years have elapsed from the date the application was denied.

- (3) If an owner/applicant was previously certified by the county agency and that certification was revoked for a health and safety reason, he or she shall not be licensed until five years have elapsed from the date the certification was revoked.
- (E) Which licensing actions by ~~the~~ ODJFS give the center rights to an adjudicatory hearing, in accordance with the requirements of Chapter 119. of the Revised Code?
- (1) Denial of an application.
  - (2) Revocation of an existing license, either provisional or continuous.
  - (3) The finding of jurisdiction in accordance with rule 5101:2-12-01 of the Administrative Code.
  - (4) Issuance of a license with authorization for license capacity which does not agree with the authorization sought by the center.
  - (5) Denial of a continuous license at the expiration of the center's provisional license.
- (F) When can ~~the~~ ODJFS suspend a license?
- ~~The~~ ODJFS may immediately suspend the license of a center if ~~the~~ ODJFS determines that any of the following have occurred:
- (1) A child dies or suffers a serious injury while receiving child care by the center.
  - (2) A public children services agency (PCSA) accepts a complaint of abuse or neglect pursuant to section 2151.421 of the Revised Code on any of the following people:
    - (a) The center owner or owner's representative.
    - (b) The center administrator, if the administrator has not been released from employment or put on administrative leave.
    - (c) An employee of the center, if the employee has not been released from employment or put on administrative leave.
  - (3) Any of the following people have been charged by indictment, information, or complaint with an offense relating to the abuse or neglect of a child:
    - (a) The center owner or owner's representative.
    - (b) The center administrator, if the administrator has not been released from employment or put on administrative leave.
    - (c) An employee of the center, if the employee has not been released from employment or put on administrative leave.
  - (4) ~~The~~ ODJFS or a county agency determines that the center created a serious risk to the health or safety of a child receiving child care in the center that resulted in or could have resulted in a child's death or injury.
  - (5) Any of the following people have been charged by indictment, information, or complaint with fraud:
    - (a) The center owner or owner's representative.
    - (b) The center administrator, if the administrator has not been released from employment or put on administrative leave.
- (G) What happens if a center's license is suspended?
- (1) Upon receipt of a suspension order from ~~the~~ ODJFS, the center shall:
    - (a) Immediately stop providing care to all children.
    - (b) Provide written notification of the suspension to the parents of all children enrolled in the center.
  - (2) Refusal of delivery by personal service or by mail is not failure of delivery and service shall be deemed to be complete.



(H) Can the center request a review of the decision to suspend the license?

The center may request a review of the decision to suspend the license pursuant to section 119.12 of the Revised Code.

(I) How long will the license be suspended?

The suspension shall remain in effect until one of the following occurs:

- (1) The PCSA completes its investigation pursuant to section 2151.421 of the Revised Code.
- (2) All criminal charges are disposed of through dismissal, a finding of not guilty, conviction, or a plea of guilty.
- (3) The revocation of the license is complete pursuant to this rule.

(J) Which ODJFS licensing actions, ministerial in nature, are not subject to an administrative hearing?

- (1) Rejection by ~~the~~ ODJFS of any application for a license for procedural reasons such as, but not limited to, improper fee payment, incomplete submission of required materials or use of invalid forms.
- (2) Denial of an application pursuant to paragraph (D) of this rule.
- (3) Closing a license that has been in a temporary closure for more than twelve months pursuant to rule 5101:2-12-02 of the Administrative Code.
- (4) Closing a license if the child care center is no longer located at the address on the license and the owner has not requested a change of location or closure pursuant to rule 5101:2-12-02 of the Administrative Code.

(K) What does "owner" mean?

- (1) For the purposes of paragraphs (B) and (D) of this rule, "owner" is as defined in rule 5101:2-12-01 of the Administrative Code, except that "owner" also includes a firm, organization, institution, or agency, as well as any individual governing board members, partners, or authorized representatives of the owner.
- (2) For all other paragraphs of this rule, "owner" is as defined in rule 5101:2-12-01 of the Administrative Code.

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Five Year Review (FYR) Dates: 12/31/2021

Certification: CERTIFIED ELECTRONICALLY

Date: 10/12/2017

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Statutory Authority: 5104.042, 5104.015

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**CCM TL 16**

***Effective Date: December 31, 2016***

(A) How long is a provisional license valid for a newly licensed child care center?

A provisional license for a newly licensed child care center is valid for at least twelve months and until the continuous license is issued, unless revoked pursuant to rule 5101:2-12-05 of the Administrative Code.

(B) What requirements shall the child care center meet for the provisional license to be amended to a continuous license at the end of the provisional period?

By the end of the provisional period, the center shall:

(1) Be in compliance with Chapter 5101:2-12 of the Administrative Code.

(2) Have children enrolled and attending the center.

(3) Have a qualified administrator named and responsible for the day-to-day operation of the program.

Replaces: 5101:2-12-04.1

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Prior Effective Dates: 9/29/2011

CCCM TL 18

*Effective Date: October 29, 2017*

*Most Current Prior Effective Date: December 31, 2016*

**Appendix A - Administrator Qualifications**

**Appendix B - Written Information for Parents and Employees**

**Appendix C - Center Parent Information**

- (A) What are the requirements to be an administrator in a licensed child care center?
- (1) Be named on the child care center license.
  - (2) Written documentation verifying the administrator's qualifications shall be kept on file at the center. Administrators shall meet the education requirements detailed in appendix A to this rule.
  - (3) A person named as administrator, who was promoted from within, and who does not meet the requirements of appendix A to this rule within one year of being named as administrator, may no longer serve as the administrator. The person also may not be named administrator at another location until the administrator qualifications have been met.
  - (4) The administrator shall complete a rules review course provided by the Ohio department of job and family services.
    - (a) Administrators shall complete the rules review course within six months of the date of their appointment and every five years thereafter.
    - (b) Any current administrator who completed the course prior to the effective date of this rule shall complete the training again by December 19, 2021.
    - (c) Verification of completion of the rules review course shall be documented in the Ohio professional registry (OPR) or on the JFS 01307 "Professional Development Documentation for Child Care" (rev. 12/2016). This form shall be kept on file at the center.

- (B) What are the additional duties of the administrator of a licensed child care center?

The administrator shall:

- (1) Be responsible for the daily operation of the child care center and for maintaining compliance with Chapter 5101:2-12 of the Administrative Code.
- (2) Be on-site a minimum of one-half of the hours that the child care center is in operation during the week, or forty hours per week, whichever is less.
- (3) ~~Be~~ For child care centers that are in operation on the weekends and/or evenings/overnights, as well as during the week, be on-site at the center at least twenty hours per week during the hours of ~~seven~~six a.m. to ~~six~~seven p.m., Monday through Friday, ~~for child care centers that are in operation on the weekends and/or evenings/overnights, as well as during the week.~~ If there is more than one administrator, at least one must meet this requirement.
- (4) Post scheduled hours of availability in a noticeable place that is easily accessible to parents.
- (5) Be responsible for the creation, maintenance and implementation of the policies and procedures detailed in appendix B to this rule. Nothing in these policies shall conflict with Chapter 5104. of the Revised Code or Chapter 5101:2-12, 5101:2-16 or 5101:2-17 of the Administrative Code. A copy of these policies and procedures shall be available on-site at the center.
- (6) Provide the parent and all employees with the policies and practices in appendix B to this rule.
- (7) Provide a copy of appendix C to this rule to the parent(s) of the children enrolled in the center.

- (8) Make available the current licensing rules in a noticeable area on the premises. The rules may be made available via paper copy or electronically.
- (9) Upon request, provide a parent with any information necessary for the parent to compile child care related expenses for income tax preparation, including tax identification numbers.
- (10) Have available on-site a written list of all employees including their dates of hire, positions and scheduled hours.

(C) What if an administrator is not on the premises?

- (1) A child care staff member shall be designated as the person in charge and be on the premises.
- (2) The designated person in charge does not have to meet the educational requirements of an administrator nor be named on the license.
- (3) The designated person in charge shall handle all emergencies and have access to all records required by Chapter 5101:2-12 of the Administrative Code.

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Five Year Review (FYR) Dates: 12/31/2021

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**CCCMTL 18**

**Effective Date: October 29, 2017**

**Most Current Prior Effective Date: December 31, 2016**

**Appendix A - Medical Statement Requirements for Administrator, Employees, and Child Care Staff Members in a Licensed Child Care Center**

**Appendix B - Verification of High School Education**

(A) What are the requirements of an employee in a licensed child care center?

- (1) An employee shall have on file a completed medical statement that meets the requirements detailed in appendix A to this rule.
- (2) The completed medical statement shall be on file on or before the employee's first day of employment.

(B) What are the requirements for a child care staff member in a licensed child care center?

A child care staff member shall meet one of the following:

- (1) Be at least eighteen years of age and have completed a high school education.
  - (a) High school education is defined in appendix B to this rule.
  - (b) Verification shall be on file on or before the child care staff member's first day of employment.
- (2) Be enrolled in the second year of or have completed a two year career-technical program in child development or be a high school senior and also enrolled in a college credit program in child development.
  - (a) Enrollment or completion of a two year career-technical program shall be verified by a signed statement from student's teacher/coordinator of the training program verifying that the student is enrolled in the program and receiving supervision.
  - (b) Enrollment in a college credit program shall be verified by written documentation from the college credit program.
  - (c) Verification shall be on file on or before the child care staff member's first day of employment.

(C) What are the documentation requirements for employees in a child care center?

- (1) The center shall maintain documentation for each current employee on file at the center.
- (2) Employment records shall be made available upon request by the Ohio department of job and family services (ODJFS) for at least three years after each employee's departure.
- (3) Employment records shall include days and hours worked, duties and group assignments, if applicable.
- (4) Employee records shall be confidential, except that they shall be available to the ODJFS for the purpose of administering Chapter 5104. of the Revised Code and Chapter 5101:2-12 of the Administrative Code.

(D) What are the orientation requirements for child care staff members?

- (1) Child care staff members shall complete ~~an online~~ the staff orientation training as prescribed by the ODJFS within thirty days of starting employment at the center as a child care staff member unless the child care staff member has documentation of completion of the training after December 31, 2016.
- (2) The online ~~orientation~~ training may be used for up to six hours of professional development pursuant to rule 5101:2-12-10 of the Administrative Code.

- (3) Completion of the training shall be documented with verification from the Ohio professional registry.
- (4) The child care staff member may be used in ratio, but may not have sole care of children until the orientation is completed.
- ~~(5) Once a child care staff member has completed this orientation training and then begins employment at another licensed child care center, the child care staff member shall complete the online training again if it has been more than five years since the orientation was last completed.~~
- ~~(6) Child care staff members employed before the effective date of this rule shall have until June 30, 2017 to complete the online orientation.~~

(E) Do child care staff members have whistle blower protection?

No employer shall discharge, demote, suspend or threaten to discharge, demote, suspend or in any manner discriminate against any employee based solely on the employee taking any of the following actions:

- (1) Making any good faith oral or written complaint to the ODJFS or other agency responsible for enforcing Chapter 5104. of the Revised Code regarding a violation of this chapter or the rules adopted pursuant to Chapter 5104. of the Revised Code;
- (2) Instituting or causing to be instituted any proceeding against the employer under section 5104.04 of the Revised Code;
- (3) Acting as a witness in any proceeding under section 5104.04 of the Revised Code;
- (4) Refusing to perform work that constitutes a violation of Chapter 5104. or the rules adopted pursuant to Chapter 5104. of the Revised Code.

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CCCM 17

**Effective Date: October 29, 2017**

**Most Current Prior Effective Date: December 31, 2016**

(A) What records are included in a background check?

- (1) Bureau of criminal investigation (BCI) records pursuant to section 5104.013 of the Revised Code.
- (2) Federal bureau of investigation (FBI) records pursuant to section 5104.013 of the Revised Code.
- (3) National sex offender registry.
- (4) State sex offender registry.
- (5) Statewide automated child welfare information system (SACWIS) records.

(B) Who shall have a background check?

- (1) An owner and administrator of a licensed child care center.
- (2) An employee in a licensed child care center as defined in rule 5101:2-12-01 of the Administrative Code.
- (3) A child care staff member in a licensed child care center as defined in rule 5101:2-12-01 of the Administrative Code, including substitutes.

(C) When is a background check required?

- (1) At application for a child care center license.
- (2) Prior to the first day of employment for employees and child care staff members.
- (3) Every five years from the date of the most recent background check.

(D) How is a background check obtained?

The individual shall:

- (1) Complete and submit the JFS 01175 "Request for a Background Check for Child Care" (10/2017) to the Ohio department of job and family services (ODJFS) or the Ohio professional development registry (OPR) system generated equivalent,
- (2) Submit fingerprints electronically according to the process established by BCI and have the BCI and FBI results sent directly to ODJFS. Information on how to obtain a background check can be found at <http://www.ohioattorneygeneral.gov/Business/Services-for-Business/WebCheck>.
- (3) Create a profile in the OPR.
- (4) Any owner, administrator or individual employed by a program prior to the effective date of this rule shall submit the JFS 01175 to ODJFS and create a profile in the OPR by January 1, 2018.

(E) What if an individual previously resided in a state other than Ohio?

- (1) ODJFS will contact any states in which the individual resided in the previous five years to request the information required in paragraph (A) of this rule.
- (2) Any information received from other states will be reviewed and considered by ODJFS as part of the background check review pursuant to paragraph (F) of this rule.

(F) What makes an individual ineligible for employment?

- (1) A conviction or guilty plea to an offense listed in division (A)(5) of section 109.572 of the Revised Code, unless the individual meets the rehabilitation criteria in appendix A to this rule.

- (a) Section 109.572 of the Revised Code requires that this rule applies to records of convictions that have been sealed pursuant to section 2953.32 of the Revised Code.
- (b) A conviction of or a plea of guilty to an offense listed in division (A)(5) of section 109.572 of the Revised Code is not prohibitive if the individual has been granted an unconditional pardon for the offense pursuant to Chapter 2967. of the Revised Code or the conviction or guilty plea has been set aside pursuant to law. For purposes of this rule, "unconditional pardon" includes a conditional pardon to which all conditions have been performed or have transpired.

(2) Being registered or required to be registered on the national or state sex offender registry or repository.

(3) The individual is identified in SACWIS as the perpetrator for a substantiated finding of child abuse or neglect in the previous ten years from the date on the JFS 01175 or the individual has had a child removed from their home in the previous ten years pursuant to section 2151.353 of the Revised Code due to a court determination of abuse or neglect caused by that specific person.

(G) What happens after ODJFS completes the background check on an individual?

(1) The center will receive the JFS 01176 "Program Notification of Background Check Review for Child Care (10/2017) from ODJFS and shall keep it on file.

(a) For those individuals not eligible for employment, the center shall not hire the individual or shall terminate them from employment immediately upon receipt of the JFS 01176.

(b) Child care staff members shall not be left alone with children unless a JFS 01176 is on file at the center.

(2) The individual will receive the JFS 01177 "Individual Notification of Background Check Review for Child Care" (10/2017) from ODJFS.

(a) If the individual believes the information received is not accurate, the individual may directly contact the agency that contributed the questioned information.

(b) If the individual disagrees with the employment eligibility decision made by ODJFS, a JFS 01178 "Request for Review of Background Check Decision for Child Care" (10/2017) shall be completed to request a review of the decision.

(H) What happens after an individual submits a JFS 01178 to ODJFS?

If an individual requests a review of a background check decision pursuant to paragraph (G)(2)(b) of this rule:

(1) The program shall not allow the individual to be on-site at the program during the review by ODJFS.

(2) If the individual is determined to be eligible for employment, the program may allow the individual to be employed and shall keep the updated JFS 01176 on file pursuant to paragraph (G)(1)(a) of this rule.

(I) What are the background check requirements when an individual changes employment or adds an additional employer?

(1) Only the JFS 01175 is required if the individual meets all of the following:

(a) The individual has a current background check determination by ODJFS completed in the previous five years pursuant to this rule.

(b) The individual has been employed by a child care center, type A home, type B home, approved day camp, a preschool or school-age program approved to provide publicly funded child care or certified as an in-home aide in the previous one hundred eighty consecutive days.



(2) Upon receipt of the updated JFS 01175, ODJFS will send the JFS 01177 based on the existing background check determination to the new employer.

Replaces: 5101:2-12-09

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CCCM TL 18

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**Most Current Prior Effective Date: December 31, 2016**

**Appendix A - Health Training Courses**

**Appendix B - Professional Development Training Topics**

(A) What are the health training requirements for a child care center?

