

# Family Child Care Manual Table of Contents

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**Ohio Department of Job and Family Services**

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**Family Child Care Manual Transmittal Letters**

# **FCCMTL 12 (Type A Home Licensing Rule 5101:2-13-10 Five Year Review)**

## **Family Child Care Manual Transmittal Letter No. 12**

March 23, 2016

TO: All Family Child Care Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Type A Home Licensing Rule 5101:2-13-10 Five Year Review

### **Background:**

The Office of Family Assistance has amended the following Type A Home rule contained in Chapter 5101:2-13 of the Ohio Administrative Code due to the five year review.

### **New Policy:**

The following changes will be effective April 3, 2016.

**5101:2-13-10** "Building department inspection for licensed type A homes" has been amended to provide clarity and remove a required form.

JFS 01336 "Type A Home Building Inspection" has been made obsolete. The form is no longer being used by the board of building standards.

# **FCCMTL 6 (Family Child Care Rule Revisions for Ohio Licensing and Quality System)**

## **Family Child Care Manual Transmittal Letter No. 6**

December 22, 2016

TO: All Family Child Care Manual Holders  
FROM: The Office of Legal and Acquisition Services  
SUBJECT: Family Child Care Rule Revisions for Ohio 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. It was determined that family child care (Type A and Type B homes) are similar in nature and should be aligned in regulation and monitoring. Therefore, Type A and Type B Homes will be monitored by the county agency.

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

### **New Rules:**

**5101:2-13-01** "Definitions for licensed family child care" is a new rule that defines the terms used throughout the new chapter of family child care licensing rules.

**5101:2-13-02** "Application and amendments for a family child care provider license" is a new rule that describes the process and requirements for applying for a family child care license. This rule is replacing in part rescinded rules 5101:2-13-04 and 5101:2-14-02.

**5101:2-13-03** "Compliance inspection and complaint investigation of a licensed family child care provider" is a new rule that outlines guidelines and timeframes for inspections and investigations of the family child care home. This rule is replacing in part rescinded rules 5101:2-13-07, 5101:2-13-08 and 5101:2-14-03.

**5101:2-13-04** "Building department inspection and fire inspection for a licensed family child care provider" is a new rule that outlines the separate requirements of building and fire safety for type A home providers and type B home providers. This rule is replacing in part rescinded rules 5101:2-13-10, 5101:2-13-11 and 5101:2-14-10.

**5101:2-13-05** "Denial, revocation and suspension of a family child care application or license" is a new rule that outlines the parameters for denying an application and suspending or revoking a family child care provider license. This rule is replacing in part rescinded rules 5101:2-13-09 and 5101:2-14-04.

**5101:2-13-06** "Procedures for a family child care provider operating under a provisional license" is a new rule that outlines the operating requirements during the provisional license period. This rule is replacing in part rescinded rules 5101:2-13-4.1 and 5101:2-14-05.

**5101:2-13-07** "Provider responsibilities, requirements and qualifications for a licensed family child care provider" is a new rule that outlines the education, experience and other requirements to become a licensed provider. This rule is replacing in part rescinded rules 5101:2-13-24 and 5101:2-14-06.

**5101:2-13-08** "Employees, child care staff members and substitute responsibilities and qualifications for a licensed family child care provider" is a new rule that outlines the qualifications for all staff members and substitutes. This rule is replacing in part rescinded rules 5101:2-13-25 and 5101:2-14-09.

**5101:2-13-09** "Criminal records check requirements for a licensed family child care provider" is a new rule that outlines Bureau of Criminal Investigation, Federal Bureau of Investigation and Nonconviction statement requirements. This rule is replacing in part rescinded rules 5101:2-13-26 and 5101:2-14-09.

**5101:2-13-10** "Training and professional development requirements for a licensed family child care provider and child care staff members" is a new rule that outlines the initial and on-going training and professional

development for providers and staff. This rule is replacing in part rescinded rules 5101:2-13-27, 5101:2-13-28 and 5101:2-14-08.

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

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

**5101:2-13-13** "Sanitary equipment and environment for a licensed family child care provider" is a new rule that outlines the requirements for sanitary equipment and environments for a licensed family child care home. This rule is replacing in part rules 5101:2-13-15, 5101:2-13-15.1, 5101:2-13-15.3, and 5101:2-14-13 of the Administrative Code.

**5101:2-13-14** "Transportation and field trip safety for a licensed family child care provider" is a new rule that outlines transportation and field trip requirements for a licensed family child care provider. This rule is replacing in part rules 5101:2-13-18, 5101:2-13-18.1, 5101:2-12-18.2 and 5101:2-14-14 of the Administrative Code.

**5101:2-13-15** "Child record requirements for a licensed family child care provider" is a new rule that outlines record requirements for a licensed family child care home. This rule is replacing in part rule 5101:2-13-37, 5101:2-13-38 and 5101:2-14-15 of the Administrative Code.

**5101:2-13-16** "Emergency and health-related plans for a licensed family child care provider" is a new rule that outlines medical, dental, first aid and communicable disease procedures, incident and injuries and disaster planning for a licensed family child care home. This rule is replacing in part rules 5101:2-13-34, 5101:2-13-35, 5101:2-13-36 and 5101:2-14-16 of the Administrative Code.

**5101:2-13-17** "Programming and materials for a licensed family child care provider" is a new rule that outlines daily activities for a licensed family child care provider. This rule is replacing rescinded rules 5101:2-13-16 and 5101:2-14-17 of the Administrative Code.

**5101:2-13-18** "Group size and ratios for a licensed family child care provider" is a new rule that outlines the requirements for staff to child ratios and grouping for a licensed family child care provider. This rule is replacing rules 5101:2-13-20 and 5101:2-14-18 of the Administrative Code.

**5101:2-13-19** "Supervision of children and child guidance for a licensed family child care provider" is a new rule that outlines the requirements for supervision and acceptable and unacceptable discipline for a licensed family child care provider. This rule is replacing rules 5101:2-13-20, 5101:2-13-21, 5101:2-13-22 and 5101:2-14-20 of the Administrative Code.

**5101:2-13-20** "Sleeping and napping requirements for a licensed family child care provider" is a new rule that outlines requirements for the use of cribs, mats, cots and other sleep surfaces for a licensed family child care provider. This rule is replacing in part rules 5101:2-13-19, 5101:2-13-42 and 5101:2-14-19 of the Administrative Code.

**5101:2-13-21** "Evening and overnight care for a licensed family child care provider" is a new rule that outlines the evening and overnight care guidelines for a licensed family child care provider. This rule is replacing rules 5101:2-13-23 and 5101:2-14-24 of the Administrative Code.

**5101:2-13-22** "Meal preparation/nutritional requirements for a licensed family child care provider" is a new rule that outlines meal and snack procedures for a licensed family child care provider. This rule is replacing rules 5101:2-13-39 and 5101:2-14-21 of the Administrative Code.

**5101:2-13-23** "Infant care and diaper care for a licensed family child care provider" is a new rule that outlines requirements regarding caring for infants for a licensed family child care provider. This rule is replacing rules 5101:2-13-40, 5101:2-13-41 and 5101:2-14-22 of the Administrative Code.

**5101:2-13-24** "Swimming and water safety requirements for a licensed family child care provider" is a new rule that outlines swimming and water activities requirements for a licensed family child care provider. This rule is replacing rules 5101:2-13-17 and 5101:2-14-23 of the Administrative Code.

**5101:2-13-25** "Medication administration, food supplements and medical foods for a licensed family child care provider" is a new rule that outlines the requirements for administering medication and modified food diets for a licensed family child care provider. This rule is replacing rules 5101:2-13-31 and 5101:2-14-15 of the Administrative Code.

**5101:2-13-26** "County agency responsibilities for licensed family child care providers" is a new rule that outlines the family child care providers licensing responsibilities for county agency staff. This rule is replacing rule 5101:2-14-25 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 to report serious incidences to ODJFS and the county agency 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.

#### **Revised 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 all child care settings.

**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 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 01302** "Request for Child Abuse and Neglect Report Information for Child Care" is being revised to include updated rule and provider language.

**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, family child care providers and in-home aides.

**JFS 01526** "Complaint Investigation Receipt for Child Care" is being revised to change all county job and family services references to county agency.

**JFS 01527** "Notification of Criminal Records Checks and Child Abuse and Neglect Checks" is being revised to change all county job and family services references to county agency and make the form specific to the child abuse and neglect check.

**JFS 01926** "Inspection Report for Family Child Care" is being revised to include all family child care settings and update rule citations.

**JFS 01933** "Liability Insurance Statement for Family Child Care Providers" is being revised to incorporate all family child care providers and remove rule citations.

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

#### **Rescinded Rules:**

**5101:2-13-01** "Definitions for licensed type A homes."

**5101:2-13-02** "Types of licensed type A homes."

**5101:2-13-03** "License capacity for licensed type A homes."

**5101:2-13-04** "Application and issuance of a provisional license for type A homes."

**5101:2-13-04.1** "Procedures for a type A home operating under a provisional license."

**5101:2-13-05** "License amendments for licensed type A homes."

**5101:2-13-07** "Inspection of licensed type A homes with a regular license and the investigation of unlicensed homes."

**5101:2-13-08** "Complaint investigations for licensed and unlicensed type A homes."

**5101:2-13-09** "Denial or revocation of a type A home application or license."

**5101:2-13-09.1** "Suspension of a type A home license."

**5101:2-13-10** "Building department inspection for licensed type A homes."

**5101:2-13-11** "Fire department approval for licensed type A homes."

**5101:2-13-12** "Meal preparation and service and water sanitation for licensed type A homes."

**5101:2-13-13** "Indoor floor space requirements in licensed type A homes."

**5101:2-13-14** "Outdoor play requirements in licensed type A homes."

**5101:2-13-15** "Safe and sanitary equipment and environment in licensed type A homes."

**5101:2-13-15.1** "Handwashing and standard precautions in licensed type A homes."

**5101:2-13-15.2** "Diapering and toilet training for licensed type A homes."

**5101:2-13-15.3** "Smoke-free environment for licensed type A homes."

**5101:2-13-15.4** "Toothbrushing in licensed type A homes."

**5101:2-13-16** "Requirements for programming and equipment in licensed type A homes."

**5101:2-13-17** "Swimming and water safety requirements in licensed type A homes."

**5101:2-13-18** "Transportation and field trip safety procedural requirements for licensed type A homes."

**5101:2-13-18.1** "Transportation/vehicle requirements for licensed type A homes."

**5101:2-13-18.2** "Transportation/driver requirements for licensed type A homes."

**5101:2-13-19** "Sleeping, napping, resting and overnight care requirements for type A homes."

**5101:2-13-20** "Supervision and staff/child ratios in licensed type A homes."

**5101:2-13-21** "Care and nurturing of children for type A homes."

**5101:2-13-22** "Child guidance and management for licensed type A homes."

**5101:2-13-23** "Evening and overnight care for licensed type A homes."



- [5101:2-13-24](#) "Administrator responsibilities and qualifications for type A homes."
- [5101:2-13-25](#) "Employee and child care staff member requirements for licensed type A homes."
- [5101:2-13-26](#) "Statement of nonconviction and criminal records check for licensed type A homes."
- [5101:2-13-27](#) "Training in first aid, CPR, management of communicable disease and child abuse prevention."
- [5101:2-13-28](#) "Inservice training for licensed type A homes."
- [5101:2-13-30](#) "Policies/procedures and insurance requirements for licensed type A homes."
- [5101:2-13-31](#) "Administration of medication requirements for licensed type A homes."
- [5101:2-13-33](#) "Management of illness in licensed type A homes."
- [5101:2-13-34](#) "Medical, dental, and general emergency plan for licensed type A homes."
- [5101:2-13-35](#) "Incident/injury report for licensed type A homes."
- [5101:2-13-36](#) "First aid supplies/procedures for licensed type A homes."
- [5101:2-13-37](#) "Children's medical and enrollment records for licensed type A homes."
- [5101:2-13-38](#) "Care of children with health conditions in licensed type A homes."
- [5101:2-13-39](#) "Requirements for meals and snacks in type A homes."
- [5101:2-13-40](#) "Daily program for infants in licensed type A homes."
- [5101:2-13-41](#) "Infant feeding requirements in licensed type A homes."
- [5101:2-13-42](#) "Cribs in licensed type A homes."
- [5101:2-14-08](#) "Training requirements for a licensed type B home provider."
- [5101:2-14-09](#) "Emergency/substitute caregiver and employees for a licensed type B home provider."
- [5101:2-14-10](#) "Fire safety requirements for a licensed type B home provider."
- [5101:2-14-11](#) "Indoor and outdoor space requirements for a licensed type B home provider."
- [5101:2-14-12](#) "Safe equipment and environment for a licensed type B home provider."
- [5101:2-14-13](#) "Sanitary equipment and environment for a licensed type B home provider."
- [5101:2-14-14](#) "Transportation and field trip safety for a licensed type B home provider."
- [5101:2-14-15](#) "Child records requirements for a licensed type B home provider."
- [5101:2-14-16](#) "Medical, dental, first aid and communicable disease procedures for a licensed type B home provider."
- [5101:2-14-17](#) "Programming and materials for a licensed type B home provider."
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- [5101:2-14-21](#) "Meal preparation/nutritional requirements for a licensed type B home provider."
- [5101:2-14-22](#) "Infant care and diaper care for a licensed type B home provider."
- [5101:2-14-23](#) "Swimming and water safety requirements for a licensed type B home provider."
- [5101:2-14-24](#) "Evening and overnight care requirements for a licensed type B home provider."
- [5101:2-14-25](#) "County department of job and family services licensing responsibilities for type B home providers."

**The following rules are being rescinded in a separate package and will be effective at the same time:**

5101:2-14-02 "Application and issuance for a type B home provider license."



5101:2-14-03 "Compliance inspection and complaint investigation of a licensed type B home provider."  
5101:2-14-04 "Denial and revocation of a licensed type B home provider."  
5101:2-14-04.1 "Suspension of a type B home license."  
5101:2-14-05 "Procedures for a licensed type B home provider operating under a provisional license."  
5101:2-14-06 "Provider qualifications for a licensed type B home provider."  
5101:2-14-07 "Licensed type B home requirements for criminal records checks."

**Obsolete Forms:**

JFS 01280 "Medical Statement for Type B Home and In-Home Aide Child Care Providers"  
JFS 01297 "Child Enrollment and Health Information for Type B Family Child Care and In- Home Aides"  
JFS 01329 "Statement of Nonconviction for Type B Homes and In-Home Aides"  
JFS 01332 "Child Care Handbook for Parents: Licensed Family Child Care Providers"  
JFS 01332-I "Instructions for Completing JFS 01332, Child Care Handbook for Caretakers"  
JFS 01528 "Type B Home Provider Employee Record Chart"  
JFS 01634 "Caretaker/Provider Agreement for Type B Homes and In-Home Aides"  
JFS 01643 "Application for Licensed Type B Home"  
JFS 01644 "Permission to Administer Medication for Type B Family Child Care and In-Home Aides"  
JFS 01920 "Emergency/Substitute Caregiver Acting as an Assistant in a Type B Child Care Home"  
JFS 01921 "Complaint Disposition Report for Type B Child Care Providers and In-Home Aides"  
JFS 01922 "Notification of Alleged Child Care Rule Noncompliance"  
JFS 01923 "Emergency/Substitute Caregiver Statement for Type B Home Provider"  
JFS 01924 "Inservice Training for Type B Home and In-Home Aide Child Care Providers"  
JFS 01928 "Child Medical/Physical Care Plan for Type B Homes and In-Home Aides"  
JFS 01929 "Medical, Dental and General Emergency Plan"  
JFS 01930 "Sleep Positions Waiver Statement for Type B Homes and In Home Aides"  
Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# **FCCMTL 5 (Chapter 5101:2-13 [Type A Home Licensing Rules] Five Year Review)**

## **Family Child Care Manual Transmittal Letter No. 5**

November 23, 2015

TO: All Family Child Care Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Chapter 5101:2-13 (Type A Home Licensing Rules) Five Year Review

### **Background:**

The Office of Family Assistance has amended the following Type A Home rules contained in Chapter 5101:2-13 of the Ohio Administrative Code due to the five year review.

### **New policy:**

The following rules will become effective November 22, 2015:

**5101:2-13-12** "Meal preparation and service and water sanitation for licensed type A homes" has been amended to provide clarity and to remove duplicative and unnecessary language.

**5101:2-13-13** "Indoor floor space requirements in licensed type A homes" has been rescinded and replaced with a new rule with the same number and title.

**5101:2-13-15** "Safe and sanitary equipment and environment in licensed type A homes" has been amended for minor grammatical changes. The appendix to this rule has been amended to remove all references to the daily bleach and water solution, including those previously listed in the "cleaning and sanitizing detail" column. Type A Homes shall adhere to the manufacturer's instructions exactly when using any product to sanitize.

**5101:2-13-15.2** "Diapering and toilet training in licensed type A homes" has been amended for minor punctuation and grammatical changes.

**5101:2-13-15.3** "Smoke free environment for licensed type A homes" has been amended for minor grammatical changes.

**5101:2-13-15.4** "Toothbrushing in licensed type A homes" has been amended to provide clarity and structure.

**5101:2-13-16** "Requirements for programming and equipment in licensed type A homes" has been amended to provide clarity and to make minor punctuation changes.

**5101:2-13-17** "Swimming and water safety requirements in licensed type A homes" has been amended to make a minor grammatical change.

**5101:2-13-29** "Unlawful discriminatory practices in licensed type A homes" has been rescinded and the requirements from this rule have been added to rule 5101:2-13-30 of the Administrative Code.

**5101:2-13-31** "Administration of medication requirements for licensed type A homes" has been amended to provide clarity and to make minor punctuation changes.

**5101:2-13-39** "Requirements for meals and snacks in type A homes" 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.

# **FCCMTL 4 (Chapter 5101:2-13 [Type A Home Licensing Rules] Five Year Review)**

## **Family Child Care Manual Transmittal Letter No. 4**

November 23, 2015

TO: All Family Child Care Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Chapter 5101:2-13 (Type A Home Licensing Rules) Five Year Review

### **Background:**

The Office of Family Assistance has amended the following type A home rules contained in Chapter 5101:2-13 of the Ohio Administrative Code due to the five year review.

### **New policy:**

The following rules will become effective November 22, 2015:

**5101:2-13-05** "License amendments for licensed type A home" has been amended to remove duplicative language regarding change of owner.

**5101:2-13-11** "Fire department approval for licensed type A homes" has been amended to remove language regarding failure to comply.

**5101:2-13-14** "Outdoor play requirements in licensed type A homes" 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.

**5101:2-13-15.1** "Handwashing and standard precautions in licensed type A homes" has been amended for minor punctuation changes.

**5101:2-13-18** "Transportation procedural requirements for licensed type A homes" has been amended to provide clarity and to make minor grammatical changes.

**5101:2-13-18.1** "Transportation/vehicle requirements for licensed type A homes" has been amended for minor punctuation and grammatical changes.

**5101:2-13-18.2** "Transportation/driver requirements for licensed type A homes" has been amended to make grammatical 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.

**5101:2-13-30** "Policies/procedures and insurance requirements for licensed type A homes" has been amended for minor punctuation changes and to include language that the type A home 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.

**5101:2-13-33** "Management of illness in licensed type A homes" has been amended for minor punctuation changes and to remove duplicative language.

**5101:2-13-42** "Cribs in licensed type A homes" 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.

# **FCCMTL 3 (Revisions to Criminal Records Checks Rules for Family Child Care)**

## **Family Child Care Manual Transmittal Letter No. 3**

November 5, 2015

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

### **Background:**

The Office of Family Assistance has amended the following family child care 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:

**5101:2-13-09** "Denial or Revocation of a Type A Home Application or License" is being amended to change the revised code citation for criminal records checks.

**5101:2-13-26** "Statement of Nonconviction and Criminal Records Check for Licensed Type A Homes" 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.

**5101:2-14-07** "Licensed Type B Home Requirements for Criminal Records Checks" is being amended to change the revision date of the JFS 01329 "Statement of Nonconviction for Type B Homes and In-Home Aides" and to change the revised code citation for criminal records checks.

**5101:2-14-25** "County Department of Job and Family Services Licensing Responsibilities for Type B Home Providers" is being amended to change the revision date of the JFS 01329 "Statement of Nonconviction for Type B Homes and In-Home Aides" and to change the revised code citation for criminal records checks.

# **FCCMTL 2 (Definitions for Licensed Family Child Care Providers)**

## **Family Child Care Manual Transmittal Letter No. 2**

September 30, 2015

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

### **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 rules will be effective September 28, 2015:

**5101:2-13-01 "Definitions for licensed type A homes"** has been amended to update the terms "child care" and "owner."

**5101:2-14-01 "Definitions for licensed type B home providers and certified in-home aides"** has been amended to update the term "child care."

# **FCCMTL 1 (Suspension of Child Care License)**

## **Family Child Care Manual Transmittal Letter No. 1**

October 7, 2015

TO: All Family Child Care Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Suspension of Child Care 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 or family child care provider.

### **New Policy:**

The following rules will be effective October 25, 2015:

**5101:2-13-09.1 "Suspension of a type A home license"** has been adopted to set forth the circumstances under which the ODJFS may immediately suspend the license of a Type A home as well as the duration of the suspension. The rule also provides the process for the provider to appeal the decision to suspend.

**5101:2-14-04.1 "Suspension of a type B home license"** has been adopted to set forth the circumstances under which the ODJFS may immediately suspend the license of a Type B home as well as the duration of the suspension. The rule also provides the process for the provider to appeal the decision to suspend.

**Family Child Care Manual Procedure Letters**



# **FCCMPL 11 (Expedited Type B License to Provide Kinship Child Care)**

## **Family Child Care Manual Procedure Letter No. 11**

April 5, 2018

TO: All Family Child Care Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Expedited Type B License to Provide Kinship Child Care

### **Background:**

Section 307.25 (TEMP) by Am. Sub HB 49 of the 132nd General Assembly creates a kinship child care program for families under 200% of the federal poverty level. The program will help families providing kinship care with child care expenses.

### **New requirements:**

Applicants for a Type B Child Care License may request an expedited license in order to serve a child placed by a county public children services agency with a kinship caregiver.

If the applicant provides documentation to ODJFS that a kinship caregiver has selected the applicant as a kinship child care provider and that the child is eligible for the kinship child care program established in Section 307.25 (TEMP) by Am. Sub HB 49 of the 132nd General Assembly, the applicant can apply for an expedited Type B License. The PCSA shall email the following information to [TypeBSupervisor@jfs.ohio.gov](mailto:TypeBSupervisor@jfs.ohio.gov) and [BCCLM@jfs.ohio.gov](mailto:BCCLM@jfs.ohio.gov). The email shall have "Type B expedited license for kinship" in the subject line and contain all of the following:

1. The name, address and phone number of the Type B applicant.
2. The name and address of the kinship caregiver.
3. The name and contact information of the PCSA and caseworker involved.

The applicant will follow all of the regulations of Chapter 5104. of the Ohio Revised Code and Chapter 5101:2-13 of the Ohio Administrative Code with the following exceptions:

1. The initial \$250 license fee will be waived.
2. The applicant will have to complete both the pre-licensing orientation as required by rule 5101:2-13-02 of the Administrative Code and the one-hour child abuse overview as required for child care staff members by rule 5101:2-13-10 OAC. The applicant can choose to take the full six-hour child abuse recognition and prevention training prior to licensure instead of the one-hour overview. Both trainings can be found at [http://jfs.ohio.gov/cdc/Licensing\\_Training.stm](http://jfs.ohio.gov/cdc/Licensing_Training.stm)
3. The applicant will not have to complete the following health and safety trainings required pursuant to paragraph A of rule 5101:2-13-10 OAC prior to being licensed, but will have to complete all of them within 60 days of being licensed:
  - a. First Aid
  - b. Cardiopulmonary resuscitation (CPR)
  - c. Management of communicable disease
  - d. Child abuse recognition and prevention (6 hours)

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

# **FCCMPL 10 (Requirements for Carbon Monoxide Detectors)**

## **Family Child Care Manual Procedure Letter No. 10**

November 30, 2017

TO: All Family Child Care 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.

# **FCCMPL 9 (Implementation of New Type B Home Provider Background Check Requirements)**

## **Family Child Care Manual Procedure Letter No. 9**

May 24, 2017

TO: All Family Child Care Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Implementation of New Type B Home Provider Background Check Requirements

### **Background:**

The Child Care Development Block Grant Act (CCDBG) of 2014 requires the following five background checks be completed for each individual who owns, works, applies to work or resides in a family child care home or child care center:

- 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 law also 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.

Background check rules are currently being amended to meet the new Federal requirements. ODJFS must review the five checks for all child care providers in Ohio by September 30, 2018. ODJFS is reviewing checks for all currently licensed or certified providers in stages over the next year to ensure compliance with the new checks.

### **Implementation for Currently Licensed Type B Home Providers**

Beginning July 3, 2017, ODJFS will work with county agencies to obtain the copies of the results of the most recent BCI, FBI, and child abuse and neglect (SACWIS) checks on file for all licensed Type B Home providers, residents age eighteen and older, child care staff members, employees, and substitutes. County agencies shall submit these records for Type B providers and required individuals to ODJFS by August 15, 2017. This letter is for notification only, there is no action required from Type B Home providers at this time.

ODJFS will review these records, the state and national sex offender registries and will also request all checks from any states the individual resided in for the previous five years.

#### *Type B Providers and Residents Over 18*

Once the review of background check results has been completed for each provider and resident of the Type B Home, ODJFS will notify the person and the county regarding the person's eligibility to own or reside in a family child care (FCC) program. If ODJFS determines that the Type B home provider is not eligible to be a provider or that a resident of the home is not eligible to reside in a licensed Type B Home, the county agency shall recommend revocation of the license unless the provider voluntarily surrenders the license.

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

Once the review of background check results has been completed for each employee or child care staff member (including substitutes) of the Type B Home, ODJFS will notify the person and the Type B Home provider regarding the person's eligibility to work in a FCC program. If ODJFS determines the person is not eligible to work in a FCC program, the Type B Home provider shall immediately terminate their 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.

### *Right to Review*

If the individual believes the information received is not accurate, he or she may directly contact the agency that contributed the questioned information. More information on this is available at <http://jfs.ohio.gov/cdc/childcare.stm>. If the individual disagrees with the decision made by ODJFS, they may submit the JFS 01178 "Request for Review of Background Check Decision for Child Care" to request a review of the decision.

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

# **FCCMPL 8 (Training Requirements for Family Child Care Providers)**

## **Family Child Care Manual Procedure Letter No. 8**

April 11, 2017

TO: All Family Child Care Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Training Requirements for Family Child Care Providers

### **Background:**

Chapter 5101:2-13 rules and forms were effective December 31, 2016. At that time, the pre-licensing and child care staff member trainings were updated to reflect the new rules. The updates to the trainings also include new federal training requirements. Type A and Type B Home providers licensed prior to December 31, 2016 were not required to take either of these trainings.

### **Updated Training:**

All Type A and Type B Home providers licensed prior to December 31, 2016 must take the Family Child Care New Staff Orientation by June 30, 2017. This will assure that these providers meet the new federal training requirements. Completion of the training should be documented on the JFS 01307 "Professional Development Documentation for Child Care" and kept on file at the program. Completion of this training can be used to meet the requirement for six hours of professional development training for this fiscal year.