- (1) A center shall have at least one child care staff member on-site (in each building) during all hours of operation who is currently trained in the following (more than one person may be used to meet the requirements of this paragraph):
  - (a) First aid.
  - (b) Cardiopulmonary resuscitation (CPR) appropriate for all age groups that the center is licensed to serve.
  - (c) Management of communicable disease.
  - (d) Child abuse recognition and prevention six-hour training.
- (2) Every administrator, child care staff member, including substitutes, shall be current with the ODJFS prescribed one-hour child abuse overview which is valid for two years, unless the child care staff member is current with the six-hour training or three-hour refresher course in paragraph (A)(1)(d) of this rule. This shall be taken within the first ~~thirty~~sixty days of hire.
- ~~(3) Administrators, child care staff members, including substitutes, employed on or before the effect date of this rule shall have until June 30, 2017 to complete the one-hour child abuse overview.~~
- ~~(4)~~(3) Trainings shall meet course and trainer requirements in appendix A to this rule.
- ~~(5)~~(4) Audiovisual or electronic media training shall not be used to meet the CPR training requirement pursuant to paragraph (A)(1)(b) of this rule unless there is also an in-person component of the training.

(B) What are the ongoing professional development training requirements for the administrator and child care staff members?

- (1) Complete a minimum of six clock hours of training annually each fiscal year. The fiscal year is defined as July first through June thirtieth.
  - (a) Training topics include those listed in appendix B to this rule.
  - (b) Health trainings taken pursuant to paragraph (A) of this rule may not be used to meet the professional development training requirements.
  - (c) Audiovisual or electronic media training may be used to meet the required six hours of annual training.
- (2) Child care staff members hired between January first and June thirtieth of each year are not required to complete the professional development requirements until the following fiscal year.
- (3) A person designated and employed as a substitute child care staff member is not required to meet the professional development requirements.

(C) What verification is needed on file at the center to document the completed training?

- (1) The health trainings shall be documented by one of the following:
  - (a) Verification from the Ohio professional registry (OPR).
  - (b) The JFS 01276 "Health Training Documentation for Child Care" (12/2016).

- (c) Training cards issued by organizations approved by the ODJFS for first aid, CPR or prevention, recognition and management of communicable disease,
- (2) The on-going professional development shall be documented by one of the following:
  - (a) Verification from the OPR.
  - (b) Transcript of completion of college courses from an accredited university, college, or technical college.
    - (i) One quarter credit hour equals ten clock hours of training.
    - (ii) One semester credit hour equals fifteen clock hours of training.
  - (c) The JFS 01307 "Professional Development Documentation for Child Care" (rev. 12/2016).
  - (d) Certificates indicating continuing education units (CEU). One CEU equals ten clock hours of training.
  - (e) Certificates issued by Ohio child welfare training centers.
- (3) A child care center administrator or owner shall ~~immediately~~, within five business days, provide current staff with copies of their training documentation upon request or upon separation from employment for any records not verified in the OPR.

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**CCCMTL 16**

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**Most Current Prior Effective Date: November 22, 2015**

**Appendix A - Depth of Protective, Resilient Surface Needed for Playground Equipment Adapted from the Consumer Product Safety Commission**

**(A) What are the indoor space requirements for a center?**

- (1) There shall be at least thirty-five square feet of usable wall-to-wall indoor floor space for each child the center is licensed to serve.
- (2) Usable indoor floor space shall not include bathrooms, hallways, storage rooms or other areas not available or not used for child care.
- (3) Bathrooms may be included if they are used exclusively by children enrolled in the center.
- (4) Areas included in the center's square footage shall be exclusively available for child care during all operating hours of the child care program.
- (5) If the center is in a shared building, the center may identify a back-up space that is available for use on days the primary space is not available. When the back-up space is utilized, the space shall only be used for child care during that time and shall have building and fire approval.
- (6) The public may use areas such as entry ways, hallways, bathrooms and other areas normally available for public use if such access does not constitute a risk or hazard to the health and safety of the children in care.
- (7) The calculation of indoor space may include hallways, kitchens, storage areas and bathrooms not used exclusively by children and other areas not available for child care if either of the following apply:
  - (a) The center's license has been maintained since September 1, 1986; or
  - (b) A new license was issued due to the change of ownership of the center that was previously licensed prior to September 1, 1986.

**(B) What are the additional space requirements for areas where there are groups that include children who are less than two and one half years of age?**

The space shall:

- (1) Be separate from space being used for groups of children two and one half years old and older.
- (2) Be approved by the Ohio department of job and family services (ODJFS) prior to use for the care of children younger than two and one half years of age.
- (3) Provide at least thirty-five square feet of floor space for each child per room or area.
- (4) Be approved, as required, by local building and fire officials.
- (5) Be defined by a continuous permanent or non-permanent barrier that is at least thirty-six inches in height.

**(C) What are the on-site outdoor space requirements for a center?**

- (1) The center shall have an outdoor space that:
  - (a) Provides at least sixty square feet of usable space per child using the area at one time.
  - (b) Is located away from traffic or protected from traffic or animals by a fence in good condition with functioning gates or a natural barrier. The fence or natural barrier shall assure that children are not able to leave the outdoor play area unsupervised and shall assure that any hazards from the outside cannot enter the outdoor play area without the staff being aware of them.

- (c) Has functional latches on gates which cannot be easily opened by young children if gates are used. Gates shall not be padlocked when children are present at the center.
- (d) Provides access to bathroom facilities and drinking water during play times.
- (e) Is free of foreign objects and trash during times children are outside playing. A trash can with a lid is permitted in the play area if it is emptied daily and kept in clean condition.
- (f) Provides a shaded area. The shade may be naturally occurring from trees, building, or overhangs. The center may also install lawn umbrellas that are securely anchored or other structures that provide shade in a safe manner.

(2) Bodies of water (other than water tables designed for children to play in only with their hands) shall be separated from the play area by a fence or other physical barrier (the center door only is not a sufficient barrier) that prevents children from accessing the water. Wading pools shall only be accessible to children in accordance with rule 5101:2-12-24 of the Administrative Code.

(3) The play area(s) and equipment shall be inspected quarterly by the administrator or designee during the months that the program is in operation. The inspection shall be documented on the JFS 01281 "Child Care Playground Inspection Report" (12/2016) and kept on file for one year.

(D) What are the exemptions for having an on-site outdoor space?

(1) A center may be exempt if both of the following apply:

(a) The center has an indoor recreation area that has a minimum of one thousand four hundred forty square feet of space that is separate from the indoor space required by this rule and is regularly available and scheduled for daily use.

(b) There is a safe park or play area regularly available, scheduled for daily use in suitable weather and approved by the ODJFS. Access to this area shall be safe and convenient, and children shall be closely supervised during play and when going to and from the area.

(2) A center approved to use an off-site area may use the play space regardless of change of ownership unless it is determined, upon inspection, that the area or its accessibility is unsafe.

(E) What are the requirements for outdoor equipment?

(1) Outdoor equipment, whether stationary or portable, shall be safe and designed to meet the developmental needs of all of the age groups of children using the space.

(2) Equipment, such as, but not limited to, climbing gyms, swings, and slides shall:

(a) Be placed out of the path of the area's main traffic pattern.

(b) Be anchored or stable and have all parts in good working order and securely fastened.

(c) Have all climbing ropes anchored at both ends and not capable of looping back on themselves creating a loop with an interior perimeter of five inches or greater.

(d) Have "S" hooks that are closed in order to prevent the chain from slipping off of the hook and prevents strangulation.

(e) Be free of rust, cracks, holes, splinters, sharp points or edges, chipped or peeling paint, lead hazards, toxic substances, protruding bolts, or tripping hazards.

(f) Have no openings that are greater than three and one half inches, but less than nine inches to avoid entrapment of the head or other body parts.

(g) Have protected barriers on platforms that are thirty inches high or higher. A protective barrier means an enclosing device around an elevated platform that is intended to prevent both inadvertent and deliberate attempts to pass through the device.

(h) Be assembled, installed and utilized according to manufacturer's guidelines.

(3) Sandboxes shall be covered with a lid or other covering when they are not in use.

(F) What are the requirements for a fall zone?

- (1) Outdoor play equipment designated for climbing, swinging, balancing and sliding shall have a fall zone of protective resilient material on the ground under and around the equipment.
  - (a) The material may be one of the following, but not limited to, washed pea gravel, mulch, sand, wood chips or synthetic material such as rubber mats or tiles manufactured for this purpose.
  - (b) Equipment shall not be placed directly over concrete, asphalt, blacktop, dirt, rocks, grass or any other hard surface.
  - (c) Synthetic surfaces shall follow manufacturer's guidelines for depth.
  - (d) Protective resilient material depth for equipment that is over twelve inches in height shall be appropriate for the height and type of equipment as specified in appendix A to this rule.
  - (e) All loose fill materials, such as mulch, sand, wood chips, washed pea gravel shall be raked, as needed to retain their proper distribution and depth. Foreign materials must be removed prior to use by children.
- (2) All space around equipment designed for or observed being used for climbing, swinging, balancing or sliding shall extend a minimum of six feet in all directions from the perimeter of the equipment.
  - (a) The fall zone for moving or swinging equipment shall extend six feet from the point of furthest extension.
  - (b) The fall zone between two stationary pieces of equipment shall be a minimum of nine feet.
  - (c) Fall zones shall be kept clear of all obstacles that children could run into or fall on top of including retaining devices such as, but not limited to, fencing, walls, landscape timbers and mulch retaining walls.
  - (d) Equipment used for climbing shall not be placed over carpet or mats that are not intended for use as surfacing for climbing equipment.
- (3) Centers licensed as of January 1, 2007 that have fall zones meeting the requirements listed in paragraph (F)(1) of this rule are exempt from the requirements of (F)(2) of this rule, unless stationary equipment designed for or are observed being used for climbing, swinging, bouncing or sliding is added, replaced or relocated. When this type of equipment is added, replaced or relocated the center must comply with the requirements of paragraphs (F)(1) and (F)(2) of this rule for all pieces of equipment designed or observed used for climbing, swinging, bouncing or sliding on that playground.

Replaces: 5101:2-12-13, 5101:2-12-14

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- (A) What are the safe equipment requirements for a licensed child care center?
- (1) Equipment, materials, and furniture shall be sturdy, safe, and easy to clean and maintain. They shall also be free of sharp points or corners, splinters, or protruding nails; loose or rusty parts; paint which contains lead or other poisonous materials; or other hazardous features.
  - (2) Furniture, equipment and materials which are not usable due to breakage or being a hazard shall be removed immediately and stored away from children until repaired or replaced.
  - (3) Air conditioners, heat pumps, electric fans and space heaters shall be mounted or placed out of the children's reach or have safeguards which prevent children from being injured. All heaters utilized by the child care center shall be approved in writing by the fire department and/or the building department.
  - (4) Indoor swings (excluding infant swings), slides, climbers, and climbing apparatuses shall not be placed over carpet, concrete, tile, or any similarly hard surface. There shall be shock absorbent protective covering under and around this equipment. If climbing equipment is over three feet high, landing mats at least one and one half inches thick shall be used. The protective covering shall be used and placed according to manufacturers' guidelines.
  - (5) Any children's equipment, including those with straps, shall be used in accordance with the manufacturer's guidelines.
  - (6) Trampolines, inflatable bounce houses and ball pits shall not be permitted for use at the center.
- (B) What are the safe environment requirements for a licensed child care center?
- (1) Weapons, firearms and ammunition materials shall not be on the premises. Weapons and firearms include air rifles, hunting slingshots and any other projectile weapon.
    - ~~(a) Weapons and firearms include air rifles, hunting slingshots and any other projectile weapon.~~
    - ~~(b) A law enforcement official who can document that his or her jurisdiction requires ready and immediate access to the weapon shall be exempt from the requirements of this paragraph.~~
  - (2) Each of the following groups will be permitted to have the following weapons in a child care center, unless specifically not permitted by the child care center owner. Although permitted to be in the program, the weapons shall not be accessible to children.
    - (a) Handguns may be carried by an individual with a valid concealed handgun license and must be kept out of sight of the children.
    - (b) Weapons may be carried by an active duty member of the U.S. armed forces if also carrying valid military identification and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of section 2923.125 of the Revised Code.
    - (c) Weapons may be carried by a law enforcement official who can document that his or her jurisdiction requires ready and immediate access to the weapon.
  - ~~(2)~~(3) Illegal drugs and substances shall not be on the premises. Alcohol shall only be kept in areas not approved or used for child care.
  - ~~(3)~~(4) At least one carbon monoxide detector shall be on each floor where care is provided. The carbon monoxide detector shall be placed, installed, tested and maintained in accordance with manufacturer's recommendations.



- ~~(4)~~(5) In accordance with division (A)(8) of section 2923.1212 of the Revised Code, the center shall post a sign that contains a statement in substantially the following form: "Unless otherwise authorized by law, pursuant to the Revised Code, no person shall knowingly possess, have under the person's control, convey or attempt to convey a deadly weapon or dangerous ordnance on these premises."
- ~~(5)~~(6) The center shall maintain an indoor temperature of at least sixty-five degrees Fahrenheit. If the center's indoor temperature exceeds eighty-five degrees Fahrenheit, ventilation that produces air movement or air conditioning shall be provided.
- ~~(6)~~(7) Children in care shall be protected from any items and conditions which threaten their health, safety, and well being, including but not limited to: stoves, bodies of water, window covering pull cords, telephone cords, electrical cords, extension cords, lead hazards, asbestos, wells, traffic, employee's personal belongings and other environmental hazards and dangerous situations.
- ~~(7)~~(8) If area rugs are used, they shall have a nonskid backing and floor surfaces shall be maintained to not cause a tripping hazard.
- ~~(8)~~(9) Toys or other materials small enough to be swallowed shall be kept out of the reach of infants and toddlers.
- ~~(9)~~(10) Cleaning and sanitizing equipment and supplies shall be stored in a space that is inaccessible to children. Cleaning agents, aerosol cans and all other chemical substances shall be stored in a designated area in their original containers and/or clearly labeled. School-age children may use cleaning supplies with adult supervision and the cleaning supplies may be stored in spaces used only by school-age children.
- ~~(10)~~(11) Mercury thermometers shall not be used.
- ~~(11)~~(12) Electrical outlets, including surge protectors, within the reach of children shall have child proof receptacle covers when not in use unless designed with safety guards, except for space used only by school-age children.
- ~~(12)~~(13) Renovations and remodeling to areas in which child care is provided shall be conducted in a safe manner to ensure that lead poison hazards are not introduced into the environment as required by Chapter 3742. of the Revised Code.
- ~~(13)~~(14) Unless toilets and sinks are of suitable height for use by the children, the center shall provide a sturdy, nonslip platform on which the children may stand.
- ~~(14)~~(15) Lawnmowers, sharp tools, machinery and other equipment shall not be used or stored where children have access to them.
- ~~(15)~~(16) All areas used by children shall be ventilated and shall provide protection from rodents, insects and other hazards.
- ~~(16)~~(17) Aerosol spray products shall not be used in rooms where children are in attendance.

(C) What are the regulations for having pets in a licensed child care center?

- (1) Pets and animals shall be permitted if they present no apparent threat to the safety or health of the children.
- (2) All pets shall be properly housed, cared for, licensed and inoculated. All local and state ordinances governing the keeping of animals (exotic or domesticated) shall be followed and updated as required. Verification of license and compliance with local and state requirements and inoculations, for each pet requiring such license or inoculations, or regulated by local or state government shall be on file at the center.
- (3) Children shall not be directly exposed to animal urine or feces inside the program or in the outdoor play area.

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**Appendix A - Schedule for Cleaning and Sanitizing Items**

**Appendix B - Handwashing**

**Appendix C - Smoke Free Environment**

- (A) What are the requirements to provide and maintain a clean environment, furniture, materials, and equipment in a licensed child care center?
- (1) Toilet tissue, liquid soap, running water, individually assigned towels, disposable towels or air dryers shall be provided in all bathrooms. Toilets and bathroom sinks shall be in good working condition. Toilets shall be flushed after each use.
  - (2) Equipment, furnishings, and materials shall be constructed of materials to facilitate cleaning and shall be kept clean and in good repair.
  - (3) Accumulated trash and garbage shall be stored outside of the outdoor or indoor play area and shall not be accessible to the children.
  - (4) The center shall be cleaned daily and kept in a sanitary condition at all times. Cleaning and sanitizing shall not take place while rooms are occupied by children, except for general cleanup activities such as sweeping, vacuuming, mopping and wiping off tables which are part of the daily routine. The cleaning and sanitizing schedule contained in appendix A to this rule shall be followed.
  - (5) The premises shall be kept clean to prevent an infestation by insects or rodents.
  - (6) If the center's water is not publicly supplied, the center shall contact the Ohio environmental protection agency (EPA) to determine if it qualifies as a public water system.
    - (a) If the water supply qualifies as a public water system, the center shall comply with the Ohio EPA requirements.
    - (b) If the water supply does not qualify as a public water system, the center shall contact the local health department to have the water tested and follow any additional requirements requested by the health department. The center shall retain a copy of the water test and make it available upon request.
  - (7) On-site sewage disposal systems shall not present a public health hazard.
  - (8) Dishes, cups, containers and silverware sent by the parent shall be cleaned and sanitized according to appendix A to this rule if not sent home daily for cleaning.
- (B) What are the handwashing requirements for a center?
- (1) Handwashing shall occur in a handwashing sink which is a permanent fixture with running water and which conforms to the Ohio plumbing standards of division 4101:3 of the Administrative Code.
  - (2) Handwashing requirements for center child care staff members, employees and children are detailed in appendix B to this rule.
- (C) What are the requirements for a smoke free environment in a center?
- The center shall provide a smoke free environment for the children during the hours that child care is being provided as detailed in appendix C to this rule and be in compliance with the smoking ban pursuant to section 3794.02 of the Revised Code.
- (D) What are the requirements for toothbrushing in a center?

Centers who provide toothbrushing shall:

- (1) Label each toothbrush with child's name and store with bristles to air dry in such a way that the toothbrushes cannot contact or drip on each other and the bristles are not in contact with any surface.
- (2) Ensure that when a single tube of toothpaste is used for more than one child a pea sized amount shall be dispensed onto a clean piece of paper or paper product for each child.
- (3) Discard and replace toothbrushes every three months or if one of the following occur:
  - (a) Contamination through contact with another brush or after illness.
  - (b) A toothbrush is used by another child.
  - (c) A toothbrush comes in contact with the toilet or toileting area.

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**Appendix A - Written Permission When Children Are Transported**

**Appendix B - Licensed Center Vehicle Requirements**

(A) What shall be available on all trips, including routine walking trips?

The center shall:

- (1) Have written and signed permission from the parent before transporting or escorting a child away from the center for field trips and routine trips as detailed in appendix A to this rule. The permission slips shall be kept on file at the center for one year.
- (2) Attach to each child on a routine or field trip, except children being transported only to and from school or to and from home, identification containing the center's name, address, and a telephone number to contact in the event the child becomes lost.
- (3) Have a completed copy of the JFS 01234 "Child Enrollment and Health Information for Child Care" (rev. 12/2016) for each child on the trip, except routine walks.
- (4) Have first aid supplies as required by rule 5101:2-12-16 of the Administrative Code.
- (5) Have the completed JFS 01236 "Child Medical/Physical Care Plan for Child Care" (rev. 12/2016), for any child who has a health condition which could require special procedures or precautions during the course of the trip. The center shall also take supplies needed to provide such treatment.
- (6) Have a working cellular phone or other means of immediate communication. Cellular phones shall not be used by a driver while the vehicle is in motion.
- (7) Ensure that the child care staff member responsible for each child on the field trip maintains a written record of which vehicle each child is being transported in and the cellular phone number of the adult in that vehicle who could be contacted in an emergency.
- (8) Ensure that a person trained in cardiopulmonary resuscitation (CPR), first aid and management of communicable disease in accordance with rule 5101:2-12-10 of the Administrative Code shall be present in the vehicle for routine trips and field trips and at the destination on all field trips. More than one person may be used to meet this requirement.
- (9) Ensure that if the vehicle used to transport children is manufactured with seat belts, they shall be utilized by adults and children, no more than one person may be strapped in each seat belt. Children or adults shall not be permitted to stand in a moving vehicle, sit on the floor or ride in a vehicle where all seats are not securely anchored.
- (10) Not leave children in the vehicle when it is being refueled except when a trip is of such a length as to require refueling after starting with a full tank.

(B) What are the ratio and supervision requirements for trips, including routine walking trips?

- (1) The staff/child ratio requirements of rule 5101:2-12-18 of the Administrative Code shall be met on field trips and routine trips. Children shall be assigned to specific child care staff members for all field trips.
- (2) Parents, guardians or adults authorized by the center may be drivers on field trips as long as staff/child ratio requirements are met at the destination.
- (3) An additional adult shall be present in the vehicle whenever five or more children are being transported and one or more of the children are infants.

- (4) An additional adult shall be present in the vehicle when there are seven or more children being transported and no infants are present.
- (5) An additional adult shall be present in the vehicle for every ten school-age children, or the driver shall have a means of immediate communication, such as a cellular phone, to summon an additional adult whenever only school-age children are transported in one vehicle.
- (6) The additional adult in the vehicle may be the driver, parent or volunteer.
- (7) An adult must be present with the vehicle any time children are in the vehicle. At no time are children to be left unattended.
- (8) The vehicle shall be checked at completion of each trip to ensure that no child has been left on the vehicle.
- (9) During routine walking trips or walking field trips, an additional adult shall be present for every five infants or a combination of seven or more toddlers, preschool and school-age children or for every ten school-age children if the group of children on the walking trip includes only school-age children.
- (10) While children are being transported to and from the center on routine trips from their homes or schools, the children shall not count in the center's capacity. All other requirements of Chapter 5101:2-12 of the Administrative Code still apply.

(C) What are the driver requirements for drivers who are used in the staff/child ratio or are child care staff members of the center?

The driver shall:

- (1) Be at least eighteen years old.
- (2) On routine trips, be an employee or child care staff member with the exception of contracted transportation services.
- (3) Hold a currently valid driver's license required for the type of vehicle driven in accordance with Ohio law.
  - (a) A copy of each driver's current driver's license shall be kept on file at the center.
  - (b) The center is responsible for assuring that the copy of the driver's license on file is kept current.
- (4) Never leave children alone in a vehicle.
- (5) Be free from the influence of any substance which could impair driving abilities.
- (6) Meet the requirements of an employee or child care staff member as required in rule 5101:2-12-08 of the Administrative Code.
- (7) Adhere to the state of Ohio's child restraint law found in section 4511.81 of the Revised Code when transporting children in care.
- (8) Not allow children under twelve years of age to ride in the front seat of any vehicle.
- (9) For drivers who are not used in the staff/child ratios and who are not employees of the center, the administrator shall secure and keep on file at the center a JFS 01266 "Contracted Driver Qualifications Statement for Child Care" (rev. 12/2016) that has been completed at least annually by the driver's employer.
- (10) See that each child safely boards and exits the vehicle from the curb side of the street whenever physically possible and out of the path of moving vehicles. Drop off or pick up at which it is not possible to board and exit from the curb side must be conducted in a safe manner and with close supervision by the child care staff member responsible for the children.
- (11) Be trained utilizing the Ohio department of job and family services (ODJFS) driver training if the driver is an employee of the center.

- (a) A trained child care staff member is not required in the vehicle on field trips when parents are providing the transportation.
  - (b) A trained child care staff member is not required when public transportation is being utilized, if the school district is providing transportation to or from the center or if the driver is a contracted driver.
- (12) Practice the emergency exiting procedures, if the driver is required to complete the driver transportation training requirement pursuant to paragraph (C)(11) of this rule.
- (a) The emergency exiting procedures shall be practiced with the children on a monthly basis.
  - (b) This practice shall occur during months that the vehicle is used for transporting children and shall take place on the center's premises or another safe location that is protected from traffic and other hazards to assure the safety of the children involved.
  - (c) A written record shall be kept of the dates when the emergency exiting procedure was practiced and the staff that were involved.
- (13) Parents, who are not employed by the center, who use their vehicles for transportation to occasional field trips shall not have to meet the requirements of paragraphs (C)(2), (C)(6), and (C)(9) of this rule. For the purposes of this rule, "occasional" means three or fewer times per calendar year.
- (14) Training for transportation shall be completed at least annually for all drivers and shall be documented and kept on file at the center in the employee's or child care staff member's file for review by the ODJFS.
- (D) What are the vehicle requirements for the center?
- (1) Any vehicle operated by the center or driven by the child care staff member to transport children for routine trips or field trips shall be mechanically safe at all times.
  - (2) Requirements for center vehicles used for transportation of children are listed in appendix B to this rule.
  - (3) School buses and multifunction school activity buses are not required to complete the inspections of paragraph (F) of this rule. They shall prepare the buses before each trip following the Ohio department of education's operational and safety rules of Chapter 3301-83 of the Administrative Code.
  - (4) The personal vehicles driven by parents who are not employed by the center are not required to meet the requirements of paragraph (E)(2) of this rule.
- (E) When shall vehicles used for transporting children be inspected?
- (1) The center shall maintain documentation that staff have performed weekly inspections followed by any necessary repairs or other appropriate actions, for the following items:
    - (a) A visual inspection of the vehicle's tires for wear and adequate pressure.
    - (b) A visual inspection for working headlights and taillights, signals, mirrors, wiper blades and dash gauges.
    - (c) An inspection for properly functioning child and driver restraints.
    - (d) An inspection for properly functioning doors and windows.
    - (e) An inspection for, and cleaning of, debris from the vehicle's interior.
  - (2) The center shall require providers of transportation services to maintain documentation that the transportation services staff have performed the same weekly inspections and necessary repairs or other appropriate actions required by paragraph (E)(1) of this rule.
- (F) What are the requirements for the vehicle safety inspection?

- (1) The safety check shall be completed and approved annually prior to the use of any vehicle for transporting children, except that a new vehicle purchased directly from the dealer shall have the safety check completed before one year from the date of purchase. The bill of sale from the vehicle purchase must be maintained on file at the center to verify compliance.
- (2) Verification of the safety check shall be documented on the JFS 01230 "Vehicle Inspection Report for Child Care" (rev. 12/2016). This verification shall include notation and correction of any safety violation and shall be maintained on file at the center for review by the ODJFS.

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**Appendix A - Diseases for Immunizations**

**(A) What are the requirements for the JFS 01234 "Child Enrollment and Health Information" (rev. 12/2016) for a licensed child care center?**

The center shall:

- (1) Have a completed JFS 01234 on file for each child attending the center by the first day of attendance.
- (2) Ensure the JFS 01234 is reviewed at least annually by the parent and updated as needed when information changes. The parent and administrator shall initial and date the form when the information is reviewed or updated.
- (3) Send the child's JFS 01234 with any child who is being transported for emergency assistance.
- (4) Maintain a current copy of the completed JFS 01234 for each child in care in a location that can be easily and quickly accessed and removed from the center if there is an emergency that requires the children to be moved to another location.

**(B) What are the requirements for the children's medical statement for a licensed child care center?**

- (1) The center shall secure and have on file verification of a medical examination for each child enrolled. Children who attend a grade of kindergarten and above in an elementary school are exempt from this requirement.
- (2) The medical statement shall be on file at the center within thirty days of the child's first day of attendance and updated every thirteen months thereafter from the date of the examination.
- (3) The medical statement shall contain the following information:
  - (a) The child's name and birth date.
  - (b) The date of the medical examination.
  - (c) A statement that the child has been examined and is in suitable condition for participation in group care.
  - (d) The signature, business address and telephone number of the physician, physician's assistant (PA), advanced practice registered nurse (APRN) or certified nurse practitioner (CNP) who examined the child.
  - (e) A record of the immunizations that the child has had, specifying the month, day and year of each immunization. This record may be an attachment to the medical statement.
  - (f) A statement from the physician, PA, APRN, or CNP that the child has been immunized or is in the process of being immunized against the diseases required by division 5104.014 of the Revised Code and found in appendix A to this rule or a statement that the child meets one of the following:
    - (i) A statement from a physician, PA, APRN, or CNP that an immunization against the disease is medically contraindicated for the child.
    - (ii) A statement from a physician, PA, APRN, or CNP that an immunization against the disease is not medically appropriate for the child's age.
    - (iii) A statement from the child's parent that he or she has declined to have the child immunized against the disease for reasons of conscience, including religious convictions.

(C) What are the requirements for caring for children with a specific health condition in a licensed child care center?

- (1) The JFS 01236 "Medical/Physical Care Plan" (rev. 12/2016) shall be used for children with a condition or diagnosis that require the following:
  - (a) Monitoring the child for symptoms which require the staff to take action.
  - (b) Administering procedures which require staff to be trained on those procedures.
  - (c) Avoiding specific food(s), environmental conditions or activities.
  - (d) A school-age child to carry and administer their own emergency medication.
  - (e) The center shall:
    - (i) Ensure the parent completes and signs a JFS 01236 for each condition per child.
    - (ii) Review the JFS 01236 for completeness and ensure the form is signed by the administrator or designee.
    - (iii) Implement and follow all requirements of each child's JFS 01236.
    - (iv) Update the JFS 01236 as needed and at least annually.
    - (v) Ensure the JFS 01236 is signed by any trained child care staff member who is providing care to the child.
    - (vi) Keep the completed JFS 01236 on file at the center for at least one year.
    - (vii) Maintain a current JFS 01236 for any child who requires one, in a location that can be easily and quickly accessed and removed from the center if there is an emergency that requires the children to be moved to another location.
- (2) The plan shall be reviewed by the parent at least annually and updated as needed, including an updated list of trained staff members, if applicable. The parent and administrator shall initial and date the form when the information is reviewed or updated.
- (3) The plan shall be on file with the center by the first day of attendance or upon confirmation of a health condition.
- (4) If the center suspects that a child has a health condition, the center may require a physician's statement within a designated timeframe.
- (5) Only staff members trained by the parent or a certified professional shall be permitted to perform medical procedures.
- (6) There shall be a trained child care staff member on-site at all times whenever a child who has a health condition is present.

(D) What information regarding children's records can be shared?

Children's records shall be confidential but shall be available to the Ohio department of job and family services for the purpose of administering Chapter 5104. of the Revised Code and Chapter 5101:2-12 of the Administrative Code. The immunization records shall be subject to review by the Ohio department of health (ODH) for disease outbreak control and for immunization level assessment purposes.

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**Appendix A - First-Aid Kit Contents**

**Appendix B - Caring for Sick Children**

- (A) What are the medical, dental, and general emergency requirements for a licensed child care center?
- The center shall:
- (1) Have a written plan for medical or dental emergencies on the JFS 01242 "Medical, Dental and General Emergency Plan for Child Care" (rev. 12/2016). The plan shall be completed, implemented when necessary, and shall be posted, readily in view by each telephone and in each classroom and other spaces used by the children.
  - (2) Complete the JFS 01201 "Dental First Aid" (rev. 12/2016) and post in a location readily available to center staff and parents.
  - (3) Post a fire and weather alert plan in each classroom and other spaces used by the children. The plan shall include a diagram indicating evacuation routes.
  - (4) Conduct monthly fire drills at varying times. Written documentation of these drills shall be kept on-site.
  - (5) Conduct monthly weather emergency drills in the months March through September. Written documentation of these drills shall be kept on-site.
  - (6) Conduct quarterly emergency/lockdown drills. Written documentation of these drills shall be kept on-site.
- (B) What are the first aid kit requirements for a licensed child care center?
- (1) The first aid kit shall be kept in a clearly marked, unlocked container out of the reach of children.
  - (2) One complete kit shall be readily available for every seventy-five children at the center and be kept out of the reach of children. Centers that operate on separate floors or separate buildings shall have a complete kit on each floor and in each building.
  - (3) The first-aid container shall contain all of the items listed in appendix A to this rule.
  - (4) First aid supplies shall be replaced as they are used, expired, damaged or if sterile packages are opened.
- (C) What are the specific procedures the licensed child care center needs to follow for standard precautions?
- (1) Blood spills shall be treated cautiously and decontaminated promptly. Disposable vinyl gloves shall be worn during contact with blood or bodily fluids which contain blood, such as vomit or feces in which blood can be seen.
  - (2) Surfaces contaminated with blood or bodily fluids containing blood shall first be cleaned with hot, soapy water and then sanitized with an appropriate bleach solution which is prepared on a daily basis, according to product guidelines, or other acceptable disinfectant solution which is environmental protection agency (EPA) rated as hospital disinfectant with a label claim for mycobactericidal activity.
  - (3) Disposal of materials that contain blood requires a sealable, leakproof plastic bag or double bagging in plastic bags that are securely tied.