Until the training is available in the Ohio Professional Registry (OPR), the staff orientation is temporarily available on the ODJFS website at [http://jfs.ohio.gov/cdc/Licensing\\_Training.stm](http://jfs.ohio.gov/cdc/Licensing_Training.stm).

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

# **FCCMPL 7 (Implementation of New Weapons Requirements)**

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

### **Child Care Center Manual Procedure Letter No. 16**

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.



# **FCCMPL 6 (Updated Process for Family Child Care Providers and County Agencies)**

## **Family Child Care Manual Procedure Letter No. 6**

February 8, 2017

TO: All Family Child Care Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Updated Process for Family Child Care Providers and County Agencies

### **Background:**

Chapter 5101:2-13 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. Family Child Care Manual Procedure Letter (FCCMPL) 2 and FCCMPL 3 were 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 FCCMPL 2 and FCCMPL 3.

#### 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.

If a Type B Home provider application was submitted prior to December 31, 2016 and the application is only missing the pre-licensing training (which replaced both the orientation and the health and safety training required prior to December 31, 2016), the applicant has until Friday, March 31, 2017 to complete the pre-licensing training following the process detailed above. If the training is not completed by March 31, 2017, the application shall be closed. County agencies shall have until June 30, 2016 to approve any applications that were missing the pre-licensing training.

#### Family Child Care Application Process

If a paper application was submitted during the OCLQS transition process, the family child care provider now has until Friday, March 3, 2017 to enter the information and applicable payment into OCLQS. If an application is not submitted in OCLQS by the deadline, the ODJFS will notify the county agency to 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 provider 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://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 provider 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.

#### Monitoring Inspections

By March 3, 2017, the county agency shall data enter into OCLQS any paper JFS 01926 "Inspection Report for Family Child Care" that was completed prior to the OCLQS go-live.

#### Type B Provisional Period

Any Type B provider in a provisional period as of December 31, 2016 will have until June 30, 2017 or until the end of the provisional period, whichever comes first, to complete the new professional development requirements and any needed health trainings.

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

County Agencies, please contact [CHILD\\_CARE\\_COUNTY\\_TECHNICAL\\_ASSISTANCE@jfs.ohio.gov](mailto:CHILD_CARE_COUNTY_TECHNICAL_ASSISTANCE@jfs.ohio.gov) if you have questions.

# **FCCMPL 5 (Child Care Center and Family Child Care Request for Review)**

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

### **Child Care Center Manual Procedure Letter No. 12**

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.

# FCCMPL 4 (Child Care Center and Family Child Care New Inspection Protocol)

## Family Child Care Manual Procedure Letter No. 4

### Child Care Center Manual Procedure Letter No. 11

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<br>Non-Compliances | 12 points |
|----------------------------------|-----------|

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<br>Non-Compliances                  | 6 points            |
| Any combination of Moderate and Low Risk<br>Non-Compliances. | 9 points            |
| Only Low Risk<br>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).

# **FCCMPL 3 (Temporary Procedures for Family Child Care)**

## **Family Child Care Manual Procedure Letter No. 3**

December 23, 2016

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

### **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. Additionally, 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. Both, Type A and Type B Homes will be monitored by the local county agency.

### **Temporary Process:**

Chapter 5101:2-13 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

Applicants need to complete a pre-licensing training prior to submitting an application. 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

All applications and payments will be submitted in OCLQS. Until the system is live, 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](mailto:CentralOffice_CCPackets@jfs.ohio.gov). The appropriate county agency will be notified of the applicant's paper application submission and can begin the licensing process. 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 Type A Home providers will continue to submit amendments in the Central Office License Tracking System – System for Online License Applications and Renewals (COLTS – SOLAR) system.

Type B Home providers will continue to notify the county agency if there is a needed amendment.

#### Serious Incidents

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

#### Corrective Action Plan (CAP)

Family child care providers will submit the CAP to the specialist at the county agency. Family child care providers 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. County agency 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 provider 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 provider 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.



# **FCCMPL 2 (Temporary Procedures for County Agencies for Licensing Family Child Care Providers and Certifying In-Home Aides)**

## **Family Child Care Manual Procedure Letter No. 2**

December 23, 2016

TO: All Family Child Care Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Temporary Procedures for County Agencies for Licensing Family Child Care Providers and Certifying In-Home Aides

### **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. Additionally, 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. Both Type A and Type B Homes will be monitored by the local county agency.

### **Temporary Process:**

Chapter 5101:2-13 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.

#### In-Home Aide Pre-Certification Training

In-Home Aides need to complete a pre-certification training prior to submitting an application. The pre-certification training will be offered by each county agency as needed. The applicant will contact the county agency to schedule the training and the county agency will need to provide access to the training. The training will need to be scheduled in the Ohio Professional Registry (OPR) and the applicant will need to register for it via the OPR.

#### Family Child Care Application Process/In-Home Aide Application and Renewal Process

A paper application may be submitted to begin the licensing or certification process and will be accepted without payment (if applicable). To obtain a fillable application, the applicant shall call the Child Care Policy Helpdesk at 1-877-302-2347, option 4. The applicant will then return the completed application (no attachments or supporting documentation) to CentralOffice\_CCPackets@jfs.ohi.gov. The ODJFS will monitor the emailed applications, check for the pre-licensing and pre-certification training and send the documentation to the county agency contact to begin the licensing or certification process. County agencies will continue to follow the process detailed in county TA letter #1 and #2 for all licensing actions for Type B Home providers. Once OCLQS is operating, all individuals who submitted a paper application shall submit a new application and applicable payment in the system within thirty days of the system go-live date. The ODJFS will check thirty days after go-live of the system to ensure all applications are submitted in OCLQS. If an application is not submitted in OCLQS by the deadline, the ODJFS will notify the county agency.

#### Family Child Care Licensing Amendments

Type A Home providers will continue to submit amendments in the Central Office License Tracking System – System for Online License Applications and Renewals (COLTS – SOLAR) system. If a Type A amendment request is received, it will be forwarded to the county agency. Once the county agency sends the recommendation for approval to the appropriate regional mailbox, the ODJFS will have it approved in COLTS – SOLAR.

Type B Home providers will continue to follow the county process and notify the county agency if there is an amendment. County agencies will continue to follow the process detailed in TA letters #1 and #2. County agencies will continue to use the 3299/Child Care Information Data System (CCIDS) to data enter Type B Home providers' license information.

### Monitoring Inspections

The county must document inspections completed prior to OCLQS go-live using the JFS 01926 "Inspection Report for Family Child Care" pursuant to rule 5101:2-13-03 of the Ohio Administrative Code (OAC). Once OCLQS is operating, the county must data enter the inspection within 30 days from the date of the system go-live.

### Complaint Inspections

If a county agency receives a complaint about a licensed Type A or Type B Home, the agency shall document the details of the complaint on the JFS 01295 "Complaint Intake, Alleged Operations and Disposition Report for Child Care" and begin the investigation. If ODJFS receives a complaint about a licensed Type A or Type B Home, the department will forward the completed JFS 01295 to the county agency. The complaint investigation shall be documented on the JFS 01926 pursuant to rule 5101:2-13-03 (OAC). Once OCLQS is operating, the county agency must data enter both the complaint and complaint inspection within 30 days from the date of the system go-live.

### Serious Incidents

If a serious incident occurs, family child care providers will call the Child Care Policy Helpdesk at 1-877-302-2347, option 4, to report the incident. The help desk will complete the intake form and send it to the county agency to begin the complaint investigation.

### Corrective Action Plan (CAP)

Family child care providers will submit the CAP to the specialist at the county agency. The county agency shall review for completeness and keep the CAP in the provider's file. County agency staff will enter all CAPs submitted between December 31, 2016 and go-live.

Please contact CHILD\_CARE\_COUNTY\_TECHNICAL\_ASSISTANCE@jfs.ohio.gov, if you have any questions.

# **FCCMPL 1 (Parental Notification of Intent to Revoke License)**

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

### **Child Care Center Manual Procedure Letter No. 10**

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.

**Child Care Type A Home & Type B Home Manual Transmittal Letters**

# **CCAMTL 11 (Five Year Rule Review for Rule 5101:2-13-02 "Types of licensed type A homes")**

## **Child Care Type A Manual Transmittal Letter No. 11**

March 26, 2014

To: All Child Care Type A Manual Holders  
From: Cynthia C. Dungey, Director  
Subject: Five Year Rule Review for Rule 5101:2-13-02 "Types of licensed type A homes"

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 **5101:2-13-02** "Types of licensed type A homes" 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 5101:2-13-32 that has been rescinded.

The electronic version of the Child Care Type A Home 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.

# CCAMTL 10 (Five Year Rule Review-No Change Package for Licensed Type A Homes)

## Child Care Type A Manual Transmittal Letter No. 10

November 8, 2013

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

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 5101:2-13-08 "Complaint Investigations for Licensed and Unlicensed Type A Homes" details the procedures for investigating complaints received by ODJFS on licensed and unlicensed child care programs.

Rule 5101:2-13-19 "Sleeping, napping, resting and overnight care requirements for Type A Homes" details the requirements for sleeping, napping resting and overnight care requirements for Type A Homes.

Rule 5101:2-13-40 "Daily Program for Infants in Licensed Type A Homes" details the required components of an infant's care while in a Type A Home.

Rule 5101:2-13-41 "Infant Feeding Requirements in Licensed Type A Homes" sets forth the requirements for feeding infants while in the care of a Type A Home.

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 (CCAMTL).

| LOCATION                   | REMOVE AND FILE<br>AS OBSOLETE | INSERT/REPLACEMENT |
|----------------------------|--------------------------------|--------------------|
| CCAMTL Transmittal Letters |                                | CCAMTL No. 10      |

# CCAMTL 9 (Five-Year Rule Review for Licensed Type A Child Care Homes)

## Child Care Type A Manual Transmittal Letter No. 9

November 22, 2011

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

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 type A child care were recently reviewed and some changes made. The following revisions will be effective December 1, 2011:

**Rule 5101:2-13-21** "Care and Nurturing of Children in Licensed Type A Homes." 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 5101:2-13-22** "Child Guidance and Management in Licensed Type A Homes." This rule has been revised to clarify that child guidance must occur at the time of the incident.

**Rule 5101:2-13-23** "Evening and Overnight Care in Licensed Type A Homes." This rule has been revised to clarify who is to provide basic hygiene items.

**Rule 5101:2-13-27** "Training in First Aid, CPR, Management of Communicable Disease and Child Abuse Prevention in Licensed Type A Homes." 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 5101:2-13-28** "In-Service Training for Licensed Type A Homes." This rule has been revised to update language regarding electronic media training and to clarify what online courses are to be accepted.

**Rule 5101:2-13-34** "Medical, Dental, and General Emergency Plans for Licensed Type A Homes." 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 thru September. Additionally, the current appendix to this rule been removed.

**Rule 5101:2-13-35** "Incident/Injury Report for Licensed Type A Homes." 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 5101:2-13-36** "First Aid Supplies/Procedures for Licensed Type A Homes." 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 5101:2-13-37** "Children's Medical and Enrollment Records for Licensed Type A Homes." 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 5101:2-13-38** "Care of Children with Health Conditions in Licensed Type A Homes." 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 Type A Home 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 type A homes. A current version of this manual should be accessible and utilized by all providers in all licensed type A homes.



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 Type A Home Manual (CCAM).

| LOCATION                      | REMOVE AND FILE AS OBSOLETE | INSERT/REPLACEMENT                  |
|-------------------------------|-----------------------------|-------------------------------------|
| Child Care Type A Home Manual | 5101:2-13-21                | <a href="#"><u>5101:2-13-21</u></a> |
|                               | 5101:2-13-22                | <a href="#"><u>5101:2-13-22</u></a> |
|                               | 5101:2-13-23                | <a href="#"><u>5101:2-13-23</u></a> |
|                               | 5101:2-13-27                | <a href="#"><u>5101:2-13-27</u></a> |
|                               | 5101:2-13-28                | <a href="#"><u>5101:2-13-28</u></a> |
|                               | 5101:2-13-34                | <a href="#"><u>5101:2-13-34</u></a> |
|                               | 5101:2-13-35                | <a href="#"><u>5101:2-13-35</u></a> |
|                               | 5101:2-13-36                | <a href="#"><u>5101:2-13-36</u></a> |
|                               | 5101:2-13-37                | <a href="#"><u>5101:2-13-37</u></a> |
|                               | 5101:2-13-38                | <a href="#"><u>5101:2-13-38</u></a> |
| Transmittal Letters           |                             | CCAMTL No. 9                        |

# CCAMTL 8 (Rule Revisions for Licensed Type A Homes)

## Child Care Type A Home Manual Transmittal Letter No. 8

September 29, 2011

To: All Type A Home Manual Holders  
From: Michael B. Colbert, Director  
Subject: Rule Revisions for Licensed Type A Homes

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 5101:2-13-18.1** "Transportation/Vehicle Requirements for Licensed Type A Homes" has been amended to clarify the intent of the rule requirements. The rule language has been simplified 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 5101:2-13-18.2** "Transportation/Driver Requirements for Licensed Type A Homes" has been amended to simplify the record keeping requirements for contracted drivers who provide services to type A homes. The change to the rule requires the home 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 home.

**Rule 5101:2-13-25** "Employee and Child Care Staff Member Requirements for Licensed Type A Homes" 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 home. 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 5101:2-13-26** "Statement of Nonconviction and Criminal Records Check for Licensed Type A Homes" has been amended to clarify which employees of a child care home must have the results of a criminal records check on file at the home. 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 home.

**Rule 5101:2-13-42** "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 Home 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 type A homes. A current version of this manual should be accessible and utilized by all administrators in all licensed type A homes.

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 Type A Home Manual (CCAM).

| LOCATION | REMOVE AND FILE AS<br>OBSOLETE | INSERT/REPLACEMENT |
|----------|--------------------------------|--------------------|
|----------|--------------------------------|--------------------|

|                               |                |                                       |
|-------------------------------|----------------|---------------------------------------|
| Child Care Type A Home Manual | 5101:2-13-18.1 | <a href="#"><u>5101:2-13-18.1</u></a> |
|                               | 5101:2-13-18.2 | <a href="#"><u>5101:2-13-18.2</u></a> |
|                               | 5101:2-13-25   | <a href="#"><u>5101:2-13-25</u></a>   |
|                               | 5101:2-13-26   | <a href="#"><u>5101:2-13-26</u></a>   |
|                               | 5101:2-13-42   | <a href="#"><u>5101:2-13-42</u></a>   |
| Transmittal Letters           |                | CCAMTL No. 8                          |

# CCAMTL 7 (2011 Rule Revisions for Licensed Type A Homes as a Result of HB 153)

## Child Care Type A Home Manual Transmittal Letter No. 7

September 29, 2011

To: All Child Care Center Manual Holders

From: Michael B. Colbert, Director

Subject: 2011 Rule Revisions for Licensed Type A Homes 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 129th General Assembly and the agency's rule review process, which requires all rules to be reviewed at least every five years, the following rules have been reviewed and amended. These rules are effective September 29, 2011.

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

**Rule 5101:2-13-01** "Definitions for Licensed Type A Homes." This rule has been amended to include the definition of "career pathways model" and to redefine "administrator."

**Rule 5101:2-13-03** "License Capacity for Licensed Type A Homes." This rule has been amended to correct spacing issues. There have been no changes to the content of the rule.

**Rule 5101:2-13-04** "Initial Application and Issuance of a Provisional License for Type A Homes." 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 type A home 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. This rule also prohibits a licensed type A home from being a certified type B home through the county department of Job and Family Services.

**Rule 5101:2-13-04.1** "Procedures for Type A Homes 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.

**Rule 5101:2-13-05** "License Amendments for Licensed Type A Homes." This rule has been amended to revise the title of the rule, to remove language regarding initial applications and move that language to 5101:2-13-04 and to detail the process for requesting an amendment to a type A home license.

**Rule 5101:2-13-06** "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 5101:2-13-07** "Inspection and Investigation of Licensed and Unlicensed Type A Homes." This rule has been amended to revise the title of the rule, to move language regarding inspections to 5101:2-13-06, to require the home to respond to the inspection report by the date listed in the report and to remove language regarding renewal of a license.

**Rule 5101:2-13-09** "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 5101:2-13-10** "Building Department Inspection for Licensed Type A Homes." This rule has been amended to include the requirement that the home follow any stipulations or limitations that the building inspection department indicates on the report.

**Rule 5101:2-13-11** "Fire Department Approval for Licensed Type A Homes." This rule has been amended to specify that the home must secure a new fire inspection approval if the program changes location.

**Rule 5101:2-13-20** "Supervision, Staff/Child Ratios and Grouping for Licensed Type A Homes." This rule has been amended to clarify supervision standards for times when children are out of sight of the child care staff member, to replace the staff/child ratio paragraphs with a chart outlining the required ratios, and the limitation of caring for no more than three children under two years of age has been revised to caring for no more than

three children under the age of eighteen months. Additionally, language has been added regarding attendance requirements.

**Rule [5101:2-13-24](#)** "Administrator Responsibilities and Qualifications for Type A Homes." This rule has been amended to clarify that the administrator's designee does not have to meet the administrator educational qualifications, to remove the requirement that home schooled students submit a letter verifying that their curriculum met state requirements and to add the requirement that type A administrators complete the ODJFS administrator rules training course within six months of being named.

**Rule [5101:2-13-30](#)** "Written Information, Policies and Procedures to be Provided to Parents/Guardians of Children in Licensed Type A Homes." This rule has been amended to update the revision date of the JFS 01337.

**Rule [5101:2-13-32](#)** "Parental Participation Policies and Parent Roster Requirements in Licensed Type A Homes." This rule has been rescinded as the statutory requirement for type A homes to prepare and maintain a parent roster has been removed. Language regarding the parental participation policy has been moved to 5101:2-13-30.

The electronic version of the Child Care Type A Home 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 type A homes. A current version of this manual should be accessible and utilized by all providers in all licensed type A homes. 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 Type A Home Manual (CCAM).

| LOCATION                      | REMOVE AND FILE AS OBSOLETE  | INSERT/REPLACEMENT             |
|-------------------------------|------------------------------|--------------------------------|
| Child Care Type A Home Manual | 5101:2-13-01                 | <a href="#">5101:2-13-01</a>   |
|                               | 5101:2-13-03                 | <a href="#">5101:2-13-03</a>   |
|                               | 5101:2-13-04                 | <a href="#">5101:2-13-04</a>   |
|                               |                              | <a href="#">5101:2-13-04.1</a> |
|                               | 5101:2-13-05                 | <a href="#">5101:2-13-05</a>   |
|                               | <a href="#">5101:2-13-06</a> |                                |
|                               | 5101:2-13-07                 | <a href="#">5101:2-13-07</a>   |
|                               | 5101:2-13-09                 | <a href="#">5101:2-13-09</a>   |
|                               | 5101:2-13-10                 | <a href="#">5101:2-13-10</a>   |
|                               | 5101:2-13-11                 | <a href="#">5101:2-13-11</a>   |
|                               | 5101:2-13-20                 | <a href="#">5101:2-13-20</a>   |
|                               | 5101:2-13-24                 | <a href="#">5101:2-13-24</a>   |
|                               | 5101:2-13-30                 | <a href="#">5101:2-13-30</a>   |
|                               | <a href="#">5101:2-13-32</a> |                                |

|                     |  |              |
|---------------------|--|--------------|
| Transmittal Letters |  | CCAMTL No. 7 |
|---------------------|--|--------------|

# CCAMTL 5 (Rule Revisions for Licensed Type A Child Care Homes)

## Child Care Type A Home Manual Transmittal Letter No. 5

January 7, 2011

To: All Child Care Manual Holders  
From: Douglas E. Lumpkin, Director  
Subject: Rule Revisions for Licensed Type A Child Care Homes

This letter is to notify stakeholders that as a result of 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 revised to improve the process for obtaining an initial license and renewing a current license. The effective date of these rules is January 9, 2011.

Rule **5101:2-13-04** "Application and Issuance of Initial Licenses for Type A Homes" will be amended to reorganize the order of events needed to apply for an initial license, to change the revision date of the JFS 01210, and to require applicants for an initial license to attend an orientation meeting prior to submitting their JFS 01335 packets.

Rule **5101:2-13-06** "Procedures for renewal of a Type A Home License" will be amended to change the revision date of the JFS 01210.

The electronic version of the Child Care Center Manuals are located at: <http://emanuals.odjfs.state.oh.us/emanuals>. The manuals contain all rules and transmittal letters that the department has issued regarding child care policy. A current version of this manual should be accessible and utilized by all county staff and providers. 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 Type A Manual (CCAM).

| LOCATION            | REMOVE AND FILE<br>AS OBSOLETE | INSERT/REPLACEMENT         |
|---------------------|--------------------------------|----------------------------|
| Rules               | 5101:2-13-04                   | <b><u>5101:2-13-04</u></b> |
|                     | 5101:2-13-06                   | <b><u>5101:2-13-06</u></b> |
| Transmittal Letters |                                | CCAMTL No. 5               |

# CCAMTL 4 (Five Year Rule Review for Licensed Type A Child Care Homes)

## Child Care Type A Home Manual Transmittal Letter No. 4

June 8, 2010

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

This letter is to notify type A child care home providers 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 rules with changes:

**5101:2-13-05 License fees and notification requirements for licensed type A child care homes** has been revised to reflect the current fiscal process for application fees.

**5101:2-13-11 Fire department approval for licensed type A child care homes** has been revised to update the revision date of the fire inspection form and to add language that specifies that a home must comply with restrictions documented on the inspection form completed by the fire inspector.

**5101:2-13-14 Outdoor play requirements for licensed type A child care homes** has been revised to require that large muscle play must be provided inside on days that children are not taken outside, mechanical units are to be made inaccessible to children and a trash can may be kept on the playground if it is kept clean. This rule has also been revised to require that playground equipment pass the playground probe inspection when using tools from the Consumer Product Safety Commission's handbook and to prohibit the use of trampolines that are more than four feet in diameter.

**5101:2-13-15.1 Handwashing and basic precautions for licensed type A child care homes** has been revised to clarify times that child care staff members must wash their hands, to clarify the use of hand sanitizer and to use the same language that is used by the communicable disease training curriculum.

**5101:2-13-18 Transportation procedural requirements for licensed type A child care homes** is being revised to require that when children are transported in parent's/guardian's cars that the child care staff member for the children have a written record of which car the child is in and how to contact the adult who is with the children. Additional language is also being clarified.

**5101:2-13-18.1 Transportation/vehicle requirements for licensed type A child care homes** is being revised to clarify current rule requirements.

**5101:2-13-18.2 Transportation/driver requirements for licensed type A child care homes** has been revised to differentiate between drivers that are employees of the center and contracted drivers and to clarify current rule requirements.

**5101:2-13-22 Child guidance and management for licensed type A child care homes** has been revised to define prone restraint and include a prohibition for the use of any type of prone restraint.

**5101:2-13-26 Statement of nonconviction and criminal records checks for licensed type A child care homes** 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.

**5101:2-13-27 Training in first aid, CPR, management of communicable disease and child abuse prevention for staff in licensed type A child care homes** has been revised to clarify the requirements for review classes and to exempt trainers from the requirement to complete the trainings they are qualified to teach.



**5101:2-13-30 Provision of information, policies and procedures in licensed type A child care homes** has been revised to correct formatting issues.

**5101:2-13-33 Management of illness in licensed type A child care homes** has been revised to mirror language used in the communicable disease management training curriculum and to update the revision dates of the JFS 08087.

**5101:2-13-42 Cribs in licensed type A child care homes** 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:

**5101:2-13-10 Building approval for licensed type A child care homes.**

**5101:2-13-12 Meal preparation and service and water sanitation for licensed type A homes.**

**5101:2-13-13 Indoor floor space requirements for licensed type A child care homes.**

**5101:2-13-15 Safe and sanitary equipment and environment in licensed type A child care homes.**

**5101:2-13-15.2 Diapering and toilet training for licensed type A child care homes.**

**5101:2-13-15.3 Smoke free environment for licensed type A child care homes.**

**5101:2-13-15.4 Toothbrushing in licensed type A child care homes.**

**5101:2-13-16 Requirements for programming and equipment in licensed type A child care homes.**

**5101:2-13-17 Swimming and water safety requirements for licensed type A child care homes.**

**5101:2-13-29 Unlawful discriminatory practices.**

**5101:2-13-31 Administration of medication in licensed type A child care homes.**

**5101:2-13-32 Parental participation policies and parent roster requirement in licensed type A child care homes.**

**5101:2-13-39 Requirements for meals and snacks in licensed type A child care homes.**

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 type A homes. 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 Type A Home Manual (CCAM).

| LOCATION | REMOVE AND FILE<br>AS OBSOLETE | INSERT/REPLACEMENT                    |
|----------|--------------------------------|---------------------------------------|
| Rules    | 5101:2-13-05                   | <a href="#"><u>5101:2-13-05</u></a>   |
|          | 5101:2-13-11                   | <a href="#"><u>5101:2-13-11</u></a>   |
|          | 5101:2-13-14                   | <a href="#"><u>5101:2-13-14</u></a>   |
|          | 5101:2-13-15.1                 | <a href="#"><u>5101:2-13-15.1</u></a> |
|          | 5101:2-13-18                   | <a href="#"><u>5101:2-13-18</u></a>   |
|          | 5101:2-13-18.1                 | <a href="#"><u>5101:2-13-18.1</u></a> |

|                     |                |                                       |
|---------------------|----------------|---------------------------------------|
|                     | 5101:2-13-18.2 | <a href="#"><u>5101:2-13-18.2</u></a> |
|                     | 5101:2-13-22   | <a href="#"><u>5101:2-13-22</u></a>   |
|                     | 5101:2-13-26   | <a href="#"><u>5101:2-13-26</u></a>   |
|                     | 5101:2-13-27   | <a href="#"><u>5101:2-13-27</u></a>   |
|                     | 5101:2-13-30   | <a href="#"><u>5101:2-13-30</u></a>   |
|                     | 5101:2-13-33   | <a href="#"><u>5101:2-13-33</u></a>   |
|                     | 5101:2-13-42   | <a href="#"><u>5101:2-13-42</u></a>   |
| Transmittal Letters |                | CCAMTL No. 4                          |

# CCAMTL 3 (Liability Rules, eff. 12/1/2009)

## Child Care Type A Home Manual Transmittal Letter No. 3

October 22, 2009

To: All Child Care Type A Manual Holders

From: Douglas E. Lumpkin, Director

Subject: Liability Insurance Requirements

This letter transmits amendments to the rules governing type A home child care licensure. These rules have been amended to as a result of the passage of Am. Sub. HB 562 of the 127th General Assembly, which changed the Revised Code (RC) that requires type A homes to procure and maintain liability insurance. These rules will be effective December 1, 2009. The following is a summary of the rule revisions:

Rule [5101:2-13-04](#) Application and Issuance of Initial Licenses for Type A Homes has been amended to clarify the application submission process and to add language that the applicant must allow ODJFS to inspect the home before a license can be issued. The revision date of the JFS 01335 has been updated and language has been added to state that an initial application will be needed if the license renewal application is not received at least sixty days before the license expiration date.