- (4) Non-disposable items, such as clothing that contain blood, shall be placed in a sealable, leakproof plastic bag or double bagged in plastic bags that are securely tied and sent home with the child.
  - (5) Sharp items used for procedures on children with special care needs, such as lancets for finger sticks or syringes, require a disposable container called a "sharps container." This is a container made out of durable, rigid material which safely stores the lancets or needles until the parent can take them home for disposal. Sharps containers must be stored out of the reach of children.
- (D) What are the communicable disease requirements for a licensed child care center?
- (1) Any child enrolled and attending the center with signs or symptoms of illness listed in appendix B to this rule shall be immediately isolated and discharged to his parent or guardian or person designated by the parent or guardian.
  - (2) The JFS 08087 "Communicable Disease Chart" (rev. 12/2016) shall be posted in a location readily available to parents, child care staff members and substitutes for use in identifying and responding to communicable diseases.
  - (3) A child isolated due to suspected communicable disease shall be:
    - (a) Within sight and hearing of a staff member at all times.
    - (b) Cared for in another room or portion of a room away from other children.
    - (c) Provided with a cot or mat, if necessary and made comfortable. After use, the cot or mat shall be sanitized with an appropriate sanitizer, or if soiled with blood, feces, vomit or other body fluids, the cot or mat shall be cleaned with hot soapy water and disinfected with an environmental protection agency (EPA) registered product rated as hospital disinfectant with a label claim for mycobactericidal activity.
  - (4) No later than the end of the next business day, the center shall notify parents when their child has been exposed to a communicable disease listed on the JFS 08087.
  - (5) The center shall release employees and child care staff members who have a communicable disease or who are unable to perform their duties due to illness.
- (E) When shall a child care staff member complete the JFS 01299 "Incident/Injury Report for Child Care" (rev. 12/2016)?
- (1) Staff shall complete the JFS 01299 and provide a copy to the child's parent or the person picking up the child on the day of the incident or injury if:
    - (a) A child becomes ill and requires first aid or receives an injury which requires first aid treatment.
    - (b) A child is transported in accordance with this rule to a source of emergency assistance.
    - (c) A child receives a bump or blow to the head.
    - (d) An unusual or unexpected incident occurs which jeopardizes the safety of a child or employee of a center, such as a child leaving the center unattended, a vehicle accident with or without injuries or exposure of children to a threatening person or situation.
  - (2) Copies of the JFS 01299 shall be kept on file at the center for at least one year and shall be available for review by the Ohio department of job and family services (ODJFS).
- (F) What is a serious incident?
- (1) Death of a child at the center.
  - (2) A child receives a bump or blow to the head that requires first aid or medical attention.
  - (3) An incident, injury, or illness requires a child to be removed by the parent or emergency services from the center for medical treatment, professional consultation or transportation for emergency treatment.

- (a) If a child is transported for emergency treatment the child's health and medical records required by rule 5101:2-12-15 of the Administrative Code shall accompany the child.
- (b) The center administrator or a child care staff member shall stay with the child until the parent assumes responsibility for the child's care.
- (4) An unusual or unexpected incident which jeopardizes the safety of a child or employee of a center.
- (5) An incident defined as a serious risk noncompliance in appendix A to rule 5101:2-12-03 of the Administrative Code.

(G) What does the center do if there is a serious incident?

- (1) The center shall log in to <http://oclqs.force.com> by the next business day to report the incident, as defined in paragraph (F) of this rule, and complete the JFS 01156 "Serious Incident Reporting for Child Care" (~~rev. 12/2016~~)(rev. 10/2017).
- (2) This notification does not replace reporting to the public children services agency (PCSA) if there are concerns of child abuse and neglect as required by rule 5101:2-12-19 of the Administrative Code.
- (3) The center may print the completed JFS 01156 and give to the parent to meet the parent notification requirements of paragraph (E) of this rule.

(H) What are the disaster plan requirements for a center?

The center shall develop a written disaster plan and make it available to all child care staff members and employees.

- (1) The plan shall include procedures that will be used to prepare for and respond to the following types of emergency or disaster situations:
  - (a) Weather emergencies and natural disasters which include severe thunderstorms, tornadoes, flash flooding, major snowfall, blizzards, ice storms or earthquakes.
  - (b) Emergency outdoor or indoor lockdown or evacuation due to threats of violence which includes active shooter, bioterrorism or terrorism.
  - (c) Emergency or disaster evacuations due to hazardous materials and spills, gas leaks or bomb threats.
  - (d) Outbreaks, epidemics or other infectious disease emergencies.
  - (e) Loss of power, water or heat.
  - (f) Other threatening situations that may pose a health or safety hazard to the children in the center.
- (2) The disaster plan shall include details for:
  - (a) Shelter in place or evacuation, how the center will care for and account for the children until they can be reunited with the parent.
  - (b) Assisting infants and children with special needs and/or health conditions.
  - (c) Reunification with parents.
    - (i) Emergency contact information for the parents and the center.
    - (ii) Procedures for notifying and communicating with parents regarding the location of the children if evacuated.
    - (iii) Procedures for communicating with parents during loss of communications, no phone or internet service available.
  - (d) The location of supplies and procedures for gathering necessary supplies for staff and children if required to shelter in place.

- (e) What to do if a disaster occurs during the transport of children or when on a field trip or routine trip.
- (f) Training of staff or reassignment of staff duties as appropriate.
- (g) Updating the plan on a yearly basis.
- (h) Contact with local emergency management officials.

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CCM TL 16

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**Appendix A - Categories of Developmentally Appropriate Equipment and Materials**

(A) What are the programming requirements for a licensed child care center?

The requirements include:

- (1) Posting the daily schedule for each age group in each classroom.
- (2) Providing opportunities for both quiet and active play suitable to the developmental levels and abilities of each child in care.
- (3) Providing activities to promote the children's physical, social-emotional, cognitive and language development.
- (4) Providing opportunities for periods of child initiated activities such as, imaginative play, language development, and creative activities.
- (5) Providing outdoor play in suitable weather for any infant over twelve months of age, toddler, preschool, and school-age child in attendance four or more consecutive daylight hours. Suitable weather is at a minimum of twenty-five to ninety degrees Fahrenheit.
- (6) Indoor gross motor play such as, climbing, jumping, running, riding wheel toys, yoga, other physical fitness or music and movement on days when outdoor play is not provided.

(B) What materials and equipment are required for a licensed child care center?

The center shall:

- (1) Provide durable furniture such as tables and chairs. This furniture shall be child sized or safely adapted for use by children.
- (2) Provide developmentally appropriate play materials to be used as part of the daily schedule. These materials shall be readily accessible, and arranged in an orderly manner so that children have opportunities to select, remove, and replace play materials with minimal assistance during the day.
  - (a) The center shall have materials from each category in appendix A to this rule for infants, toddlers and preschool-age children.
  - (b) The center shall have materials from at least five of the nine categories in appendix A to this rule for school-age children.
- (3) Ensure that equipment, materials, and furnishings provided for both indoor and outdoor play are:
  - (a) Varied and adequate to meet the developmental needs of the children.
  - (b) Sufficient that each child can be actively involved in an activity.
- (4) Designate an area where children can individually store their personal belongings. This area shall not block walkways or evacuation routes.
- (5) Designate an area for quiet activities.

Replaces: 5101:2-12-16

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**Appendix A - Staff/Child Ratios, Age Grouping and Maximum Group Size**

- (A) What are the requirements for staff/child ratios and maximum group size for a licensed child care center?
- (1) The center shall ensure that required child care staff members/child ratios and maximum group size limitations are maintained at all times in accordance with appendix A to this rule. The center shall post appendix A to this rule in a noticeable area in the center.
  - (2) Child care staff members shall not be counted in the staff/child ratio when engaged in duties or activities that interfere with supervision of children.
  - (3) ~~Even if only one child care staff member is needed to be in the building to meet ratio, there~~ There shall be at least one other employee or child care staff member at the center if there are seven or more children in the building. ~~A child care staff member who meets the requirements of paragraph (B)(2) of rule 5101:2-12-08 of the Administrative Code shall not be used as the additional adult on the premises.~~
  - (4) Children shall be organized and assigned to a permanent group in consultation with parents and in accordance with the maximum group size detailed in appendix A to this rule.
    - (a) A child with special needs shall be included in the group that best meets the child's development needs.
    - (b) Specific child care staff members shall be assigned and responsible for the care and supervision of the children in their group on a daily basis.
  - (5) The center shall not exceed the license capacity at any time.
    - (a) Children on routine trips to and from home, do not count in the center's capacity.
    - (b) Children on routine trips, other than to and from home, and on field trips do count in the center's capacity.
  - (6) Group size limitations shall not be interpreted to apply during nap time, evening sleep time, meal time, snack time, outdoor play, field trips, routine trips or special occasions.
  - (7) The children shall be organized in groups to give continuity of care and supervision to the children on a day by day basis. ~~Children, other than school-age children, shall not be moved from one group to another to maintain staff/child ratios.~~
- (B) What are the requirements when multiple age groups are combined?
- (1) If two or more age groups are combined, the staff/child ratio shall be maintained for the age of the youngest child in the group. This includes when children are visiting the next older age group for transitioning purposes.
  - (2) If no more than one child two and one-half years of age or older is permanently assigned to a group in which all the other children are in the next older group, the staff/child ratio and maximum group size shall be determined by the older children.
  - (3) All age groups may be combined when there are twelve or fewer children in the center.
- (C) What are the requirements when multiple groups are combined in a shared undivided space?
- Two or more groups of children may be combined in the shared space if all of the following are met:
- (1) All of the children are two and a half or older.



- (2) The total number does not exceed the occupancy limit for the space or thirty-five square feet per child (whichever is less).
- (3) Ratio is maintained pursuant to this rule at all times.

(D) What are the requirements for transitioning children into the next age group?

The center shall have available in the classrooms, a copy of the transition agreement between the parent and the center.

- ~~(1) The center shall document on the attendance records the specific days and times the child is with each group.~~
- ~~(2) The center shall have available in the classrooms, a copy of the transition agreement between the parent and the center.~~

(E) Can school-age only programs be double ratio to allow access to the program?

- (1) If the program serves only school-age children, a group of school-age children may be left with only one child care staff member while the other child care staff member leaves the room to allow access to the program.
- (2) Both child care staff members shall have a working communication device to contact each other while one child care staff member is out of the room.
- (3) The child care staff member shall return to the group after allowing access to the program.

~~(E)~~(F) What are the requirements for child care centers to keep an attendance record?

- (1) The program shall have written documentation of the following for each child:
  - (a) The name and birth date of the child.
  - (b) The assigned group for the child.
  - (c) The child's weekly schedule.
  - (d) The time (hours and minutes) of the child's arrival and departure to the program, including transportation by the program. The Ohio electronic child care (Ohio ECC) provider website (Pweb) cannot be used to meet this written documentation requirement.
  - (e) The written documentation shall be kept for a period of one year. Attendance documentation shall remain at the center at all times.
- (2) Each group shall have a method for tracking the children in the group. This tracking method shall include the child's name and date of birth and shall remain with the group at all times throughout the day including outdoor play, emergency evacuations and when groups are combined. The tracking shall be updated throughout the day as children enter or leave the group.
- ~~(1) A record of daily attendance for each group shall be kept by the child care staff member responsible for that group. Attendance records shall remain with the group at all times throughout the day including outdoor play, emergency evacuations and when groups are combined. The attendance shall be updated throughout the day as children enter or leave the group.~~
  - ~~(2) The attendance record shall contain all of the following information:~~
    - ~~(a) The names and birth dates of each child in the group.~~
    - ~~(b) The names of the child care staff members responsible for the group.~~
    - ~~(c) The child's weekly schedule.~~
    - ~~(d) The time (hours and minutes) of the child's arrival and departure to the group.~~

- ~~(3) A child attending the center on a drop-in basis shall be listed on the attendance sheet of the group to which he or she is assigned on the day the child is in attendance.~~
- ~~(4) The written records of attendance shall be kept for a period of one year. A copy of attendance records shall remain at the center at all times.~~

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**CCM TL 16**

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**Appendix A - Allowable Discipline Techniques**

**(A) What are the requirements for supervision by child care staff members?**

Each child care staff member shall:

- (1) Leave no child unsupervised. Supervision means the child care staff members have knowledge of a child's needs and accountability for his or her care at all times. Supervision includes awareness of and responsibility for the activity of each child and being near enough to respond and reach children immediately including responding to the child's basic needs and protecting them from harm.
- (2) Ensure all children in care are within sight and hearing of child care staff members at all times, except as listed in paragraph (B) of this rule. Within sight and hearing means without the use of mechanical devices such as baby monitors, video cameras or walkie talkies. The use of mirrors to view children in another room does not meet the supervision requirements of this rule.
- (3) Not be under the influence of any substance that impairs the child care staff member's ability to supervise children and/or perform duties.
- (4) Always have immediate access to a working telephone on the premises which is available and capable of making outgoing calls and receiving incoming calls.
- (5) Only release a child to the parent or to a person who has been previously approved by the parent.
- (6) Not permit children to be exposed to inappropriate language or media.
- (7) Supervise outdoor play.
  - (a) The child care staff member shall remain outdoors with the children at all times.
  - (b) The child care staff member shall be able to summon another adult without leaving the group unsupervised.
  - (c) When the outdoor play space is not on the premises, child care staff members shall accompany and supervise all children in transit and at the outdoor play space.

**(B) What are the requirements for supervision of school-age children?**

- (1) School-age children may run errands inside the building, use the restroom, or engage in a short term activity which poses no physical risk to their safety alone or in groups of no more than six children without adult supervision as long as the following conditions are met:
  - (a) Children are within hearing distance of a child care staff member, without the use of electronic equipment.
  - (b) The child care staff member checks on the children who are in kindergarten through third grade at least every five minutes until they return to the group.
  - (c) The child care staff member checks on the children in fourth grade or higher at least every ten minutes until they return to the group.
  - (d) The center has exclusive use of the child care space being used by the children.
- (2) With written parent permission, school-age children may leave the center for specific activities.
  - (a) These activities include:
    - (i) Walking to and from the center or school.

(ii) Walking home or to another destination.

(iii) Participation in activities inside the building that are sponsored by another group.

(b) The written permission shall specify:

(i) Child's name.

(ii) Location of the activity.

(iii) Arrangements for going to and from the activity.

(iv) Start and end time of the activity.

(v) Time period for when permission is given.

(vi) Parent's signature and date.

(C) What child guidance techniques shall be used in the licensed child care center?

(1) All employees shall follow appendix A to this rule regarding guidance techniques to be used with children.

(2) The center shall communicate and consult with the parent prior to implementing a specific behavior management plan. This plan shall be in writing and signed by the parent and shall be consistent with the requirements of this rule.

(D) What are the child abuse and/or neglect reporting requirements?

If the owner, administrator, employee or child care staff member suspects that a child has been abused or neglected, he or she shall immediately notify the public children services agency (PCSA).

Replaces: 5101:2-12-20, 5101:2-12-21, 5101:2-12-22

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**CCM TL 16**

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**Most Current Prior Effective Date: September 29, 2011**

(A) What are the sleep and nap requirements for a licensed child care center?

- (1) The licensed child care center shall provide a quiet space for children who want to rest, nap, or sleep.
- (2) Nap and rest time shall be in accordance with the developmental needs of the child.
- (3) Rest or nap areas shall be lighted to allow for visual supervision of all children at all times.
- (4) Any child who does not fall asleep during a designated nap time shall have the opportunity to engage in quiet activities.
- (5) Evacuation routes shall not be blocked by resting or napping children. Each child shall have a free and direct means of escape, and the provider shall have a clear path to each resting child.
- (6) Cribs shall be separated from the play space by a safe and sturdy physical barrier which does not impair the ability of child care staff to supervise infants by sight and hearing. Sight and hearing is when the child care staff can see the infants in and out of their cribs and hear their sounds. The barrier shall provide for safe accessibility.
- (7) Ratio may be doubled for no more than two hours during nap time, and shall only be doubled if all of the children in the group are on cots or on mats, if the group does not include any infants and if there are enough child care staff members in the building to meet staff/child ratio pursuant to rule 5101:2-12-19 of the Administrative Code for the group.

(B) What are the crib requirements for a licensed child care center?

- (1) Unless the infant meets the requirements of paragraph (D) of this rule, each infant in attendance shall have a separate crib labeled with their name on it that meets the following requirements:
  - (a) Any crib manufactured before June 28, 2011 shall have a certificate of compliance (COC) on file. The center may have to contact the manufacturer of the crib to receive a COC if they do not request one from the retailer when they purchase the crib.
  - (b) Cribs with a documented manufacture date after June 28, 2011 have to meet the new federal standards to be sold, so they do not require a COC. The date of manufacture shall be attached to the crib.
  - (c) Cribs shall be used according to manufacturer's instructions.
  - (d) Each crib shall be of sturdy construction and have:
    - (i) Closely spaced bars with corner posts that do not exceed one sixteenth of an inch above the top of the end panel.
    - (ii) Spaces between the bars of the crib and between the bars and end panels of the crib shall not exceed two and three-eighths inches.
  - (e) Cribs shall be used with the mattress supports in their lowest positions and the sides in the highest position.
  - (f) Each crib shall have a firm mattress that is at least one and one half inches thick.
  - (g) The space between the mattress and the side or end panels of the crib shall not exceed one and one-half inches.
  - (h) Each mattress shall be securely covered with a waterproof material which can be thoroughly sanitized and is not dangerous to children. The waterproof cover shall be free of rips or tears.