Rule [5101:2-13-30](#) Requirements to Provide Information, Policies and Procedures for Licensed Type A Homes has been amended to include the requirement for the type A home provider to maintain liability insurance in specified amounts or to notify the parents/guardians that they do not carry the minimum amounts of insurance coverage. This rule is also being amended to reflect the changes to the JFS 01337 " Type A Home Parent And Employee Information."

The electronic version of the Child Care Type A 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 for the type A child care providers. Please contact the Office for Families and Children (OFC) Help Desk at 1-866-886-3537, option 4 if you have questions regarding this information.

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

| LOCATION                 | REMOVE AND FILE AS OBSOLETE | INSERT/REPLACE                      |
|--------------------------|-----------------------------|-------------------------------------|
| CCAM Rules               | 5101:2-13-04                | <u><a href="#">5101:2-13-04</a></u> |
|                          | 5101:2-13-30                | <u><a href="#">5101:2-13-30</a></u> |
| CCAM Transmittal Letters |                             | CCAMTL No. 3                        |

## CCAMTL 2 (5101:2-13-05, 06, 26, eff. 3/1/2009)

### Child Care Type A Home Manual Transmittal Letter No. 2

February 9, 2009

TO: All Child Care Type A Home Manual Holders

FROM: Douglas E. Lumpkin, Director

SUBJECT: Amendment of Type A Home Rules

This letter transmits amendments to the following rules due to recent form revisions and the passage of Sub. SB 163 of the 127th General Assembly. The revised rules will be effective on **March 1, 2009**.

The following is a summary of the rule revisions:

Rule **5101:2-13-05** License Fees and Notification Requirements for Licensed Type A Homes has been amended to change the revision date of the JFS 01210.

Rule **5101:2-13-06** Procedures for Renewal of a Type A Home License has been amended to change the revision date the JFS 01210.

Rule **5101:2-13-26** Statement of Non-Conviction and Criminal Records Check for Licensed Type A Homes has been amended to provide clarification on the requirements for BCII criminal records checks, and to include the requirement that residents eighteen years of age or older conduct criminal records checks and have results sent to the Ohio Department of Job and Family Services. The rule also includes a requirement for the JFS 01328 "Statement of Nonconviction for Licensed Child Care Centers and Type A Homes" to be completed by all persons eighteen years of age and older who reside in the type A home.

The electronic version of the Child Care Type A Home 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 type A homes. A current version of this manual should be accessible and utilized by all providers in all licensed type A homes.

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 Type A Home Manual (CCAM).

| LOCATION            | REMOVE AND FILE AS<br>OBSOLETE | INSERT/REPLACEMENT         |
|---------------------|--------------------------------|----------------------------|
| CCAM Rules          | 5101:2-13-05                   | <b><u>5101:2-13-05</u></b> |
|                     | 5101:2-13-06                   | <b><u>5101:2-13-06</u></b> |
|                     | 5101:2-13-26                   | <b><u>5101:2-13-26</u></b> |
| Transmittal Letters |                                | CCAMTL No. 2               |

# CCAMTL 1 (Introduction of new Child Care Type A Home Manual)

## Child Care Type A Home 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 Type A Home Manual

This letter transmits the creation of a new manual for type A child care homes. All rules, future manual transmittal letters and procedure letters for type A homes will now be placed into the newly created Child Care Type A Home Manual (CCAM). 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 CCAM.

The electronic version of the Child Care Type A Home 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 type A homes. A current version of this manual should be utilized by all providers in all licensed type A homes. 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 Type A Home Manual (CCAM).

| LOCATION  | REMOVE FROM CCM | INSERT INTO CCAM |
|---|-----------------|------------------|
| CCM Licensed Type A Child Care Homes:<br>Chapter 13 | 5101:2-13-01    |                  |
|   | 5101:2-13-02    |                  |
|   | 5101:2-13-03    |                  |
|   | 5101:2-13-04    |                  |
|   | 5101:2-13-05    |                  |
|   | 5101:3-13-06    |                  |
|   | 5101:2-13-07    |                  |
|   | 5101:2-13-08    |                  |
|   | 5101:2-13-09    |                  |
|   | 5101:2-13-10    |                  |
|   | 5101:2-13-11    |                  |
|   | 5101:2-13-12    |                  |
|   | 5101:2-13-13    |                  |
|   | 5101:2-13-14    |                  |

|  |                              |  |
|--|------------------------------|--|
|  | 5101:2-13-15<br>and Appendix |  |
|  | 5101:2-13-15.1               |  |
|  | 5101:2-13-15.2               |  |
|  | 5101:2-13-15.3               |  |
|  | 5101:2-13-15.4               |  |
|  | 5101:2-13-16                 |  |
|  | 5101:2-13-17                 |  |
|  | 5101:3-13-18<br>and Appendix |  |
|  | 5101:2-13-18.1               |  |
|  | 5101:2-13-18.2               |  |
|  | 5101:2-13-19                 |  |
|  | 5101:2-13-20                 |  |
|  | 5101:2-13-21                 |  |
|  | 5101:2-13-22                 |  |
|  | 5101:2-13-23                 |  |
|  | 5101:2-13-24                 |  |
|  | 5101:2-13-25                 |  |
|  | 5101:2-13-26                 |  |
|  | 5101:2-13-27                 |  |
|  | 5101:2-13-28                 |  |
|  | 5101:2-13-29                 |  |
|  | 5101:2-13-30                 |  |
|  | 5101:2-13-31                 |  |
|  | 5101:2-13-32                 |  |
|  | 5101:2-13-33                 |  |
|  | 5101:2-13-34<br>and Appendix |  |

|            |              |   |
|------------|--------------|---|
|            | 5101:2-13-35 |   |
|            | 5101:2-13-36 |   |
|            | 5101:2-13-37 |   |
|            | 5101:2-13-38 |   |
|            | 5101:2-13-39 |   |
|            | 5101:2-13-40 |   |
|            | 5101:2-13-41 |   |
|            | 5101:2-13-42 |   |
| CCAM Rules |              | <a href="#"><u>5101:2-13-01</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-02</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-03</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-04</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-05</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-06</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-07</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-08</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-09</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-10</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-11</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-12</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-13</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-14</u></a>                 |
|            |              | <a href="#"><u>5101:2-13-15</u></a><br>and Appendix |
|            |              | <a href="#"><u>5101:2-13-15.1</u></a>               |
|            |              | <a href="#"><u>5101:2-13-15.2</u></a>               |
|            |              | <a href="#"><u>5101:2-13-15.3</u></a>               |
|            |              | <a href="#"><u>5101:2-13-15.4</u></a>               |
|            |              | <a href="#"><u>5101:2-13-16</u></a>                 |

|  |  |   |
|--|--|---|
|  |  | <a href="#"><u>5101:2-13-17</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-18</u></a><br>and Appendix |
|  |  | <a href="#"><u>5101:2-13-18.1</u></a>               |
|  |  | <a href="#"><u>5101:2-13-18.2</u></a>               |
|  |  | <a href="#"><u>5101:2-13-19</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-20</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-21</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-22</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-23</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-24</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-25</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-26</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-27</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-28</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-29</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-30</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-31</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-32</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-33</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-34</u></a><br>and Appendix |
|  |  | <a href="#"><u>5101:2-13-35</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-36</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-37</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-38</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-39</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-40</u></a>                 |
|  |  | <a href="#"><u>5101:2-13-41</u></a>                 |



|                          |  |                                     |
|--------------------------|--|-------------------------------------|
|                          |  | <a href="#"><u>5101:2-13-42</u></a> |
| CCAM Transmittal Letters |  | CCAMTL 1                            |

# CCBMTL 8 (Revisions to Child Care Type B Home Provider Rules and Forms)

## Child Care Type B Home Manual Transmittal Letter No. 8

[Child Care Manual Transmittal Letter No. 121](#)

January 9, 2014

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

FROM: Cynthia C. Dungey, Director

SUBJECT: Revisions to Child Care Type B Home Provider Rules and Forms

This letter transmits amendments to rules and forms that govern Type B Home providers.

### Background:

The county departments of job and family services (CDJFS) are currently responsible for accepting and processing applications, completing compliance inspections and certifying Type B Home providers, In-Home Aides, and limited Type B Home providers.

### New Policy:

Beginning January 2014, Type B Home providers will be licensed by the Ohio Department of Job and Family Services (ODJFS) and limited Type B Home providers will no longer exist. In-Home Aides will remain certified through the CDJFS. The CDJFS will still be responsible for accepting and processing applications and completing compliance inspections for Type B Home providers. The CDJFS will recommend the Type B Home provider for licensure to ODJFS.

### The following rules are rescinded effective January 1, 2014:

[5101:2-14-02](#), "Application for certification as a professional type B home provider or in-home aide."

[5101:2-14-03](#), "Compliance inspection of type B home providers and in-home aides."

[5101:2-14-03.1](#), "Complaint investigation of professional and limited type B home providers and in-home aides."

[5101:2-14-04](#), "Issuance and renewal of professional certification as a type B home provider or in-home aide."

[5101:2-14-05](#), "Provider qualifications for professional certification as a type B provider or in-home aide."

[5101:2-14-06](#), "Denial, revocation and withdrawal of professional certification as a type B home provider or in-home aide."

[5101:2-14-07](#), "Fire safety for professional certification as a type B home provider or in-home aide."

[5101:2-14-08](#), "Indoor space, programming and equipment for professional certification as a type B home provider or in-home aide."

[5101:2-14-11](#), "Offenses prohibiting requirements for criminal records checks for certification as a type B professional or limited home provider or in-home aide, or as an emergency or substitute caregiver."

[5101:2-14-13](#), "Training requirements for certification as a professional type B home provider or in-home aide."

[5101:2-14-14](#), "Emergency and substitute caregiver for type B home professional providers or in-home aides."

[5101:2-14-16](#), "Group size for professional certification as a type B home provider or in-home aide."

[5101:2-14-17](#), "Outdoor play for professional certification as a type B home provider or in-home aide."

[5101:2-14-18](#), "Evening and overnight care, sleeping and napping requirements for professional certification as a type B home provider or in-home aide."

**5101:2-14-19**, "Safe and sanitary equipment and environment for professional certification as a type B home provider or in-home aide."

**5101:2-14-20**, "Safety and supervision of children for professional certification as a type B home provider or in-home aide."

**5101:2-14-21**, "Transportation and field trip safety for professional certification as a type B home provider or in-home aide."

**5101:2-14-22**, "Child guidance and management for professional certification as a type B home provider or in-home aide."

**5101:2-14-24**, "Caretaker/provider responsibilities for professional certification as a type B home provider or in-home aide."

**5101:2-14-26**, "Records requirements for professional certification as a type B home provider or in-home aide."

**5101:2-14-27**, "Care of children with special needs or health conditions for professional certification as a type B home provider or in-home aide."

**5101:2-14-28**, "Medical and dental emergency plan for professional certification as a type B home provider or in-home aide."

**5101:2-14-29**, "First-aid supplies and procedure for professional certification as a type B home provider or in-home aide."

**5101:2-14-30**, "Management of communicable disease for professional certification as a type B home provider or in-home aide."

**5101:2-14-31**, "Administration of medication for professional certification as a type B home provider or in-home aide."

**5101:2-14-32**, "Meal preparation/nutritional requirements for professional certification as a type B home provider or in-home aide."

**5101:2-14-34**, "Infant care for professional certification as a type B home provider or in-home aide."

**5101:2-14-35**, "Diaper care for professional certification as a type B home provider or in-home aide."

**5101:2-14-36**, "Crib and playpen requirements for professional certification as a type B home provider or in-home aide."

**5101:2-14-37**, "Swimming and water safety requirements for professional certification as a type B home provider or in-home aide."

**5101:2-14-40**, "Certification appeal procedures for professional and limited type B providers and in-home aides."

**5101:2-14-55**, "Application, and approval and renewal for limited certification as a type B home provider or in-home aide."

**5101:2-14-56**, "Issuance and renewal of a certificate for limited certification as a type B home provider or in-home aide."

**5101:2-14-57**, "Limited certification compliance inspection of inspection and investigation for limited certification as a type B home provider or provider or in-home aide."

**5101:2-14-58**, "Provider qualifications and responsibilities for limited certification as a type B home provider or in-home aide."

**5101:2-14-60**, "Denial, termination and revocation and withdrawal of limited certification as a type B home provider or in-home aide."

**5101:2-14-61**, "County department of job and family services certification responsibilities for certified type B providers and in-home aides."

**5101:2-14-62**, "Confidentiality involving a professional or limited certified home provider or in-home aide."

**The following rule has been amended. The changes are effective January 1, 2014:**

**5101:2-14-01**, "Definitions for licensed type B home providers and certified in-homes aides" was revised by amending language under the "Type B Home" definition and deleting the following definitions:

- "Agency inspected limited certification (AI)"
- "Applicant"
- "Border state child care provider"
- "County department of job and family services"
- "County director"
- "Department"
- "Director"
- "Limited certification"
- "Parent/provider inspected limited certification (PPI)"
- "Professional certification"
- "Provider"
- "Provisional"

**The following Type B Home new provider rules are effective January 1, 2014:**

**5101:2-14-02**, "Application and issuance for a type B home provider license" sets forth the application process and required documents for becoming a licensed Type B Home provider as well as the CDJFS responsibilities.

**5101:2-14-03**, "Compliance inspection and complaint investigation of a licensed type B home provider" sets forth the guidelines and timeframes for inspections and investigations of the Type B Home as well as the CDJFS responsibilities.

**5101:2-14-04**, "Denial and revocation of a licensed type B home provider" sets forth the parameters for denying an application or revoking a Type B Home provider license as well as the CDJFS responsibilities.

**5101:2-14-05**, "Procedures for a licensed type B home provider operating under a provisional license" sets forth the operating requirements during the provisional license period for Type B Home providers.

**5101:2-14-06**, "Provider qualifications for a licensed type B home provider" sets forth the requirements to become a licensed Type B Home provider.

**5101:2-14-07**, "Licensed type B home requirements for criminal records checks" sets forth the requirements for who needs a criminal records check and when the records check needs to be completed as well as the rehabilitation standards for crimes.

**5101:2-14-08**, "Training requirements for a licensed type B home provider" sets forth the various types and hours of trainings needed to be completed by a Type B Home provider.

**5101:2-14-09**, "Emergency/substitute caregiver and employees for a licensed type B home provider" sets forth the requirements and qualifications for emergency/substitute caregivers and employees for the licensed Type B Home.

**5101:2-14-10**, "Fire safety requirements for a licensed type B home provider" sets forth fire safety requirements for the licensed Type B Home provider.

**5101:2-14-11**, "Indoor and outdoor space requirements for a licensed type B home provider" sets forth all safety and space requirements for the licensed Type B Home.

**5101:2-14-12**, "Safe equipment and environment for a licensed type B home provider" sets forth requirements for safe equipment in the licensed Type B Home.

**5101:2-14-13**, "Sanitary equipment and environment for a licensed type B home provider" sets forth the requirements for a sanitary environment, cleaning guidelines and a smoke free environment for the licensed Type B Home provider.

**5101:2-14-14**, "Transportation and field trip safety for a licensed type B home provider" sets forth the required documents needed when children are transported to and from the licensed Type B Home.

**5101:2-14-15**, "Child records requirements for a licensed type B home provider" sets forth the required documentation that shall be in each child's file in the Type B Home such as administering and proper storage of medication or documented health conditions.

**5101:2-14-16**, "Medical, dental, first aid and communicable disease procedures for a licensed type B home provider" sets forth the procedures for treating and reporting communicable diseases, what is to be included in the provider's first aid box and procedures for caring for sick children.

**5101:2-14-17**, "Programming and materials for a licensed type B home provider" sets forth the requirements for developmentally appropriate equipment and materials for the Type B Home.

**5101:2-14-18**, "Group size for a licensed type B home provider" sets forth requirements for the number of children that may be in the home of the Type B Home provider at any given time.

**5101:2-14-19**, "Sleeping and napping requirements for a licensed type B home provider" sets forth the requirements for using cribs and playpens in the Type B Home.

**5101:2-14-20**, "Supervision of children and child guidance for a licensed type B home provider" sets forth the procedures for discipline techniques and child guidance.

**5101:2-14-21**, "Meal preparation/nutritional requirements for a licensed type B home provider" sets forth meal and snack requirements in the Type B Home.

**5101:2-14-22**, "Infant care and diaper care for a licensed type B home provider" sets forth the requirements for general infant care, feeding infants, storing breast milk and diaper changing.

**5101:2-14-23**, "Swimming and water safety requirements for a licensed type B home provider" sets forth the requirements for swimming and water depth requirements at the Type B Home and at any off-site facility.

**5101:2-14-24**, "Evening and overnight care requirements for a licensed type B home provider" sets forth the requirements for the hours of operation for evening and overnight care at the licensed Type B Home.

**5101:2-14-25**, "County department of job and family services licensing responsibilities for type B home providers" sets forth requirements for the CDJFS regarding provider training, provider files, and information sharing when licensing a Type B Home provider.

**The following In-Home Aide new rules will be effective January 1, 2014:**

**5101:2-14-30**, "Application and approval for certification as an in-home aide" sets forth the application process for becoming an In-Home Aide.

**5101:2-14-31**, "Qualifications for certification as an in-home aide" sets forth the qualifications for becoming an In-Home Aide.

**5101:2-14-32**, "In-Home Aide Responsibilities and Assurances" sets forth the requirements for record keeping, transportation, and general provisions for providing care in the child's own home.

**5101:2-14-33**, "Safety requirements for in-home aides" sets forth minimal health and safety standards including smoke-free environment, fire safety, supervision and first aid for an In-Home Aide.

**5101:2-14-34**, "County department of job and family services (CDJFS) responsibilities for the issuance and renewal for in-home aide (IHA) certification" sets forth requirements of the CDJFS for issuing and renewing In-Home Aide certificates.

**5101:2-14-35**, "County department of job and family services (CDJFS) responsibility for compliance and complaint investigation for an in-home aide (IHA)" sets forth the requirements for inspection and complaint procedures for the In-Home Aide.

**The following form is obsolete effective January 1, 2014:**

JFS 01932 "Child Medical Statement Type B Homes and In-Home Aides."

**The following Type B Home new provider forms are effective January 1, 2014:**

**JFS 01526**, "Complaint Investigation Receipt for Type B Home Providers and In-Home Aides" is used during an investigation by the CDJFS and is completed and given to the provider before the JFS 01921 "Complaint Disposition Report for Type B Child Care Providers and In-Home Aides" is completed.

**JFS 01527**, "Notification of Criminal Records Check Results" is used by the CDJFS to notify the provider of the criminal records results of the provider's employee and emergency/substitute caregivers.

**JFS 01528**, "Type B Home Provider Employee Record Chart" is used by the CDJFS to ensure that the provider's file on the provider's employee is up-to-date and accurate.

**The following In-Home Aide new form will be effective January 1, 2014:**

**JFS 1533**, "In-Home Aide Inspection" is used by the CDJFS to ensure safety requirements of the In-Home Aide.

**The following Type B Home provider forms have been revised effective January 1, 2014:**

**JFS 01280**, "Medical Statement for Type B Home and In-Home Aide Child Care Providers" was revised to change certification language to licensing language. The requirement for a tuberculosis (TB) test was removed as it is no longer required for providers.

**JFS 01302**, "Request for Child Abuse and Neglect Report Information" was revised to change certification language to licensing language.

**JFS 01329**, "Statement of Nonconviction for Type B Homes and In-Home Aides" was revised to change certification language to licensing language.

**JFS 01332**, "Child Care Handbook for Caretakers Licensed Type B Home Providers and Certified In-Home Aides" was revised to change certification language to licensing language.

**JFS 01332-I**, "Instructions for Completing JFS 01332 Child Care Handbook for Caretakers" was revised to change certification language to licensing language.

**JFS 01634**, "Caretaker/Provider Agreement for Type B Homes and In-Home Aides" was revised to update the Chapter 5101:2-14 rule cites as well as to change certification language to licensing language.

**JFS 01643**, "Application for Type B Home" was revised to change certification language to licensing language for Type B Homes and to delete the reference section of the application as references are no longer required.

**JFS 01920**, "Emergency/Substitute Caregiver Acting as an Assistant in a Type B Child Care Home" was revised to change certification language to licensing language.

**JFS 01922**, "Notification of Alleged Child Care Rule Noncompliance" was revised to update the Chapter 5101:2-14 rule citations as well as to change certification language to licensing language.

**JFS 01923**, "Emergency/Substitute Caregiver Statement for Type B Home Provider" was revised to update the Chapter 5101:2-14 rule citations as well as to change certification language to licensing language.

**JFS 01926**, "Inspection Report for Type B Home" was revised to update the Chapter 5101:2-14 rule citations as well as to change certification language to licensing language.

**JFS 01928**, "Child Medical/Physical Care Plan for Type B Homes and In-Home Aides" was revised to update the Chapter 5101:2-14 rule citation.

**JFS 01930**, "Sleep Position Waiver Statement for Type B Homes and In-Home Aides" was revised to update the Chapter 5101:2-14 rule citation.

**JFS 01933**, "Liability Insurance Statement for Type A and Type B Child Care Homes" was revised to update the Chapter 5101:2-14 rule citation.

**The following In-Home Aide form has been revised effective January 1, 2014:**

**JFS 01642**, "In-Home Aide Application and Assurances" was revised to remove language for limited certification.

| LOCATION | REMOVE AND FILE AS<br>OBSOLETE | INSERT/REPLACEMENT  |
|----------|--------------------------------|---------------------|
| CCBM     | <u>5101:2-14-01</u>            | <u>5101:2-14-01</u> |



|  |                                       |                                     |
|--|---------------------------------------|-------------------------------------|
|  | <a href="#"><u>5101:2-14-02</u></a>   | <a href="#"><u>5101:2-14-02</u></a> |
|  | <a href="#"><u>5101:2-14-03</u></a>   | <a href="#"><u>5101:2-14-03</u></a> |
|  | <a href="#"><u>5101:2-14-03.1</u></a> | <a href="#"><u>5101:2-14-04</u></a> |
|  | <a href="#"><u>5101:2-14-04</u></a>   | <a href="#"><u>5101:2-14-05</u></a> |
|  | <a href="#"><u>5101:2-14-05</u></a>   | <a href="#"><u>5101:2-14-06</u></a> |
|  | <a href="#"><u>5101:2-14-06</u></a>   | <a href="#"><u>5101:2-14-07</u></a> |
|  | <a href="#"><u>5101:2-14-07</u></a>   | <a href="#"><u>5101:2-14-08</u></a> |
|  | <a href="#"><u>5101:2-14-08</u></a>   | <a href="#"><u>5101:2-14-09</u></a> |
|  | <a href="#"><u>5101:2-14-11</u></a>   | <a href="#"><u>5101:2-14-10</u></a> |
|  | <a href="#"><u>5101:2-14-13</u></a>   | <a href="#"><u>5101:2-14-11</u></a> |
|  | <a href="#"><u>5101:2-14-14</u></a>   | <a href="#"><u>5101:2-14-12</u></a> |
|  | <a href="#"><u>5101:2-14-16</u></a>   | <a href="#"><u>5101:2-14-13</u></a> |
|  | <a href="#"><u>5101:2-14-17</u></a>   | <a href="#"><u>5101:2-14-14</u></a> |
|  | <a href="#"><u>5101:2-14-18</u></a>   | <a href="#"><u>5101:2-14-15</u></a> |
|  | <a href="#"><u>5101:2-14-19</u></a>   | <a href="#"><u>5101:2-14-16</u></a> |
|  | <a href="#"><u>5101:2-14-20</u></a>   | <a href="#"><u>5101:2-14-17</u></a> |
|  | <a href="#"><u>5101:2-14-21</u></a>   | <a href="#"><u>5101:2-14-18</u></a> |
|  | <a href="#"><u>5101:2-14-22</u></a>   | <a href="#"><u>5101:2-14-19</u></a> |
|  | <a href="#"><u>5101:2-14-24</u></a>   | <a href="#"><u>5101:2-14-20</u></a> |
|  | <a href="#"><u>5101:2-14-26</u></a>   | <a href="#"><u>5101:2-14-21</u></a> |
|  | <a href="#"><u>5101:2-14-27</u></a>   | <a href="#"><u>5101:2-14-22</u></a> |
|  | <a href="#"><u>5101:2-14-28</u></a>   | <a href="#"><u>5101:2-14-23</u></a> |
|  | <a href="#"><u>5101:2-14-29</u></a>   | <a href="#"><u>5101:2-14-24</u></a> |
|  | <a href="#"><u>5101:2-14-30</u></a>   | <a href="#"><u>5101:2-14-25</u></a> |
|  | <a href="#"><u>5101:2-14-31</u></a>   | <a href="#"><u>5101:2-14-30</u></a> |
|  | <a href="#"><u>5101:2-14-32</u></a>   | <a href="#"><u>5101:2-14-31</u></a> |
|  | <a href="#"><u>5101:2-14-34</u></a>   | <a href="#"><u>5101:2-14-32</u></a> |
|  | <a href="#"><u>5101:2-14-35</u></a>   | <a href="#"><u>5101:2-14-33</u></a> |
|  | <a href="#"><u>5101:2-14-36</u></a>   | <a href="#"><u>5101:2-14-34</u></a> |

|              |                                     |  |
|--------------|-------------------------------------|--|
|              | <a href="#"><u>5101:2-14-37</u></a> | <a href="#"><u>5101:2-14-35</u></a>              |
|              | <a href="#"><u>5101:2-14-40</u></a> |  |
|              | <a href="#"><u>5101:2-14-55</u></a> |  |
|              | <a href="#"><u>5101:2-14-56</u></a> |  |
|              | <a href="#"><u>5101:2-14-57</u></a> |  |
|              | <a href="#"><u>5101:2-14-58</u></a> |  |
|              | <a href="#"><u>5101:2-14-60</u></a> |  |
|              | <a href="#"><u>5101:2-14-61</u></a> |  |
|              | <a href="#"><u>5101:2-14-62</u></a> |  |
| CCM Appendix | JFS 01280 (rev. 8/2008)             | <a href="#"><u>JFS 01280</u></a> (rev. 1/2014)   |
|              | JFS 01302 (rev. 9/2006)             | <a href="#"><u>JFS 01302</u></a> (rev. 1/2014)   |
|              | JFS 01329 (rev. 8/2008)             | <a href="#"><u>JFS 01329</u></a> (rev. 1/2014)   |
|              | JFS 01332 (rev. 11/2010)            | <a href="#"><u>JFS 01332</u></a> (rev. 1/2014)   |
|              | JFS 01332-I (rev. 11/2010)          | <a href="#"><u>JFS 01332-I</u></a> (rev. 1/2014) |
|              | JFS 01634 (rev. 10/2010)            | <a href="#"><u>JFS 01634</u></a> (rev. 1/2014)   |
|              | JFS 01642 (rev. 10/2010)            | <a href="#"><u>JFS 01642</u></a> (rev. 1/2014)   |
|              | JFS 01643 (rev. 10/2010)            | <a href="#"><u>JFS 01643</u></a> (rev. 1/2014)   |
|              | JFS 01920 (rev. 7/2011)             | <a href="#"><u>JFS 01920</u></a> (rev. 1/2014)   |
|              | JFS 01922 (rev. 8/2008)             | <a href="#"><u>JFS 01922</u></a> (rev. 1/2014)   |
|              | JFS 01923 (rev. 8/2008)             | <a href="#"><u>JFS 01923</u></a> (rev. 1/2014)   |
|              | JFS 01926 (rev. 10/2010)            | <a href="#"><u>JFS 01926</u></a> (rev. 1/2014)   |
|              | JFS 01928 (rev. 8/2008)             | <a href="#"><u>JFS 01928</u></a> (rev. 1/2014)   |
|              | JFS 01930 (rev. 8/2008)             | <a href="#"><u>JFS 01930</u></a> (rev. 1/2014)   |
|              | JFS 01932 (rev. 8/2008)             |  |
|              | JFS 01933 (rev. 8/2009)             | <a href="#"><u>JFS 01933</u></a> (rev. 1/2014)   |
|              |                                     | <a href="#"><u>JFS 01526</u></a> (1/2014)        |
|              |                                     | <a href="#"><u>JFS 01527</u></a> (1/2014)        |
|              |                                     | <a href="#"><u>JFS 01528</u></a> (1/2014)        |
|              |                                     | <a href="#"><u>JFS 01533</u></a> (1/2014)        |



|                          |  |               |
|--------------------------|--|---------------|
| CCBM Transmittal Letters |  | CCBMTL No. 8  |
| CCM Transmittal Letters  |  | CCMTL No. 121 |