(i) Each mattress shall have a properly fitted clean sheet that is changed at least weekly, when soiled, and before another child uses the mattress.

(2) Stacked cribs are prohibited.

(3) When cribs are in use they shall be spaced apart from each other by a minimum of two feet on all sides or the cribs shall be separated by a divider and have at least two feet of space on two of the sides or ends of the crib. If a divider is used between cribs, the divider shall meet all of the following requirements:

(a) Be constructed so that staff may view children through or around the divider.

(b) Be unbreakable in normal use situations.

(c) Be made of a nonporous material that can be easily sanitized.

(d) Shall extend up higher than an infant standing in a crib can reach up and shall not impede child care staff members' ability to hear the child.

(4) Bumper pads shall not be used.

(5) Nothing shall be placed or hung over the side that obstructs the provider's view of the infant.

(6) Infants shall not be placed in cribs with bibs or any other items which could pose a strangulation or suffocation risk.

(7) No blankets shall be in the crib for infants under twelve months old. A one-piece sleeper or wearable blanket is permitted. Only children who are not yet able to roll-over are permitted to be swaddled using a wearable swaddling blanket.

(8) The cribs may be placed in storage on the premises if not currently assigned to an infant.

(9) Infants shall be placed in their cribs for sleeping, and shall not be allowed to sleep in bassinets, swings, car seats or other equipment. If a medical condition exists where a child needs to sleep in equipment other than a crib, written permission shall be obtained from a physician and shall be on file.

(10) Infants under twelve months old shall be placed on their backs to sleep unless the parent provides written authorization on the JFS 01235 "Sleep Position Waiver Statement for Child Care" (rev. 12/2016) signed by the child's physician. The JFS 01235 shall be maintained on file for review. Infants who are able to roll from back to front and front to back shall be placed initially on their back for sleeping but allowed to remain in a position they prefer.

(11) Cribs assigned to a child shall not be used for storage of toys and other materials.

(C) What are the cot and mat requirements for a licensed child care center?

(1) Cots or mats shall be individually assigned, cleaned and sanitized in accordance with the appendix A to rule 5101:2-12-13 of the Administrative Code and before reassignment to another child.

(2) A cot shall stand at least three inches and not more than eighteen inches off the floor. The cot shall be firm enough to support the child, but shall be resilient under pressure. Each cot shall be at least thirty-six inches in length and at least as long as the child assigned to the cot is tall.

(3) A mat is a pad that is at least one inch thick and at least as wide and long as the child using the mat.

(4) Children are not permitted to rest, nap, or sleep on the floor without a cot or mat.

(5) Centers that operate for fewer than seven hours without a scheduled nap time are not required to have a cot or mat for each preschool and school-age child.

(D) When shall children stop using cribs?

(1) When the child is able to climb out of the crib.

(2) When the child reaches the height of thirty-five inches.

(3) An infant twelve months or older may use a cot or mat with written permission from the parent.

(4) If the use of a crib is considered hazardous for a child, regardless of age, the infant may use a cot or mat with written permission from the parent.

Replaces: 5101:2-12-19, 5101:2-12-42

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(A) When is a licensed child care center considered to be providing evening and overnight care?

Evening or overnight care is provided when children are in attendance anytime between the hours of seven p.m. and six a.m.

(B) What is required when evening and overnight care is provided?

If a licensed child care center has evening or overnight care, the following are required:

- (1) Child care staff members shall remain awake at all times, and shall supervise sleeping children pursuant to rule 5101:2-12-19 of the Administrative Code.
- (2) The center shall provide adequate lighting indoors in all areas, including bathrooms, hallways, and sleeping rooms to ensure that child care staff members are able to see all children at all times.
- (3) The center shall ensure that parking areas, outdoor walkways, and all building entrances be adequately lighted for safety and security.
- (4) The center shall ensure that anyone on the premises during evening and overnight care hours shall be limited to persons authorized by the administrator or owner and parents and guardians of children in care.
- (5) Each child in care during evening and overnight hours shall be provided with an individual crib, cot, or mat in accordance with rule 5101:2-12-20 of the Administrative Code.
- (6) The center shall develop bedtime routines in consultation with the parents of the children.
- (7) The center shall provide a written security plan that ensures that access to the center is limited to parents and guardians of children in care and authorized persons. The center shall ensure that children are supervised at all times during the limited access hours. The plan shall ensure the supervision of the children.
- (8) The center shall provide sleeping arrangements so that sleeping children are cared for separately from children who are awake, and so that sleeping children are not disturbed by arrivals and departures.
- (9) The center shall ensure areas where children sleep during evening and overnight care are on the building's ground floor unless another floor has been approved for the care of sleeping children by the local fire official having jurisdiction.
- (10) The provider shall have activities before bedtime which allows for children's individual choices and needs. Activities may include meals, play, homework, relaxation, personal grooming, and outdoor play during daylight hours.

(C) What sanitary environment and additional hygiene stipulations shall be followed by the center?

The center shall:

- (1) Ensure that each child who sleeps at the center for four or more hours has clean comfortable sleeping clothes.
- (2) Ensure that child care staff members assist children during washing and changing clothes according to children's developmental needs.
- (3) Separate school-age boys from school-age girls during washing and while changing clothes to ensure privacy.
- (4) Change bed linens weekly, when soiled, and when assigned to a different child.



- (5) Ensure each child has a clean, individual washcloth, towel and toothbrush, as appropriate for the age of the child, labeled with the child's name and stored in a sanitary manner.
- (6) Provide children access to running water, liquid soap and toothpaste.
- (7) Ensure bathtubs and showers are equipped to prevent slipping, if the center provides bathing. The center shall also have written permission from the parent prior to allowing the child to bathe.
- (8) Ensure bathtubs and showers are cleaned and sanitized after each use. The tub or showers do not have to be sanitized between uses if the children are siblings and the parent has provided written consent. All children shall bathe separately unless the children are siblings and the parent has provided written consent that the children can be bathed together.

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**Effective Date: December 31, 2016**

**Most Current Prior Effective Date: December 1, 2011**

**Appendix A - Meal and Snack Requirements**

**Appendix B - Portion Sizes for Meals**

**(A) What are the requirements for meals and snacks in a licensed child care center?**

The center shall:

- (1) Serve varied, nutritious, and appropriately timed meals and snacks as described in appendix A to this rule.
- (2) Follow the portion sizes and nutritional requirements for meals and snacks described in appendix B to this rule.
- (3) Serve food that is not a choking hazard, and that is developmentally appropriate in size, amount and texture.
- (4) Provide meals and snacks according to the posted current weekly menu, and spaced no more than four hours apart.
  - (a) The menus shall be posted in a visible place readily accessible to parents.
  - (b) The menus shall include all meals and snacks being served by the center, any substitutions shall be noted at the time of the change.
- (5) Serve only one hundred per cent, undiluted fruit or vegetable juice. This may be used to meet the fruit or vegetable requirement for meals or snacks.
- (6) Obtain a physician's written instructions if administering a food supplement to any child or if an entire food group is eliminated. When special diets are required for cultural or religious reasons, the center shall obtain written, dated and signed instructions from the child's parent unless the special diet is part of a center program.
- (7) Set its own policy regarding the accommodation of a parent's alternate diet for a child when the center provides the meal. The center shall assure that any alternate diet, except those required for religious, cultural, or medical reasons as specified in paragraph (A)(6) of this rule, include items from each of the following categories: meat or meat alternative, grain, fruit/vegetable, dairy.
- (8) Provide for the safe storage of all food. If safe storage of milk is not available on routine trips or field trips, milk may be served at snack instead of at the meal.
- (9) Have drinking water freely available to children. If drinking fountains are used, there shall be sufficient water pressure so that the child's mouth does not come in contact with the water dispensing mechanism.
- (10) Ensure that individual servings or individual packages of food or drink that have been served to a child are discarded or sent home with the child if not consumed during meal or snack time. Food or drink that is individually packaged and the package has not been opened may be stored at the center to be served again or sent home.
- (11) Not have screens (television, computer, etc.) on during meals and snacks.

**(B) What are the requirements for serving fluid milk in a licensed child care center?**

Unless the parent provides written instructions by a physician, physician's assistant or certified nurse practitioner (CNP), the center:

- (1) Shall use formula or breast milk for children under twelve months of age.

- (2) Shall provide and use whole homogenized vitamin D fortified cow's milk for children twelve months of age through twenty-four months of age.
- (3) Shall provide one per cent or skim milk that is vitamin A and D fortified for children older than twenty-four months of age.
- (4) May serve breast milk at parent request to a child over twelve months of age without written instructions from a physician, physician's assistant or CNP.
- (5) May serve non-cow milk substitutions to a child over twelve months of age, with written parental consent.
- (6) Shall not use reconstituted dry powdered milk as a beverage.

(C) What are the requirements for meals and snacks when parents provide the food?

The center shall:

- (1) Have provisions for safe storage of parent provided food.
- (2) Provide all parents or guardians and staff written nutritional information regarding meeting one-third of the child's recommended daily dietary allowance. A copy of this written nutritional information shall be on file at the center.
- (3) Ensure that no child goes more than four hours without at least a snack if his or her parent fails to send food for the day.

(D) What requirements shall a center implement for safe food handling?

The center shall ensure that:

- (1) Food is not served on bare tables. Food for infants may be placed directly on an individual highchair tray if the tray is removed, washed and sanitized in accordance with appendix A to rule 5101:2-12-13 of the Administrative Code.
- (2) Eating utensils and dishes are suitable for the age and developmental level of the children.

Replaces: 5101:2-12-21, 5101:2-12-39

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**CCCM TL 18**

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**Appendix A - Breast Milk Storage**

- (A) What are the requirements for infant daily care?
- (1) The center shall:
- (a) Allow infants to safely and comfortably sit, crawl, toddle, walk and play according to the infant's stage of development.
  - (b) Remove each infant from the crib, swing, infant seat, exercise seat or other equipment throughout the day for individual attention.
  - (c) Provide each non-crawling infant the opportunity for tummy time each day.
  - (d) Maintain a daily written record for each infant that is provided to the infant's parent or person picking up the infant on a daily basis. The record shall include the following information:
    - (i) Food intake.
    - (ii) Sleeping patterns.
    - (iii) Times and results of diaper changes.
    - (iv) Information about daily activities.
- (2) Each infant shall be removed from his or her crib for all feedings. Infants shall be held or fed sitting up for bottled feedings. At no time shall a bottle be propped for an infant.
- (B) What are the requirements for infant bottle and food preparation?
- The center shall:
- (1) Prepare and serve infant food in a manner appropriate to the developmental needs of each child. The center shall introduce new foods only after consultation with the parent. The center shall comply with written feeding instructions from the infant's parent, physician, physician's assistant, or certified nurse practitioner (CNP) which shall include the following:
    - (a) Type of food and/or formula/breast milk.
    - (b) Amount of food and/or formula/breast milk.
    - (c) Feeding times or frequency of feedings.
  - (2) Require the parent to update the written feeding instructions as needed.
  - (3) Not feed any foods, other than formula or breast milk, to infants under four months of age, unless there is written documentation on file from a physician, physician's assistant or CNP.
  - (4) Ensure that formula, breast milk, or other liquids in a bottle are not heated in a microwave oven.
    - (a) If formula or breast milk is to be warmed, bottles shall be placed in a container of water not hotter than one hundred twenty degrees or be placed in a commercial bottle warmer. The container of water shall be kept out of reach of children and shall be emptied and cleaned each day. The bottle shall be shaken well, and the formula or breast milk temperature tested before feeding.
    - (b) Frozen breast milk shall be thawed under cold running water or in the refrigerator.
  - (5) Ensure that the unused portion of formula, breast milk or food remaining in a container from which the infant has been directly fed shall not be reheated or served again.

- (6) Store, prepare and serve food, formula and breast milk in a safe and clean manner.
- (7) If provider prepares infant formula they shall do so according to the manufacturer's instructions or instructions from the infant's physician, physician's assistant or CNP.
- (8) Ensure that open containers of ready-to-feed and concentrated formula shall be covered, dated and refrigerated according to the manufacturer's instructions. Prepared formula and food shall be discarded or sent home daily if not used.
- (9) Label all bottles or prepared food with the infant's name and date of preparation. All formula shall be refrigerated immediately after preparation or upon arrival if the formula is prepared by the parent. All commercially prepared food shall be stored according to the manufacturer's instructions and not served after the expiration date.
- (10) Ensure that if breast milk is provided by the parent, it shall be labeled with the infant's name, the date pumped, and the date the bottle was prepared. Centers shall follow the chart in appendix A to this rule for storing breast milk.

(C) What are the requirements for diapering?

- (1) Diapers shall be changed immediately when wet or soiled.
- (2) Clothing shall be changed immediately when wet or soiled.
- (3) When changing diapers the center shall comply with the following:
  - (a) The center shall wash all soiled areas of the child's body with either a wash cloth, which is then appropriately sanitized, or a disposable wipe.
  - (b) If a diaper-changing surface is used to change more than one child, the provider shall place a disposable separation material between the child and the changing surface. A different separation material shall be used for each diaper change.
  - (c) If an infant's diapers are to be changed in a crib, there shall be a separation material between the infant and the crib sheet. If the bedding becomes wet or soiled during the diaper change, it shall be replaced with clean bedding.
  - (d) If a diapering product is used on more than one child:
    - (i) The container shall not touch the child to avoid cross contamination.
    - (ii) The product shall be administered to avoid cross contamination.
  - (e) No child shall be left unattended on the diaper changing table.
  - (f) If restrooms are used for diapering, children who are waiting for toileting and diapering shall not be placed or required to sit directly on the floor.

~~(4) The center shall ensure that each child has a clean supply of diapers and an extra change of clothing available at all times.~~

~~(5)~~(4) The center shall store and launder soiled diapers or clothing as follows:

- (a) If soiled diapers or clothing are to be sent home with a parent, the center shall store the diapers or clothing for no longer than one day in an individual covered container or plastic bag away from the child's belongings and out of the reach of children.
- (b) The center shall store soiled diapers and diapering washcloths, which are to be laundered by the center, in a covered container with sanitizing solution.
- (c) If soiled diapers are to be commercially laundered, the center shall hold them for laundering pickup for no longer than seven days.
- (d) The center shall store soiled disposable diapers in a plastic-lined covered container that prevents hand contamination and is not easily accessible to children and discard diapers daily or more frequently as needed to eliminate odor.
- (e) If the center is laundering diapers, the center shall follow the manufacturer's guidelines.

~~(6)~~(5) Toilet training shall occur based on a child's readiness and consultation with the parent regarding practices in the child's home. The center shall ensure that toilet training is never forced.

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**CCCM 16**

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(A) What are the requirements for swimming sites for a licensed child care center?

- (1) All swimming sites shall meet all state and local guidelines for environmental health inspections. Inspection reports for on-site and private pools shall be on file at the center.
- (2) A center shall have one lifeguard present for every thirty-five children when children are involved in a water activity for on-site or private pools over eighteen inches in depth.
- (3) Activities in bodies of water eighteen inches or more in depth shall be supervised by people who are currently certified as lifeguards or water safety instructors by the "American Red Cross" or an equivalent water safety program, as determined by the Ohio department of job and family services (ODJFS). If the lifeguard is a child care staff member, they shall not be counted as a child care staff member in the staff/child ratio.
- (4) Child care staff members shall be actively supervising children pursuant to rule 5101:2-12-19 of the Administrative Code and shall be able to clearly see all parts of the swimming area including the bottom of pools.
- (5) The use of saunas, hot tubs, and spas by children is prohibited.
- (6) Swimming in lakes, rivers, ponds, creeks or other similar bodies of water is prohibited.
- (7) Swimming pools, wading pools and other swimming/wading sites shall be made inaccessible to the children when not in use.
- (8) A center may use wading pools less than eighteen inches in wall height regardless of the amount of water put into it.
  - (a) Wading pools shall be filtered or emptied daily, and portable wading pools shall be sanitized daily or more often if needed.
  - (b) The center shall supervise children at all times while a wading pool is in use and shall be able to clearly see all parts of the wading area.

(B) What are the requirements for parental permission for water and swimming activities?

- (1) A center shall have written parental permission from the parent for the following activities:
  - (a) Before the child swims or plays in water eighteen inches or more in depth.
  - (b) Before the child participates in activities near, in or on water eighteen inches or more in depth.
  - (c) Before infants and toddlers use wading pools.
- (2) Written parental permission shall be on file for one year at the center. Written permission for on-going activities such as the wading pools shall be updated annually.

(C) What shall be included in the written parental permission?

- (1) Child's name and date of birth.
- (2) Statement indicating whether the child is a non swimmer or capable of swimming.
- (3) Location of the water activities or swimming site by water of eighteen or more inches in depth.
- (4) A statement of whether or not the center is providing additional adults or child care staff members above the licensing ratio requirements for this activity.
- (5) A signature and date from the parent indicating permission for the activity.



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- (A) What are the requirements for prescription medications, nonprescription medicines containing codeine or aspirin, or nonprescription medication to be given longer than three consecutive days in a fourteen day period?
- (1) The center shall ensure that the parent completes and signs box one of the JFS 01217 "Request for Administration of Medication" (rev. 12/2016).
  - (2) The center shall ensure that the instructions in box two of the JFS 01217 are completed and signed by a licensed physician, licensed dentist, advanced practice nurse or certified physician's assistant.
  - (3) If the medication is stored in the original container with prescription label that includes the child's full name, a current dispensing date within the previous twelve months, exact dosage and directions for use, box two of the JFS 01217 does not need to be completed.
- (B) What are the requirements for nonprescription medications, food supplements or medical foods?
- The center shall:
- (1) Ensure that the parent completes and signs box one of the JFS 01217.
  - (2) Ensure that one of the following is met:
    - ~~(1)(a) Ensure that the~~The medication or product is stored in the original container with a manufacturer's label containing directions based on the age and/or weight of the child.
    - ~~(2)(b) Ensure that the~~The instructions in box two of the JFS 01217 are completed and signed by a licensed physician, licensed dentist, advanced practice nurse, or certified physician's assistant, this excludes topical preventative products and lotions unless the instructions exceed the manufacturer's instructions or use.
  - ~~(3) Ensure that the parent completes and signs box one of the JFS 01217.~~
- (C) What are the requirements for topical products and lotions?
- The center shall:
- (1) Ensure that the product is stored in the original container with a manufacturer's label that includes directions based on the age and/or weight of the child.
  - (2) Ensure that the parent completes and signs box one of the JFS 01217.
  - (3) Apply the nonprescription topical products and lotions according to the manufacturer's instruction. Documentation is not required by the staff.
  - (4) A JFS 01217 is not required for hand sanitizer or lip balm.
- (D) What are the requirements for a licensed child care center who chooses to administer medications, food supplements, medical foods or topical products in a licensed child care center?
- The center shall:
- (1) Not administer any medication, food supplement, medical food, or topical product until after the child has received the first dose or application at least once prior to the center administering a dose or applying the product, to avoid unexpected reactions. Emergency medications that are listed on a completed JFS 01236 "Child Medical/Physical Care Plan for Child Care" (rev. 10/2016) for the child are exempt from this requirement.
  - (2) Not administer any medication, food supplement, medical food or topical product for any period of time beyond the date indicated by the physician, physician's assistant, advanced practice

nurse certified to prescribe medication, or licensed dentist, on the prescription label, for twelve months from the date of the form, or after the expiration date on the medication, whichever comes first.

- (3) Document each administration or application on the JFS 01217 immediately after administering. This excludes items in paragraph (C)(3) of this rule.
- (4) Nonprescription medication dosages administered shall not exceed prescribed dosages or the manufacturer's recommended dosages.
- (5) A separate JFS 01217 shall be used for each medication, food supplement, medical food or topical product to be administered for each child.
- (6) Each JFS 01217 is valid for the time period listed on the form not to exceed twelve months from the date of signature.
- (7) Retain each JFS 01217 on file at the center for at least one year following the last administration of the medication or product.

(E) What are the requirements for storing medication, food supplements and medical foods in a licensed child care center?

The center shall:

- (1) Safely store all medication, food supplements, and medical foods immediately upon arrival at the center. Ensure the medication or product is in the original container with the child's name affixed.
- (2) Keep medication and products out of the reach of children, unless a school-age child is permitted to carry their own emergency medication and a JFS 01236 is completed and on file at the center.
- (3) School-age children are permitted to carry and use their own topical products.
- (4) Refrigerate, in a separate container, medications or products immediately upon arrival at the center if needed.
- (5) Ensure that medications and products are accessible to employees at all times.
- (6) Ensure that medications and products are removed from the center when no longer needed or expired.

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# **Child Care Manual Appendix**

All forms are maintained in the Child Care Manual.

**[Child Care Forms](#)**

### **Required Documents During the Application Process**

The following documents shall be submitted at the time of application for a licensed child care center:

- Documentation of building approval issued by either the Ohio department of commerce or local certified building authority. Note: A license will not be issued until the final Certificate of occupancy is issued by either the Ohio department of commerce or local certified building authority.
- Name of administrator and documentation that they meet the qualifications as outlined in rule 5101:2-12-07 of the Administrative Code.
- JFS 00598 "Owner's Authorized Representative/Partnership Form for Child Care" (rev. 10/2015).
- Articles of incorporation, if applicable.
- JFS 01250 "Plan of Operation for Child Care" (rev. 12/2016) and any necessary attachments.
- Fire inspection approval by the state fire marshal or local fire safety inspector.
- Valid food service operation license, permitting the preparation and serving of food, or exemption status, from the local health department having jurisdiction or from the Ohio department of health.
- Written information for parents and employees as required in rule 5101:2-12-07.

Note: Fingerprints for the bureau of criminal investigation (BCI) and federal bureau of investigation (FBI) criminal records checks for the owner(s) and administrator(s) shall be requested at time of application in accordance with rule 5101:2-12-09 of the Administrative Code. The JFS 01175 "Request for a Background Check for Child Care" (10/2017) or the OPR system generated equivalent shall be submitted pursuant to rule 5101:2-12-09 of the Administrative Code.

## Serious Risk Non-Compliances and Point Values for Child Care Centers

<p><b>All non-compliances not identified as a moderate risk or serious risk below are considered low-risk and are valued as 1 point.</b></p>
<p><b>5101:2-12-03 Compliance inspection and complaint investigation of a licensed child care center</b>  <b>Serious Risk Non-Compliance (6 Points)</b></p> <ul style="list-style-type: none"> <li>• Owner, administrator, child care staff member, or employee refuses ODJFS access to program.</li> <li>• Administrator/owner falsifies information to ODJFS.</li> </ul>
<p><b>5101:2-12-04 Building department, fire inspection and food service licensure for a licensed child care center</b>  <b>Moderate Risk Non-Compliance (3 Points)</b></p> <ul style="list-style-type: none"> <li>• Food Service License – Center unable to obtain or maintain license due to violations.</li> <li>• Serving food with no license.</li> <li>• Fire Approval – Unable to obtain approval due to violations or update not requested at least 30 days prior to expiration.</li> <li>• Center exceeds room/building occupancies.</li> <li>• Cares for children on unapproved floor.</li> <li>• Center fails to obtain approval for rooms used.</li> <li>• Center cares for children in room not approved for age group.</li> </ul>
<p><b>5101:2-12-09 Background check requirements for a licensed child care center</b>  <b>Moderate Risk Non-Compliance (3 Points)</b></p> <ul style="list-style-type: none"> <li>• Information for background checks not submitted (JFS 01175 or fingerprints).</li> <li>• Child care staff member left alone with children and JFS 01176 is not on file.</li> <li>• Background checks are expired and not updated.</li> </ul> <p><b>Serious Risk Non-Compliance (6 Points)</b></p> <ul style="list-style-type: none"> <li>• Administrator, employee or child care staff member is not eligible for employment and remains employed.</li> <li>• Owner, owner's representative, administrator, employee or child care staff member refuses to submit information for a background check.</li> </ul>
<p><b>5101:2-12-11 Indoor and outdoor space requirements for a licensed child care center</b>  <b>Moderate Risk Non-Compliance (3 Points)</b></p> <ul style="list-style-type: none"> <li>• "S" hooks not closed appropriately.</li> <li>• Equipment and/or ropes not securely anchored.</li> <li>• Entrapment hazards exist.</li> <li>• Protective surfacing is inadequate or missing under climbing equipment.</li> <li>• Fence or barrier missing or inadequate.</li> <li>• Unsafe route to off-site space.</li> </ul>
<p><b>5101:2-12-12 Safe equipment and environment for a licensed child care center</b>  <b>Moderate Risk Non-Compliance (3 Points)</b></p> <ul style="list-style-type: none"> <li>• Chemicals accessible to children.</li> <li>• Unsafe equipment accessible to children (lawnmowers, power tools accessible, etc.).</li> <li>• Children not protected from unsafe items, conditions or situations.</li> <li>• Space heaters used without approval.</li> <li>• No mats under indoor climbing equipment.</li> <li>• Center does not have required or working carbon monoxide detector.</li> <li>• Illegal drugs on premises or alcohol in area used for child care.</li> </ul> <p><b>Serious Risk Non-Compliance (6 Points)</b></p> <ul style="list-style-type: none"> <li>• Weapons, firearms or ammunition materials are found on the premises and there's no valid exemption, or are carried by someone with a valid exemption but are accessible to children.</li> </ul>
<p><b>5101:2-12-14 Transportation and field trip safety for a licensed child care center</b>  <b>Moderate Risk Non-Compliance (3 Points)</b></p>

- Annual vehicle inspection not completed by Automotive Service Excellence (ASE) certified mechanic.
- Driving a vehicle without correcting the noted violations.
- Exiting/entering vehicle not from the curb.
- Not using required seat belts and/or car seats.
- More than one child in a seat belt.
- Children sitting on floor or standing in moving vehicle.
- Child under 12 in the front seat.
- Child's JFS 01236 not available on trip.
- Supplies required by child's JFS 01236 not available on trip.
- Vehicle type not permitted to be used.
- Not meeting additional adult requirements.

**Serious Risk Non-Compliance (6 Points)**

- Child left unattended on a field trip or in a vehicle.
- Driver not 18 years old.
- Driver is not appropriately licensed, has a suspended license or has a license that expired more than 6 months ago.
- Driver is under the influence of drugs or alcohol.

**5101:2-12-15 Child record requirements for a licensed child care center**

**Moderate Risk Non-Compliance (3 Points)**

- JFS 01236 not on file.
- JFS 01236 missing information and/or signatures.
- No trained staff on-site when child is present or on field trip with child.
- JFS 01236 not implemented or followed.
- Non-trained staff performed a procedure on child.

**5101:2-12-18 Group size and ratios for a licensed child care center**

**Moderate Risk Non-Compliance (3 Points)**

- Program is out of ratio.
- Program exceeds license capacity.
- Additional employee or child care staff member required but not present.

**5101:2-12-19 Supervision of children and child guidance for a licensed child care center**

**Moderate Risk Non-Compliance (3 Points)**

- Child left unattended.
- Child care staff member uses prohibited disciplinary techniques.
- Staff under the influence of a substance which impairs their ability to supervise.

**Serious Risk Non-Compliance (6 Points)**

- Child unattended outside of facility building, during a swimming activity or any time child is off site.
- Program fails to report suspected abuse/neglect/endangerment.
- Owner or administrator uses prohibited disciplinary techniques.
- Physical abuse/neglect/endangerment by any employee, child care staff member, owner or administrator.
- Substantiated public children's services agency finding of abuse or neglect for any employee, child care staff member, owner or administrator.
- Child(ren) not protected from harm which resulted in a serious incident or injury.

**5101:2-12-20 Sleeping and napping requirements for a licensed child care center**

**Moderate Risk Non-Compliance (3 Points)**

- Child placed in crib with object which poses suffocation/strangulation risk (item tied around neck, blankets, pillows, boppies, bumper pads, etc.).
- Stacked cribs are used.
- Cribs do not meet size requirements.
- Cribs are unstable.
- Something other than a crib is used for napping.
- Cribs do not meet the Consumer Product Safety Commission standards.
- JFS 01235 sleep position waiver needed but not on file.

**5101:2-12-21 Evening and overnight care for a licensed child care center**



**Serious Risk Non-Compliance (6 Points)**

- Staff responsible for supervising children are asleep.
- Child(ren) are asleep on unapproved floor of the building.

**5101:2-12-23 Infant care and diaper care for a licensed child care center**

**Moderate Risk Non-Compliance (3 Points)**

- Breast milk given to wrong child.
- Container used for heating bottles was accessible to children.

**5101:2-12-24 Swimming and water safety requirements for a licensed child care center**

**Serious Risk Non-Compliance (6 Points)**

- No life guard present during water activity.
- Staff not actively supervising.
- Life guard is used to meet ratio.
- Swimming site accessible to children without staff supervision.
- Children are swimming in lakes, ponds, rivers, etc.

**5101:2-12-25 Medication administration, food supplements and medical foods for a licensed child care center**

**Moderate Risk Non-Compliance (3 Points)**

- Medication form not on file or missing information.
- No label on prescription medication.
- Medication not in original container.
- Medication accessible to children.
- Medication instructions not followed.
- The wrong dosage was administered to the child.

**Serious Risk Non-Compliance (6 Points)**

- Medication was administered to the wrong child.

**Administrator Qualifications**

A child care administrator shall have completed a high school education and at least one of the following items listed under education combined with experience where noted:

<b>Education</b>	<b>Experience</b>
Associate, bachelor, master, or doctoral or other post-graduate degree in child development, early childhood education or related field approved by the Ohio department of job and family services (ODJFS). Must be from an accredited college, university or technical college.	No minimum experience.
A license designated as appropriate for teaching in an associate teaching position in a preschool setting issued by the state board of education pursuant to section 3319.22 of the Ohio Revised Code.	No minimum experience.
An infant and toddler or early childhood credential from a program accredited by the Montessori accreditation council for teacher education.	No minimum experience.
Two years of training, including at least four courses in child development or early childhood education from an accredited college, university, or technical college.	No minimum experience.
An "Ohio Administrator Credential" as approved by ODJFS.	No minimum experience.
Designation under the career pathways model as an early childhood professional level three.	No minimum experience.
Designation under the career pathways model as an early childhood professional level two.	Two years of experience working as a child care staff member in a licensed child care program.
Designation under the career pathways model as an early childhood professional level one (within one year, must have designation as an early childhood professional level two).	Two years of experience working as a child care staff member in a licensed child care program.
At least four courses in child development or early childhood education from an accredited college, university, or technical college.	Two years of experience working as a child care staff member in a licensed child care program and <b>WAS NOT</b> promoted from within that center.
A current child development associate credential issued by the council for professional recognition.	Two years of experience working as a child care staff member in a licensed child care program.
No minimum education above the high school diploma or GED, but within 1 year of being named administrator, must have completed at least four courses in child development or early childhood education from an accredited college, university, or technical college. Verification of high school education shall meet the requirements in appendix B to rule 5101:2-12-08 of the Administrative Code.	A person who has two years of experience working as a child care staff member in a licensed child day care program and <b>WAS</b> promoted from within that center.

## Written Information for Parents and Employees

Written information shall be developed and provided to parents and employees that include policies and procedures of the center containing, at a minimum, the following:

### General Information

1. Center name, address, email address and telephone number.
2. Description of the center's program philosophy.
3. Days and hours of operation, scheduled closings and basic daily schedule.
4. Staff/child ratios and group size.
5. Meals and snacks provided.
6. Outdoor play, including limitations placed on outdoor play due to weather or safety issues. Considerations may include but are not limited to temperature, humidity, wind chill, ozone levels, pollen count, lightning, rain or ice.
7. Opportunities for parent involvement in center activities.
8. Opportunities for parents to meet with teachers regarding their child.
9. Payment schedule, overtime charges and registration fees as applicable.
10. Programs shall have a policy in place describing supports for onsite breastfeeding or pumping for mothers who wish to do so (if the program serves infants or toddlers).

### Center Policies and Procedures

1. Enrollment including required enrollment information.
2. Care of children without immunizations.
3. Attendance including procedures for arrival and departure, the program's absent day policy, releasing child to persons other than the parent, releasing a child according to a custody agreement and follow up when a child scheduled to arrive from another program or activity does not arrive.
4. Supervision and child guidance.
5. Parent provided food and center-wide dietary policy, if applicable. If all of the food is parent provided, the policy shall also include if the center supplements food when the parent does not provide sufficient food for the day.
6. Management of illness including isolation precautions, symptoms for discharge and return and notification of parent of ill child.
7. Summary of procedures taken in the event of an emergency, serious illness or injury.
8. Administration of medication including food supplements, modified diets and whether school age children are permitted to carry their own medication and ointments.
9. Transportation for trips and emergencies.
10. Water activities/swimming.
11. Infant care, if applicable, including frequency of diaper checks.
12. Napping and Resting.
13. Evening and overnight care, if applicable.
14. Policy on operation and/or closing due to weather, school delays or closings and any other factors.
15. Policy on when the center will require disenrollment of a child
16. Procedure for parents or employees to follow when needing assistance in resolving problems related to the child care center.
17. Policy on whether or not the center will provide child care services to children whose parents refuse to grant consent for transportation to the source of emergency treatment.
18. Policy on whether the program conducts formal assessments on enrolled children and if the program reports child level data to ODJFS pursuant to 5101:2-17-02 of the Administrative Code.