# CCBMTL 7 (Rule Review for Certified Type B Providers and In-Home Aides)

## Child Care Type B Home Manual Transmittal Letter No. 7

June 27, 2013

TO: All Child Care Type B Home Manual Holders

FROM: Michael B. Colbert, Director

SUBJECT: Rule Review for Certified Type B Providers and In-Home Aides

The Office of Family Assistance amended several type B home certification rules contained in Chapter 5101:2-14 of the Ohio Administrative Code as a result of a five year review. These rules will be effective on August 3, 2013. The following rules have been amended:

**5101:2-14-01 "Definitions for Certification of Type B Home Providers and In-Home Aides"** has been amended to remove the definition of an absent day, this definition appears in another rule, 5101:2-16-01 of the Administrative Code, to add definition of Department, to remove definition of medically fragile foster care since this definition is covered in specialized foster care definition, and to revise the definitions of medication and publicly funded child care for consistency with other rules.

**5101:2-14-02 "Application for Certification as a Professional Type B Home Provider or In-Home Aide"** has been amended to revise language regarding the requirement for a provider to enter information for the provider agreement into the online portal, to add language regarding Ohio electronic child care (Ohio ECC), and remove language regarding which rules the County Department of Job and Family Services (CDJFS) has to give to the provider, this is outlined in rule 5101:2-14-61.

**5101:2-14-04 "Issuance and Renewal of Professional Certification as a Type B Home Provider or In-Home Aide"** has been amended to add the restriction that only one certificate shall be issued per address (previously two people certified at the same address before August 14, 2008 could retain dual certification; this provision is being removed from the rule). Certified providers with two certificates at one home must contact their CDJFS and inform them which certificate will be forfeited no later than July 3, 2013. If providers do not contact the CDJFS by July 7, 2013 the CDJFS will remove the most recently issued certificate. These certifications will end on August 2, 2013. New language has been added to require providers to obtain a new certificate if they move and to clarify language.

**5101:2-14-05 "Provider Qualifications for Professional Certification as a Type B Home Provider or In-Home Aide"** has been amended to remove the requirement for a repeated medical every three years, to remove requirement of three references, and to clarify language requiring the provider to give caretaker(s) the provider's tax identification number at time of enrollment.

**5101:2-14-13 "Training Requirements for Certification as a Professional Type B Home Provider or In-Home Aide"** has been amended to revise the hours for the health and safety training from six to eight, to allow electronic media as approved by ODJFS for first aid, communication disease and child abuse recognition training, and to clarify language. The rule was also being amended to update the revision date of the JFS 01750 "Health and Safety in Family Child Care Homes," which will be released in a separate letter.

**5101:2-14-36 "Crib and Playpen Requirements for Professional Certification as a Type B Home Provider or In-Home Aide"** has been amended to revise language to comply with new crib standards from the Consumer Product Safety Commission and to clarify language.

**5101:2-14-56 "Issuance and Renewal of a Certificate for Limited Certification as a Type B Home Provider or In-Home Aide"** has been amended to revise language to only allow one certificate to be issued to each address, to discontinue grandfathering, and to clarify language. Providers should follow the same timelines for removing the certification as indicated in instructions in the paragraph above for rule 5101:2-14-04.

**5101:2-14-58 "Provider Qualifications and Responsibilities for Limited Certification as a Type B Home Provider or In-Home Aide"** has been amended to update the revision date of the JFS 01750.

**5101:2-14-61 "County Department of Job and Family Services Certification Responsibilities for Certified Type B Providers and In-Home Aides"** has been amended to update the revision dates of the JFS 01750 and JFS 02827 "Monthly Financial Statement".

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 providers in all type B homes that are certified by the CDJFS and a current and updated copy of the manual should be accessible at all times in the type B home.

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 removed from and inserted into the Child Care Manual (CCM).

| LOCATION                   | REMOVE AND FILE AS OBSOLETE | INSERT/REPLACEMENT                  |
|----------------------------|-----------------------------|-------------------------------------|
| CCBM                       | 5101:2-14-01                | <a href="#"><u>5101:2-14-01</u></a> |
|                            | 5101:2-14-02                | <a href="#"><u>5101:2-14-02</u></a> |
|                            | 5101:2-14-04                | <a href="#"><u>5101:2-14-04</u></a> |
|                            | 5101:2-14-05                | <a href="#"><u>5101:2-14-05</u></a> |
|                            | 5101:2-14-13                | <a href="#"><u>5101:2-14-13</u></a> |
|                            | 5101:2-14-36                | <a href="#"><u>5101:2-14-36</u></a> |
|                            | 5101:2-14-56                | <a href="#"><u>5101:2-14-56</u></a> |
|                            | 5101:2-14-58                | <a href="#"><u>5101:2-14-58</u></a> |
|                            | 5101:2-14-61                | <a href="#"><u>5101:2-14-61</u></a> |
| CCBMTL Transmittal Letters |                             | CCBMTL No. 7                        |

# CCBMTL 6 (Rule Changes for Certified Type B Home Providers and In-Home Aides Who Receive Payment for Publicly Funded Child Care)

## Child Care Type B Home Manual Transmittal Letter No. 6

June 13, 2011

TO: All Child Care Type B Manual Holders

FROM: Michael B. Colbert, Director

SUBJECT: Rule Changes for Certified Type B Home Providers and In-Home Aides Who Receive Payment for Publicly Funded Child Care

This letter transmits amendments to rules for certified type B home providers and in-home aides due to the implementation of the automated child care eligibility, authorization and payment system.

The Ohio Department of Job and Family Services (ODJFS) issues payments to eligible providers of publicly funded child care, based on data submitted by county departments of Job and Family Services (CDJFS). Eligible child care providers are required to complete and submit a provider agreement to ODJFS using an online provider portal. These rule revisions include language for this requirement.

The following rules have been amended and the changes are effective July 1, 2011:

Rule 5101:2-14-04, "Issuance and Renewal of Professional Certification as a Type B Home Provider or In-Home Aide" has been amended to change revision dates of forms and clarify requirements to obtain a provider agreement as part of the certification process.

Rule 5101:2-14-06, "Denial, Revocation and Withdrawal of Professional Certification as a Type B Home Provider or In-Home Aide" has been amended to change revision dates of forms and clarify requirements to obtain a provider agreement as part of the certification process.

Rule 5101:2-14-19, "Safe and Sanitary Equipment and Environment for Professional Certification as a Type B Home Provider or In-Home Aide" has been amended to change the revision date of a form.

Rule 5101:2-14-24, "Caretaker/Provider Responsibilities for Professional Certification as a Type B Home Provider or In-Home Aide" has been amended to change revision dates of forms.

Rule 5101:2-14-32, "Meal Preparation/Nutritional Requirements for Professional Certification as a Type B Home Provider or In-Home Aide" has been amended to change the revision date of a form.

Rule 5101:2-14-55, "Application, and Approval and Renewal for Limited Certification as a Type B Home Provider or In-Home Aide" has been amended to change the revision date of a form.

Rule 5101:2-14-56, "Issuance and Renewal of A Certificate for Limited Certification as a Type B Home Provider or In-Home Aide" has been amended to change revision dates of forms, add the provider agreement forms and clarify requirements to obtain a provider agreement as part of the certification process.

Rule 5101:2-14-57, "Limited Certification Compliance Inspection of Inspection and Investigation for Limited Certification as a Type B Home Provider or Provider or In-Home Aide" has been amended to change the revision date of a form and clarify requirements to obtain a provider agreement as part of the certification process.

Rule 5101:2-14-58, "Provider Qualifications and Responsibilities for Limited Certification as a Type B Home Provider or In-Home Aide" has been amended to change revision dates of forms.

Rule 5101:2-14-61, "County Department of Job and Family Services Certification Responsibilities for Certified Type B Providers and In-Home Aides" has been amended to change the revision dates and/or titles of forms, and clarify requirements of the CDJFS.

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.

Please contact the Help Desk for the Office of 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 Type B Home Manual.

| LOCATION                   | REMOVE AND FILE<br>AS OBSOLETE | INSERT/<br>REPLACEMENT              |
|----------------------------|--------------------------------|-------------------------------------|
| CCBM                       | 5101:2-14-04                   | <a href="#"><u>5101:2-14-04</u></a> |
|                            | 5101:2-14-06                   | <a href="#"><u>5101:2-14-06</u></a> |
|                            | 5101:2-14-19                   | <a href="#"><u>5101:2-14-19</u></a> |
|                            | 5101:2-14-24                   | <a href="#"><u>5101:2-14-24</u></a> |
|                            | 5101:2-14-32                   | <a href="#"><u>5101:2-14-32</u></a> |
|                            | 5101:2-14-55                   | <a href="#"><u>5101:2-14-55</u></a> |
|                            | 5101:2-14-56                   | <a href="#"><u>5101:2-14-56</u></a> |
|                            | 5101:2-14-57                   | <a href="#"><u>5101:2-14-57</u></a> |
|                            | 5101:2-14-58                   | <a href="#"><u>5101:2-14-58</u></a> |
|                            | 5101:2-14-61                   | <a href="#"><u>5101:2-14-61</u></a> |
| CCBMTL Transmittal Letters |                                | CCBMTL No. 6                        |

# CCBMTL 5 (Emergency/Substitute Caregivers Used as Assistants to Type B Home Providers)

## Child Care Type B Home Manual Transmittal Letter No. 5

July 5, 2011

TO: All Child Care Manual Holders

FROM: Michael B. Colbert, Director

SUBJECT: Emergency/Substitute Caregivers Used as Assistants to Type B Home Providers

This letter transmits a revision to a type B provider certification rule that will allow an approved emergency/substitute caregiver to act as an assistant to a type B home provider. This revision is being made to comply with the collective bargaining agreement between the state of Ohio and AFSCME, Ohio Council 8, AFL-CIO/Child Care Providers Together.

The following is a summary of the rule revision, which is effective July 1, 2011:

Rule [5101:2-14-14](#): Language has been added to allow a type B provider to use an emergency/substitute caregiver as an assistant in the type B home. The provider shall provide a one-time notice to the county agency prior to using an emergency/substitute caregiver as an assistant and shall notify parents when an emergency/substitute caregiver is used. Use of an assistant does not change the provider's capacity or the provider's payment. The provider must be present in the home at all times when the emergency/substitute caregiver is used as an assistant.

A new form, JFS 01920 "Emergency/Substitute Caregiver Acting as an Assistant in a Type B Child Care Home," has been developed to document a provider's use of an emergency/substitute caregiver as an assistant. This form will be released in a separate manual procedure letter.

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.

Please contact the Help Desk for the Office of 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 Type B Home Manual.

| LOCATION                   | REMOVE AND FILE AS OBSOLETE | INSERT/REPLACEMENT           |
|----------------------------|-----------------------------|------------------------------|
| CCBM                       | 5101:2-14-14                | <a href="#">5101:2-14-14</a> |
| CCBMTL Transmittal Letters |                             | CCBMTL No. 5                 |

# CCBMTL 3 (Changes in Type B Home Provider Certification Rules)

## Child Care Type B Home Manual Transmittal Letter No. 3

October 21, 2010

TO: All Child Care Manual Holders  
FROM: Douglas E. Lumpkin, Director  
SUBJECT: Changes in Type B Home Provider Certification Rules

This letter transmits proposed revisions to rules in Chapter 5101:2-14 of the Administrative Code. These rule revisions are being proposed in order to add requirements for completion of a Provider Agreement with the Ohio Department of Job and Family Services (ODJFS) and to clarify other rule language related to provider certifications for training, inspections and complaints. The effective date of these rules is November 15, 2010.

Rule [5101:2-14-02](#), "Application for professional certification as a type B provider or in-home aide" is being amended to add the requirement for completion of the JFS 01144 Provider Agreement for Publicly Funded Child Care Services," which is the contract between providers of child care and ODJFS.

Rule [5101:2-14-03](#), "Professional certification compliance inspection of type B home providers and in-home aides" is being amended to add the requirement that a copy of the inspection report be given to the provider before the CDJFS leaves the provider's home.

Rule [5101:2-14-03.1](#), "Complaint investigation of professional and limited type B home providers and in-home aides" is being amended to add the requirement for a complaint report to be given to the provider at the time of the complaint investigation and for additional information to be forwarded to the provider as soon as possible.

Rule [5101:2-14-13](#), "Training requirements for certification as a professional type

B home provider or in-home aide" is being amended to clarify training requirements for type B providers and to update the revision date of a form.