### Center Parent Information

The center is licensed to operate legally by the Ohio Department of Job and Family Services. This license is posted in a noticeable place for review.

A toll-free telephone number is listed on the center's license and may be used to report a suspected violation of the licensing law or administrative rules. The licensing rules governing child care are available for review at the center.

The administrator and each employee of the center is required, under Section 2151.421 of the Ohio Revised Code, to report their suspicions of child abuse or child neglect to the local public children's services agency.

Any parent of a child enrolled in the center shall be permitted unlimited access to the center during all hours of operation for the purpose of contacting their children, evaluating the care provided by the center or evaluating the premises. Upon entering the premises, the parent, or guardian shall notify the Administrator of his/her presence.

The administrator's hours of availability and child/staff ratios are posted in a noticeable place in the center for review.

The licensing record, including licensing inspection reports, complaint investigation reports, and evaluation forms from the building and fire departments, is available for review upon written request from the Ohio department of job and family services.

It is unlawful for the center to discriminate in the enrollment of children upon the basis of race, color, religion, sex or national origin or disability in violation of the Americans with Disabilities Act of 1990, 104 Stat. 32, 42 U.S.C. 12101 et seq.

For more information about child care licensing requirements as well as how to apply for child care assistance, Medicaid health screenings and early intervention services for your child, please visit <http://jfs.ohio.gov/cdc/families.stm>

## Appendix A to Rule 5101:2-12-08

**Medical Statement Requirements for Administrator, Employees, and Child Care Staff  
Members in a Licensed Child Care Center**

The following shall be contained in a medical statement:

- The date of the examination (must be within the previous twelve months).
- The signature, business address, telephone number of the licensed physician, physician's assistant, advanced practice registered nurse, certified midwife or certified nurse practitioner who completed the examination.
- A statement that verifies that the employee is:
  - Physically fit for employment in a center caring for children.
  - Immunized against measles, mumps and rubella (MMR), except that for persons born on or before December 31, 1956, a history of measles or mumps disease may be substituted for the vaccine. A history of rubella disease shall not be substituted for rubella vaccine. Only a laboratory test demonstrating detectable rubella antibodies shall be accepted in lieu of rubella vaccine.
  - Immunized against tetanus and diphtheria. At the time the next booster for tetanus and diphtheria is due, the employee shall also be immunized against pertussis (Tdap). As of January 1, 2018, all employees shall on file written verification being immunized against pertussis from a licensed physician, physician's assistant, advanced practice registered nurse, certified midwife or certified nurse practitioner.
  - The person may be exempt from the immunization requirement for religious reasons upon filing a written request with the center, and for medical reasons upon filing a written request signed by a licensed physician.
- An additional report or examination by a licensed physician or mental health professional may be required when there is concern about an employee's ability to perform required duties.

## Appendix B to Rule 5101:2-12-08

**Verification of High School Education**

Verification of a high school education shall be one of the following:

1. A copy of a high school diploma recognized by the state board of education or the appropriate agency of another state or country as equivalent to the completion of a high school education.
2. A copy of other written documentation verifying high school completion or equivalency, such as the Ohio general education development high school equivalence diploma (GED).
3. A copy of the degree or transcript verifying completion of an associate's degree or higher from an accredited college, university or technical college.
4. For the home schooled student, a letter from the state or local board of education stating that the curriculum for the course of home study taken by the employee meets the required standards for high school education completion.
5. If the person does not have a copy of his or her high school diploma because of being a refugee, he or she may submit both of the following instead:
  - a. Documentation from the federal government that the person was admitted to the United States of America as a refugee.
  - b. A notarized statement that the person received a high school diploma (or equivalent) in his or her home country prior to being admitted to the United States as a refugee.

### Standards for Rehabilitation

An applicant, employee, owner or administrator of a license child care center who has a prohibited offense shall meet the following standards for rehabilitation:

1. If the offense was a misdemeanor:
  - a. At least three years have elapsed from the date the individual was fully discharged for imprisonment, probation or parole, unless the records were sealed.
  - b. All fines imposed by the court as part of the sentence have been paid in full.
  
2. If the offense was a felony:
  - a. At least 10 years have elapsed since the individual was fully discharged from imprisonment, probation or parole, unless the records were sealed.
  - b. All fines imposed by the court as part of the sentence have been paid in full.
  - c. The felony was not one of the following:
    - R.C. 2903.01 – Aggravated Murder
    - R.C. 2903.02 – Murder
    - R.C. 2903.11 – Felonious Assault
    - R.C. 2903.12 – Aggravated Assault
    - R.C. 2903.13 – Assault
    - R.C. 2905.01 – Kidnapping
    - R.C. 2907.02 – Rape
    - R.C. 2907.03 – Sexual Battery
    - R.C. 2907.12 – Felonious Sexual Penetration (as this former section of law existed)
    - R.C. 2907.321 – Pandering Obscenity Involving a Minor
    - R.C. 2907.322 – Pandering Sexually Oriented Matter Involving a Minor
    - R.C. 2907.323 – Illegal Use of a Minor in Nudity-Oriented Material of Performance
    - R.C. 2909.02 – Aggravated Arson
    - R.C. 2909.03 – Arson
    - R.C. 2919.22 – Endangering Children
    - R.C. 2919.25 – Domestic ViolenceOr an existing or former offense of any municipal corporation, this state, or any other state, or the United States that is substantially equivalent to any of these offenses.
  
3. The victim of the offense (misdemeanor or felony) was not one of the following:
  - a. Under 18 years of age.
  - b. Functionally impaired as defined in section 2903.10 of the Revised Code.
  - c. Intellectually disabled or developmentally disabled as defined in section 5123.01 of the Revised Code.
  - d. Mentally ill as defined in section 5122.01 of the Revised Code.
  - e. 60 years of age or older.
  
4. The following additional factors shall also be considered:
  - a. The age of the person at the time of the offense.
  - b. The nature and seriousness of the offense.
  - c. The time elapsed since discharge from imprisonment, probation or parole.
  - d. Whether the person is a repeat offender.



## Appendix A to Rule 5101:2-12-10

**Health Training Courses**Course Content for First Aid

1. Follows guidelines, including length of training time, and curriculum designed for child care staff by an Ohio Department of Job and Family Services (ODJFS) approved health organization.
2. May include cardiopulmonary resuscitation (CPR) training.
3. Is valid for the number of years indicated on a card or form provided by the approved health organization.
4. May be updated by completion of a three-hour review course covering the same topics or completion of the full course.

Course Content for CPR

1. Follows guidelines, including length of training time, and curriculum designed by an ODJFS approved health organization.
2. Is appropriate for all age groups the center is currently serving.
3. Is valid for the number of years as indicated on a card or form provided by the approved health organization.

Course Content for Management of Communicable Disease

1. Follows guidelines and curriculum designed for child care staff by an ODJFS approved health organization or is at least six hours in length and follows the ODJFS/ODH curriculum. Is valid for three years.
2. May be updated by completing a three-hour review course covering the same topics to meet annual training requirements.

Course Content for the Six-Hour Child Abuse Recognition and Prevention

1. Is valid for three years.
2. May be updated by completing the three-hour review course.
3. Covers all of the following topics:
  - Ohio law and rules pertaining to child abuse and neglect, including definitions, reporting and confidentiality requirements and the requirement to report suspected abuse or neglect by child care staff members if observed or suspected.
  - Physical and behavioral indicators of child abuse and neglect.
  - Details on reporting, including penalty, immunity and how and to whom to report.
  - The investigatory role of the children's protective services agency.
  - The sharing of information and the role of law enforcement, licensing and the courts in reports of child abuse and neglect.
  - Helping families who have occurrences of abuse or neglect.
  - Prevention of child abuse and neglect in the center, including: staff supervision and training, policies and procedures and appropriate discipline.

## **Health Training Approved Trainers**

### First Aid Trainers

1. Authorized first aid trainer for an ODJFS approved health organization.
2. Licensed physician or registered nurse.
3. Emergency medical service instructor.

### CPR Trainers

1. Authorized CPR trainer for an ODJFS approved health organization.

### Management of Communicable Disease Trainers

1. Authorized communicable disease trainer for an ODJFS approved health organization.
2. Licensed physician or registered nurse.

### Approved Child Abuse Recognition and Prevention Trainers

1. Authorized trainer for a public children services agency (PCSA).
2. Person with at least an associate's degree in social work, child development or related field from accredited college and two years of experience professionally assessing child abuse and neglect for a PCSA or an agency contracted by a PCSA or providing counseling to abused children or training others in child abuse prevention or the combination of experience and training.
3. Licensed physician or registered nurse with two years of experience professionally assessing child abuse and neglect or providing counseling to abused children or training others in child abuse prevention or the combination of experience and training.

## Appendix B to Rule 5101:2-12-10

**Professional Development Training Topics**Child Growth and Development

- Child nutrition.
- Children with special needs.
- National child care standards as published by the American academy of pediatrics and American public health association and state licensing requirements.
- Brain development.
- Benefits of outdoor play and gross motor activities.
- Social/emotional development.
- Challenging behaviors.
- Cognitive development.
- Health and wellness.

Family/Community Relations

- Working with parents and families.
- Community health, pediatrics or social services resources for children and families.
- Transitioning.
- Cultural diversity/awareness.
- Disaster planning and preparedness.
- Community needs assessment.

Daily Planning, Child Observation and Assessments

- Planning and administering child care, recreational or educational programs and activities for children birth to fourteen.
- Curriculum.
- Approaches to learning.
- Physical education.
- Language and literacy.
- After-school programming.
- Assessment, screening and referrals.

Career Development

- Ethics and professionalism in child care.
- Stress management.
- Assessment and observation of teachers.
- Using child care tools.
  - Ohio/SUTQ approved.
  - Systems training.
    - Provider portal/provider agreement/OCLQS/e-manuals/child care websites.
- Individualized education plan/individualized family service plan.

- Strategic leadership and planning.
- Financial planning.
- Marketing.
- Business practices.
- Publicly funded child care.
- Confidentiality/Health insurance portability and accountability act.

Learning Environment and Experiences

- Developmentally appropriate equipment and classroom arrangement.
- Guiding children's behavior/ developmentally appropriate child guidance and classroom management.

Any "Ohio Approved" training

**Professional Development Approved Trainers**

Approved Professional Development Trainers

1. Has two years' experience in the specific subject matter and meets one of the following:
  - a. Completed ninety quarter credit hours or sixty semester credit hours from an accredited college, university, or technical college. The coursework shall include at least thirty-six quarter credit hours or twenty-four semester credit hours in courses in child development or courses related to the subject of the training.
  - b. Has a currently valid CDA.
  - c. Preprimary credential from the association montessori internationale or the American montessori society.
  - d. Licensed physician or registered nurse.

**Depth of Protective, Resilient Surface Needed for Playground Equipment Adapted from the Consumer Product Safety Commission**

↓ <b>Material</b>	<b>Equipment Height</b>		
	<b>1'1" to 4'</b>	<b>4'1" to 9'</b>	<b>9'1" to 11'</b>
Woods Chips	<b>6"</b>	<b>9"</b>	<b>12"</b>
Double Shredded Bark Mulch	<b>6"</b>	<b>9"</b>	<b>12"</b>
Engineered Wood Fibers	<b>6"</b>	<b>12"</b> (9" for equipment up to 7 ft.)	<b>12"</b>
Fine Sand	<b>6"</b>	<b>12"</b>	Not suitable
Coarse Sand	<b>6"</b>	<b>12"</b> (for equipment up to 6 ft. )	Not suitable
Fine Gravel	<b>6"</b>	<b>12"</b>	<b>12"</b> (for equipment up to 10 ft.) <b>(not suitable for equipment higher than 10 ft.)</b>
Medium Gravel	<b>6"</b>	<b>12"</b> (for equipment up to 6 ft. )	Not suitable
Shredded Tires	<b>6"</b>	<b>6"</b>	<b>6"</b>

**Description of Loose-Fill Surfacing Materials in Table**

- 1. Wood Chips**- Random sized wood chips, twigs, and leaves collected from a wood chipper being fed tree limbs, branches, and brush.
- 2. Double Shredded Bark Mulch** - Similar to shredded mulch commonly used by homeowners to mulch shrubs and flower beds.
- 3. Engineered Wood Fibers** - Relatively uniform sized shredded wood fibers from recognized hardwoods.
- 4. Fine Sand** - White sand purchased in bags marked "play sand."
- 5. Coarse Sand** - Sand typically used for landscaping and construction.
- 6. Fine Gravel** - Usually obtained from a supplier to the residential landscaping market. Gravel particles are rounded and generally less than 3/8 inch in diameter.
- 7. Medium Gravel** - Rounded as found in river washed or tumbled stone.
- 8. Shredded Tires** - The size of the particles and the method by which they are produced may vary from one manufacturer to another. If such materials are used the supplier should provide test data showing the critical height of the material when tested. In addition, a guarantee should be obtained from the supplier that the material is free from steel wires or other contaminants.

**Additional information can be obtained at [www.cpsc.gov](http://www.cpsc.gov)**

## Appendix A to Rule 5101:2-12-13

**Schedule for Cleaning and Sanitizing Items**

To **clean**: Wash the surface or item with a detergent solution or other appropriate commercial product used for cleaning purposes. Questions about products must be directed to the manufacturer of the product. Follow the manufacturer's instructions exactly.

To **sanitize**: Centers must use a commercial product registered by the United States Environmental Protection Agency (US EPA) as a sanitizer that has directions for use that are appropriate for the surface or item you are sanitizing. Questions regarding commercial products must be directed to the manufacturer of the product or the US EPA. Follow manufacturer's instruction exactly when using any product to sanitize.

**All bottles of cleaners and sanitizers must be labeled with the contents.**

Area/Object	Clean	Sanitize	Frequency Requirements
<b>Any item soiled with blood or bodily fluids</b>	X	X	Immediately
<b>Blankets/sheets for cots or cribs</b>	X		Weekly, when soiled and before another child uses.
<b>Bottles, bottle caps, nipples and other equipment used for bottle feeding</b>	X	X	Clean and sanitize by washing in a dishwasher or by washing, rinsing and boiling them for one minute, before it can be reused.
<b>Carpets</b>	X		Vacuum weekly or when soiled. Clean when soiled.
<b>Changing table</b>	X	X	Clean when visibly soiled and sanitize after each use.
<b>Cots/Pads/Mats</b>	X	X	Before assigning to a different child, when soiled, and at least every 3 months.
<b>Cribs</b>	X	X	Monthly, when soiled and before another child uses.
<b>Diaper receptacles</b>	X	X	Daily or more frequently as needed to eliminate odor.
<b>Dishes/Cups/Silverware/ Water Containers</b>	X	X	Clean after each use. Water containers that are labeled with the child's name can be used all day, but must be cleaned and sanitized before used again on another day.
<b>Dress up clothes and hats (Dramatic Play)</b>	X		Monthly and when soiled.
<b>Floors</b>	X		Weekly and when soiled.
<b>Food prep area, including sink</b>	X	X	Before and after preparing food (including bottle preparation) and between preparing raw

<b>Area/Object</b>	<b>Clean</b>	<b>Sanitize</b>	<b>Frequency Requirements</b>
			or cooked food.
<b>Potty chairs</b>	<b>X</b>	<b>X</b>	After each use, empty contents into toilet, rinse with water, clean and sanitize.
<b>Tables (food)/High chair trays</b>	<b>X</b>	<b>X</b>	Before and after each use.
<b>Tables (play)</b>	<b>X</b>	<b>X</b>	Clean when visibly soiled. Sanitize daily.
<b>Toilet bowls</b>	<b>X</b>	<b>X</b>	Clean when visibly soiled. Sanitize weekly.
<b>Toilet seats, handles and hand washing sinks</b>	<b>X</b>	<b>X</b>	Clean when visibly soiled. Sanitize daily.
<b>Toys that go into the mouth</b>	<b>X</b>	<b>X</b>	After each child's use.
<b>Toys – other than those going into mouth</b>	<b>X</b>		Monthly and when visibly soiled.
<b>Washable furniture (including fabrics on infant equipment)</b>	<b>X</b>		Weekly and when soiled: upholstered furniture must be steam cleaned when soiled, if not covered by a washable slipcover. Slipcovers must be washed at least every six months and when soiled.
<b>Wastebaskets, including lids</b>	<b>X</b>	<b>X</b>	Empty daily and more frequently as needed. Clean and sanitize when visibly soiled.

## **Handwashing**

Handwashing shall occur in a sink that is not used for meal preparation or clean-up and is away from the food serving area.

Licensed child care staff members and employees shall wash hands, defined as using soap and water or using hand sanitizer, at the following times:

- Upon arrival for the day, after breaks and upon returning from outside.
- After toileting or assisting a child with toileting.
- After each diaper change or pull-up change.
- After contact with bodily fluids or cleaning up spills or objects contaminated with bodily fluids.
- After cleaning or sanitizing or using any chemical products.
- After handling pets, pet cages or other pet objects that have come in contact with the pet.
- Before eating, serving or preparing food or bottles or feeding a child.
- Before and after completing a medical procedure or administering medication.
- When visibly soiled (must use soap and water).

Children shall wash hands, defined as using soap and water or using hand sanitizer (if 24 months or older), at the following times:

- Upon arrival for the day.
- After toileting/diaper change.
- After contact with bodily fluids.
- After returning inside after outdoor play.
- After handling pets, pet cages or other pet objects that have come in contact with the pet before moving on to another activity.
- Before eating or assisting with food preparation.
- After water activities.
- When visibly soiled (must use soap and water).

Children who are unable to stand by themselves may be given wet paper towels and soap to wash and rinse their hands.



## Appendix C to Rule 5101:2-12-13

**Smoke Free Environment**

- The center shall provide for a smoke free environment for the children and adhere to the following requirements:
  - Smoking shall only be allowed on the premises of the center during its hours of operation if the person who is smoking cannot be seen by the children and if he or she smokes in either of the following:
    - An indoor area that is separately ventilated from the rest of the center. "Separately ventilated" means stand-alone ventilation, separate from the building's heating and cooling source.
    - An outdoor area that is so far removed from the children being cared for that the children cannot inhale any smoke.
- The center shall not expose children to cigarette, cigar or pipe butts or ashes.
- If smoking is permitted in the center during hours that the center is not operating, the administrator shall provide written notice to the parent of each child enrolled that smoking occurs at the center outside of center operating hours.
- The administrator shall post in a noticeable place at the main entrance of the center, a notice stating that smoking is prohibited.
- Smoking shall be prohibited in all vehicles owned by the child care center. Smoking shall be prohibited in all privately owned vehicles when occupied by children

Note: The above requirements also include smokeless tobacco, electronic cigarettes, vaporizers, chewing tobacco and their byproducts.

## **Written Permission When Children Are Transported**

### **Routine Trips**

Written permission from the parent shall include:

- The child's name.
- The destination(s) of the trip(s).
- The signature of the parent.
- The date on which the permission was signed.
- A statement notifying parents how their child will be transported.

The written permission shall be valid for the routine trip(s) for one year or until withdrawn by the parent.

### **Field Trips**

Written permission from the parent shall include:

- The child's name.
- The date(s) and destination(s) of the trip(s).
- The departure and return time(s) of the trip(s).
- The signature of the parent.
- The date on which the permission was signed.
- A statement notifying parents how their child will be transported.

The provider shall secure written permission for all field trip(s) and shall inform the parent about each trip in advance.

## Appendix B to Rule 5101:2-12-14

**Licensed Center Vehicle Requirements**

1. Effective until January 1, 2017:
  - a. Centers that are issued a provisional license after September 1, 2008 shall not be permitted to use converted cargo vans or passenger vans designed by the manufacturer to carry ten or more passengers. This applies to all vehicles that are owned, leased or contracted.
  - b. Centers that replace or add a vehicle shall not be permitted to use converted cargo vans or passenger vans designed by the manufacturer to carry ten or more passengers. This applies to all vehicles that are owned, leased or contracted.
  - c. Vehicles used for transporting children which are purchased, leased or contracted after September 1, 2008 are required by the United States department of transportation to be equipped with seat belts at the time of manufacture or assembly, shall have factory installed passenger restraint anchorages and passenger restraints that are suitable for transporting children of any age. "Factory installed" means installed by the manufacturer or retrofitting that is accompanied by a certification document from the manufacturer. Add-on restraints such as infant carriers, car seats or booster seats are designed to be installed by the end user and are not subject to these requirements.
  - d. All vehicles operated by the center or driven by the center staff, or vehicles used by contractors for transporting children for routine trips or field trips shall be mechanically safe and shall receive an annual safety check from an automotive service excellence (ASE) certified mechanic. A vehicle sticker issued from the Ohio state highway patrol indicating the vehicle has passed a school bus or personal vehicle inspection may be used to meet this requirement. School buses and multifunction school activity buses which are inspected and licensed by the Ohio state highway patrol are exempt from the annual safety check required in this rule.
2. Effective January 1, 2017:
  - a. Centers may use any of the following vehicles to transport children:
    - i. School buses as defined in section 4511.01 ORC.
    - ii. Multi-function school-activity buses.
    - iii. Vehicles designed by the manufacturer to carry nine or fewer passengers.
  - b. No program shall transport children in converted cargo vans or passenger vans designed by the manufacturer to carry ten or more passengers.
  - c. Vehicles used for transporting children which are purchased, leased or contracted after September 1, 2008 and are required by the United States department of transportation to be equipped with seat belts at the time of manufacturing or assembly, shall have factory installed passenger restraint anchorages and passenger restraints that are suitable for the use in transporting children of any

age. "Factory installed" means installed by the manufacturer or retrofitting that is accompanied by a certification document from the manufacturer. Add-on restraints such as infant carriers, car seats or booster seats are designed to be installed by the end user and are not subject to these requirements.

- d. All vehicles operated by the center or driven by the center staff, or vehicles used by contractors for transporting children for routine trips or field trips shall be mechanically safe and shall receive an annual safety check from an automotive service excellence (ASE) certified mechanic. A vehicle sticker issued from the Ohio state highway patrol indicating the vehicle has passed a school bus or personal vehicle inspection may be used to meet this requirement. School buses and multifunction school activity buses which are inspected and licensed by the Ohio state highway patrol are exempt from the annual safety check required in this rule.

Diseases for Immunizations

1. Chicken pox.
2. Diphtheria.
3. Haemophilus influenzae type b.
4. Hepatitis A.
5. Hepatitis B.
6. Influenza (if seasonal vaccine is available).
7. Measles.
8. Mumps.
9. Pertussis.
10. Pneumococcal disease.
11. Poliomyelitis.
12. Rotavirus.
13. Rubella.
14. Tetanus.

### **First-Aid Kit Contents**

The first-aid kit shall contain at least all of the following:

- One roll of hypoallergenic first-aid tape.
- Individually wrapped sterile gauze squares in assorted sizes.
- Sterile adhesive bandages in assorted sizes.
- Tweezers.
- Gauze rolled bandage.
- Triangular bandage.
- Rounded end scissors.
- Tooth preservation system or fresh chilled liquid milk in which to transport a lost permanent tooth (for centers serving school age children only), including a written reference indicating location of the refrigerator/freezer where milk is stored if a tooth preservation system is not part of the first aid kit.
- A working digital thermometer.
- Disposable non-latex gloves.
- A working flashlight.
- An instant cold pack that has not been activated or ice, including a written reference indicating location of the refrigerator/freezer where the ice is stored if an instant cold pack is not part of the first aid kit.
- Sealable leak-proof plastic bags in assorted sizes or double bagged plastic bags that can be securely tied for materials soiled with blood or bodily fluids.
- Pocket mask or face shield, appropriate for all ages of children in care, for cardiopulmonary resuscitation (CPR) administration.

In addition to the above items, on field trips or when transporting away from the center, the following items are required:

- Soap or waterless sanitizer.
- Bottled water.

## Appendix B to Rule 5101:2-12-16

**Caring for Sick Children**

A child is considered to be sick when demonstrating any of the following symptoms:

- Temperature of at least one hundred and one degrees Fahrenheit (one hundred degrees Fahrenheit if taken axillary) when in combination with any other sign or symptom of illness.
- Diarrhea (three or more abnormally, unexpectedly or unexplained loose stools within a twenty-four hour period).
- Severe coughing, causing the child to become red or blue in the face or to make a whooping sound.
- Difficult or rapid breathing.
- Yellowish skin or eyes.
- Redness of the eye or eyelid, thick and purulent (pus) eye discharge, matted eyelashes, burning, itching or eye pain.
- Untreated infected skin patches, unusual spots or rashes.
- Unusually dark urine and /or gray or white stool.
- Stiff neck with elevated temperature.
- Evidence of untreated lice, scabies, or other parasitic infestations.
- Sore throat or difficulty in swallowing.
- Vomiting more than one time or when accompanied by any other sign or symptom of illness.

When caring for sick children, the center shall:

- Isolate the sick child away from other children, but within sight or hearing at all times.
- Provide the sick child with a cot or mat or the sick infant with a crib, and make comfortable.
- Notify the child's parent(s) immediately if the child's condition worsens.
- Launder bedding and wash toys used by the sick child before use by another child pursuant to rule 5101:2-12-13 of the Administrative Code.
- Sanitize the thermometer after each use.

**Categories of Developmentally Appropriate Equipment and Materials.****Infant**

- Pretend or dramatic play materials.
- Manipulative materials and equipment.
- Large blocks.
- Language arts and auditory materials and equipment.
- Music equipment.
- Transportation materials and equipment.
- Gross motor activities materials and equipment.
- Sensory perceptual motor materials.

**Toddler and Preschool**

- Art supplies.
- Manipulative materials and equipment.
- Blocks.
- Science-nature equipment.
- Language arts and auditory materials and equipment.
- Pretend or dramatic play materials.
- Music equipment.
- Transportation materials and equipment.
- Gross motor equipment.
- Sensory motor equipment.

**School-Age**

- Art supplies.
- Manipulative materials and equipment.
- Blocks.
- Science-nature materials.
- Language arts materials and equipment.
- Pretend or dramatic play materials.
- Music equipment.
- Transportation materials and equipment.
- Sports and gross motor equipment.



## Appendix A to Rule 5101:2-12-18

**Staff/Child Ratios, Age Grouping and Maximum Group Size**

<b>Age of Children</b>	<b>Child Care Staff Member/Child Ratio</b>	<b>Maximum Group Size</b>
<b>Young Infants</b> (birth to less than 12 months)	1:5 or 2:12 in same room	12
<b>Older Infants</b> (at least 12 months and less than 18 months)	1:6	12
<b>Young Toddlers</b> (at least 18 months and less than 2 1/2 years)	1:7	14
<b>Older Toddlers</b> (at least 2 1/2 years and less than 3 years)	1:8	16
<b>Young Preschoolers</b> (at least 3 years and less than 4 years)	1:12	24
<b>Older Preschoolers</b> (at least 4 years and not enrolled in or eligible to be enrolled in kindergarten)	1:14	28
<b>Young Schoolagers</b> (enrolled in or eligible to be enrolled in kindergarten or above and less than 11 years)	1:18	36
<b>Older Schoolagers</b> (at least 11 years and less than 15 years)	1:20	40

## Appendix A to Rule 5101:2-12-19

**Allowable Discipline Techniques**

The following techniques or practices may be used by all child care staff members and employees of a licensed child care center as a means to guide or discipline children. Any technique or practice used shall be developmentally appropriate, consistent and shall occur at the time of the incident.

1. Setting clear limits.
2. Redirecting to an appropriate activity.
3. Showing positive alternatives.
4. Modeling the desired behavior.
5. Reinforcing appropriate behavior.
6. Encouraging children to control their own behavior, cooperate with others and solve problems by talking.
7. Separation from the situation, if used, shall last no more than one minute per each year of the child's age and shall not be used with infants. Upon the child's return to the activity, the provider shall review the reason for the separation and discuss the expected behavior with the child.
8. Holding a child for a short period of time, such as in a protective hug, so that the child may regain self-control.

**Prohibited Discipline Techniques**

The following techniques or practices shall not be used by any child care staff member or employee of a licensed child care center as a means to control or discipline children:

1. Abuse, endanger or neglect of children, including shaking a baby.
2. Utilize cruel, harsh, unusual, or extreme techniques.
3. Utilize any form of corporal punishment.
4. Delegate children to manage or discipline other children.
5. Use physical restraints on a child.
6. Restrain a child by any means other than holding children for a short period of time, such as in a protective hug, so that the children may regain control.
  - Prone restraint of a child is prohibited. Prone restraint is defined as all items or measures used to limit or control the movement or normal functioning of any portion, or all, of a child's body while the child is in a face-down position.
  - Prone restraint includes physical or mechanical restraint.
7. Place children in a locked room or confine children in any enclosed area.
8. Confine children to equipment such as cribs or high chairs.
9. Humiliate, threaten or frighten children.
10. Subject children to profane language or verbal abuse.
11. Make derogatory or sarcastic remarks about children or their families including but not limited to cultures, nationalities, race, religion, or beliefs.

12. Punish children for failure to eat or sleep or for toileting accidents.
13. Withhold any food (including snacks and treats), beverages or water, rest or toilet use.
14. Punish an entire group of children due to the unacceptable behavior of one or a few.
15. Isolate and restrict children from any or all activities for an extended period of time.

**Meal and Snack Requirements**

The number of meals, snacks and/or breakfast provided by a licensed child care center shall be available as follows:

Center Hours of Operation	Meals and Snacks Available
4 to 8 hours per day	One of the following: <ul style="list-style-type: none"> <li>• 1 meal and 1 snack</li> <li>• 1 meal and breakfast</li> </ul>
More than 8 hours and fewer than 14 hours per day	One of the following: <ul style="list-style-type: none"> <li>• 1 meal and 2 snacks</li> <li>• 1 meal and breakfast</li> <li>• 1 meal and 1 snack</li> <li>• 2 meals and 1 snack</li> </ul>
More than 14 hours or overnight	breakfast, 2 meals and 2 snacks
After school for school children	1 snack

Note: No child shall go longer than 4 hours without being served a snack or meal, except when sleeping.

The content of meals, snacks and breakfast shall be selected from the following four basic food groups:

1. Meat or meat alternative
2. Breads and grains
3. Fruits and vegetables (juices may be used if 100% and undiluted)
4. Milk (fluid cow's milk) and dairy
  - a) 100% whole homogenized vitamin D fortified for children 12 to 24 months
  - b) 1% or skim homogenized vitamin A and D fortified for children over 24 months

Meal, snack and breakfast food group requirements:

Type of Feeding	Food Group
Meal (must provide 1/3 of the recommended daily dietary allowances as specified by the United States Department of Agriculture USDA)	All of the following: <ul style="list-style-type: none"> <li>• 1 serving of fluid milk</li> <li>• 1 serving of meat or meat alternative</li> <li>• 2 servings of fruits and/or vegetables</li> <li>• 1 serving of bread and grains</li> </ul>
Breakfast	1 serving each from 3 of the 4 basic food groups
Snack	1 serving each from 2 of the 4 basic food groups

**Portion Sizes for Meals**

Meal	Component	Minimum Serving		
	Age of Child	1 & 2 years	3-5 years	6-12 years
Breakfast	Fluid Milk	½ cup	¾ cup	1 cup
	Juice/Fruit or Vegetable	¼ cup	½ cup	½ cup
	Grains/Breads/Dry Cereal	½ slice ¼ cup or ⅓ oz.	½ slice ⅓ cup or ½ oz.	½ slice ¾ cup or 1 oz.
Meal	Meat or Meat Alternative	1 oz	1 ½ oz.	2 oz.
	Fruit Or Vegetable	¼ cup	½ cup	¾ cup
	Grains/Breads/Pasta/Noodles (cooked)	½ slice ¼ cup	½ slice ¼ cup	1 slice ½ cup
	Fluid Milk	½ cup	¾ cup	1 cup
Snack	Meat or Meat Alternative	½ oz.	½ oz.	1 oz.
	Fruit Or Vegetable	½ cup	½ cup	¾ cup
	Grains/Breads/Pasta/Noodles (cooked)	½ slice ¼ cup or ⅓ oz.	½ slice ¼ cup or ⅓ oz.	½ slice ¼ cup or ⅓ oz.
	Fluid Milk	½ cup	½ cup	1 cup

Additional information on meal preparation and nutrition may be found at:

[http://www.fns.usda.gov/cnd/care/ProgramBasics/Meals/Meal\\_Patterns.htm](http://www.fns.usda.gov/cnd/care/ProgramBasics/Meals/Meal_Patterns.htm)

## Appendix A to Rule 5101:2-12-23

**Breast Milk Storage**

<b>If the breast milk is stored:</b>	<b>Then keep it as long as:</b>
At room temperature (up to 78 degrees Fahrenheit)	6 to 8 hours
In the refrigerator (39 degrees Fahrenheit or lower)	Up to 5 days counted from the day the breast milk was pumped
In a freezer compartment inside a refrigerator (5 degrees Fahrenheit)	2 weeks
In a freezer compartment of a refrigerator with separate doors (0 degrees Fahrenheit)	3 to 6 months
Chest or upright deep freezer (-4 degrees Fahrenheit)	6 to 12 months