Rule [5101:2-14-40](#), "Appeal review procedures for professional and limited certification as a type B home provider or in-home aide" is being amended to clarify language regarding the appeal process and to allow a provider to designate a union representative as a legal representative.

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.

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 Type B Home Manual (CCBMTL).

| LOCATION                 | REMOVE AND FILE AS OBSOLETE | INSERT/REPLACEMENT             |
|--------------------------|-----------------------------|--------------------------------|
| CCBM                     | 5101:2-14-02                | <a href="#">5101:2-14-02</a>   |
|                          | 5101:2-14-03                | <a href="#">5101:2-14-03</a>   |
|                          | 5101:2-14-03.1              | <a href="#">5101:2-14-03.1</a> |
|                          | 5101:2-14-13                | <a href="#">5101:2-14-13</a>   |
|                          | 5101:2-14-40                | <a href="#">5101:2-14-40</a>   |
| CCBM Transmittal Letters |                             | CCBMTL No. 3                   |



## CCBMTL 2 (Liability Rules, eff. 12/1/2009)

### Child Care Type B Home Manual Transmittal Letter No. 2

October 22, 2009

To: All Child Care Type B Manual Holders  
From: Douglas E. Lumpkin, Director  
Subject: Liability Insurance Requirement for Type B Home Child Care Providers

This letter transmits amendments to rules governing type B home child care certification. These rules have been amended to as a result of the passage of Am. Sub. HB 562 of the 127th General Assembly, which changed the Revised Code (RC) to require type B homes to procure and maintain liability insurance. These rules will be effective December 1, 2009. The following is a summary of the rule revisions:

Rule [5101:2-14-02](#) Application for Professional Certification as a Type B Home Provider or In-Home Aide has been amended to require providers to obtain liability insurance in specified amounts or to notify caretakers that they do not carry the insurance. The rule has also been amended to outline the written information that the provider must prepare and provide to the caretaker before a child is enrolled.

Rule [5101:2-14-19](#) Safe and Sanitary Equipment and Environment for Professional Certification as a Type B Home Provider or In-Home Aide has been amended to update the revision date of the JFS 01634 "Provider/Caretaker Agreement."

Rule [5101:2-14-24](#) Caretaker/Provider Responsibilities for Professional Certification as a Type B Home Provider or In-Home Aide has been amended to update the revision date of the JFS 01634 and to require providers to review and discuss with the caretaker the JFS 01332 "Certified Child Care Handbook for Caretakers," which contains the written policies and procedures of the home.

Rule [5101:2-14-32](#) Meal Preparation/Nutritional Requirements for Professional Certification as a Type B Home Provider or In-Home Aide has been amended to update the revision date of the JFS 01634 and to correct the temperature at which potentially hazardous foods must be refrigerated.

Rule [5101:2-14-55](#) Application and Approval and Renewal for Limited Certification as a Type B Home Provider or In-Home Aide has been amended to update the revision date of the JFS 01634.

Rule [5101:2-14-58](#) Provider Qualifications and Responsibilities for Limited Certification as a Type B Home Provider or In-Home Aide has been amended to include the requirement for written policies and procedures in the JFS 01332 to be given to caretakers. This rule has also been amended to add language regarding providers having specified levels of liability insurance or having to notify caretakers that they do not have the liability insurance coverage.

The electronic version of the Child Care Type B 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 for the type B child care providers and in-home aides. Please contact the Office for Families and Children (OFC) Help Desk at 1-866-886-3537, option 4 if you have questions regarding this information.

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

| LOCATION | REMOVE AND FILE AS OBSOLETE | INSERT/REPLACE                      |
|----------|-----------------------------|-------------------------------------|
| CCBM     | 5101:2-14-02                | <a href="#"><u>5101:2-14-02</u></a> |
|          | 5101:2-14-19                | <a href="#"><u>5101:2-14-19</u></a> |
|          | 5101:2-14-24                | <a href="#"><u>5101:2-14-24</u></a> |
|          | 5101:2-14-32                | <a href="#"><u>5101:2-14-32</u></a> |



|                          |              |                                     |
|--------------------------|--------------|-------------------------------------|
|                          | 5101:2-14-55 | <a href="#"><u>5101:2-14-55</u></a> |
|                          | 5101:2-14-58 | <a href="#"><u>5101:2-14-58</u></a> |
| CCBM Transmittal Letters |              | CCBMTL No. 2                        |

# CCBMTL 1 (Introduction of new Child Care Type B Home Manual)

## Child Care Type B Home 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 Type B Home Manual

This letter transmits the creation of a new manual for type B child care homes. All rules, future manual transmittal letters and procedure letters for type B child care homes will now be placed into the newly created Child Care Type B Home Manual (CCBM). 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 CCM.

The electronic version of the Child Care Type B Home 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 type B homes. A current version of this manual should be utilized by all providers in all type B homes. 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 Type B Home Manual (CCBM).

| LOCATION   | REMOVE FROM CCM | INSERT INTO CCBM |
|--|-----------------|------------------|
| CCM Certified Type B Child Care Homes:<br>Chapter 14 | 5101:2-14-01    |                  |
|  | 5101:2-14-02    |                  |
|  | 5101:2-14-03    |                  |
|  | 5101:2-14-03.1  |                  |
|  | 5101:2-14-04    |                  |
|  | 5101:2-14-05    |                  |
|  | 5101:2-14-06    |                  |
|  | 5101:2-14-07    |                  |
|  | 5101:2-14-08    |                  |
|  | 5101:2-14-11    |                  |
|  | 5101:2-14-13    |                  |
|  | 5101:2-14-14    |                  |
|  | 5101:2-14-16    |                  |
|  | 5101:2-14-17    |                  |

|            |                              |                              |
|------------|------------------------------|------------------------------|
|            | 5101:2-14-18                 |                              |
|            | 5101:2-14-19<br>and Appendix |                              |
|            | 5101:2-14-20                 |                              |
|            | 5101:2-14-21                 |                              |
|            | 5101:2-14-22                 |                              |
|            | 5101:2-14-24                 |                              |
|            | 5101:2-14-26                 |                              |
|            | 5101:2-14-27                 |                              |
|            | 5101:2-14-28                 |                              |
|            | 5101:2-14-29                 |                              |
|            | 5101:2-14-30                 |                              |
|            | 5101:2-14-31                 |                              |
|            | 5101:2-14-32<br>and Appendix |                              |
|            | 5101:2-14-34                 |                              |
|            | 5101:2-14-35                 |                              |
|            | 5101:2-14-36                 |                              |
|            | 5101:2-14-37                 |                              |
|            | 5101:2-14-40                 |                              |
|            | 5101:2-14-55                 |                              |
|            | 5101:2-14-56                 |                              |
|            | 5101:2-14-57                 |                              |
|            | 5101:2-14-58                 |                              |
|            | 5101:2-14-60                 |                              |
|            | 5101:2-14-61                 |                              |
|            | 5101:2-14-62                 |                              |
| CCBM Rules |                              | <a href="#">5101:2-14-01</a> |
|            |                              | <a href="#">5101:2-14-02</a> |

|  |  |   |
|--|--|---|
|  |  | <a href="#"><u>5101:2-14-03</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-03.1</u></a>               |
|  |  | <a href="#"><u>5101:2-14-04</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-05</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-06</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-07</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-08</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-11</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-13</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-14</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-16</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-17</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-18</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-19</u></a><br>and Appendix |
|  |  | <a href="#"><u>5101:2-14-20</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-21</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-22</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-24</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-26</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-27</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-28</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-29</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-30</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-31</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-32</u></a><br>and Appendix |
|  |  | <a href="#"><u>5101:2-14-34</u></a>                 |
|  |  | <a href="#"><u>5101:2-14-35</u></a>                 |

|                          |  |                                     |
|--------------------------|--|-------------------------------------|
|                          |  | <a href="#"><u>5101:2-14-36</u></a> |
|                          |  | <a href="#"><u>5101:2-14-37</u></a> |
|                          |  | <a href="#"><u>5101:2-14-40</u></a> |
|                          |  | <a href="#"><u>5101:2-14-55</u></a> |
|                          |  | <a href="#"><u>5101:2-14-56</u></a> |
|                          |  | <a href="#"><u>5101:2-14-57</u></a> |
|                          |  | <a href="#"><u>5101:2-14-58</u></a> |
|                          |  | <a href="#"><u>5101:2-14-60</u></a> |
|                          |  | <a href="#"><u>5101:2-14-61</u></a> |
|                          |  | <a href="#"><u>5101:2-14-62</u></a> |
| CCBM Transmittal Letters |  | CCBMTL 1                            |

**Child Care Type A Home & Type B Home Manual Procedure Letters**

# **CCAMPL 9 (Parental Notification of Intent to Revoke License)**

**Child Care Type A Homes Manual Procedure Letter No. 9**

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

**[Child Care Center Manual Procedure Letter No. 9](#)**

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.

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

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

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

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

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):

| LOCATION                                 | REMOVE AND FILE<br>AS OBSOLETE | INSERT/REPLACEMENT                  |
|--|--------------------------------|-------------------------------------|
| 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> |



# CCAMPL 7 (Changes to Corrective Action Plans Requirements)

## Child Care Type A Homes Procedure Letter No. 7

July 23, 2013

TO: All Child Care Type A Home Manual Holders  
FROM: Michael B. Colbert, Director  
SUBJECT: Changes to Corrective Action Plans Requirements

The Child Care licensing section has modified the requirements for all providers submitting corrective action plans.

### Background:

Currently, compliance materials are submitted for both regular non-compliances and Serious Risk Non-Compliances (SRNC), which weighs all non-compliances equally regardless of the severity.

### New Policy:

In an effort to increase targeted technical assistance and support to Type A Homes and streamline compliance documentation, Type A Homes will only be required to submit corrective action plans for non-compliances with the rules listed below as well as for all substantiated complaints. Child care licensing staff will provide technical assistance at the time of the inspection to address non-compliances not listed below, however, compliance documentation may be requested if the violations are repetitive. The child care website will reflect that these non-compliances were addressed and technical assistance was provided

Below are the non-compliances that require a corrective action plan:

#### 5101:2-13-03 - Capacity.

- License capacity exceeded.

#### 5101:2-13-07 - Inspection and Investigation Rights.

- Refuses Ohio Department of Job and Family Services (ODJFS) access to the program.

#### 5101:2-13-09 - Actions of the Administrator.

- Administrator/owner falsifies information to ODJFS.

#### 5101:2-13-15 - Safe Environment.

- Firearms unsecured on premises.

#### 5101:2-13-17 - Swimming.

- No life guard (off-site); Staff not actively supervising; Swimming site accessible to children without staff supervision; Children other than school age swimming in lakes, ponds, rivers, etc.

#### 5101:2-13-18 -Transportation.

- Annual vehicle inspection not completed by Automotive Service Excellence (ASE) certified mechanic; Driving vehicle w/o correcting noted violations; exit/entering not from curb.
- Ratio not maintained, more than one child in a seat belt, children standing or sitting on floor, children not in seat belts and/or car seat, children under 12 in front seat, vehicles did not have annual safety check or did not fix what safety check required.
- Child left unattended on field trip or in vehicle; Driver not 18; Driver w/o valid license; Driver under the influence.

#### 5101:2-13-20 - Supervision.

- Child left unattended. Program does not check on the location of a child who does not arrive from another location. Staff under the influence of a substance which impairs ability to supervise.

- Ratio - Program out of ratio.
- Child left unattended outside of Type A Home or during a swimming activity.

5101:2-13-21 - Care & Nurturing.

- Program fails to report possible abuse/neglect/endangering.

5101:2-13-22 - Child Guidance and Management.

- Physical abuse /neglect/ endangerment; substantiated children services finding; involvement of owner in inappropriate discipline.
- Type A Home uses prohibited techniques.

5101:2-13-23 - Evening and Overnight Care.

- Children are asleep on an unapproved floor of the Type A Home.

5101:2-13-26 - Background Check.

- Background check not back in 30 days, no FBI check on file. Adult in home/employee started work before fingerprints requested, employee left and came back and did not get new checks. Care custody control w/o checks back. No nonconviction statement on file for adult in home/employee.
- Prohibitive conviction, person remains employed or in household. Administrator, employee or member of household refused to be fingerprinted.

5101:2-13-31 - Medication.

- Medication form not on file. No label on meds. Not in original container. Accessible medication. Did not follow instructions.
- Medicine administered to the wrong child; Wrong dosage given to child.

5101:2-13-38 - Care of Children with Health Care Plans.

- No health care plan on file. Health care plan missing information. No trained staff on site when child is present. Supplies not taken on field trip.

Additional detailed information regarding the compliance reporting changes can be viewed at [http://jfs.ohio.gov/cdc/Licensing\\_Information.stm](http://jfs.ohio.gov/cdc/Licensing_Information.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 compliance requirements. 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 Type A Home Manual.

| LOCATION  | REMOVE AND FILE<br>AS OBSOLETE | INSERT/REPLACEMENT |
|---|--------------------------------|--------------------|
| Child Care Type A Home Manual<br>Procedure Letters (CCAMPL) |                                | CCAMPL No. 7       |

# CCAMPL 6 (Issuance of Licensing Inspection Reports Now Electronic)

## Child Care Type A Homes Procedure Letter No. 6

October 10, 2012

To: All Child Care Type A Home 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.

| LOCATION   | REMOVE AND FILE<br>AS OBSOLETE | INSERT /<br>REPLACEMENT |
|--|--------------------------------|-------------------------|
| Child Care Type A Home Manual Procedure Letters (CCAMPL) |                                | CCAMPL No. 6            |

# CCAMPL 5 (Revisions to the Child Care Type A Homes Crib Requirements)

## Child Care Type A Homes Procedure Letter No. 5

July 27, 2012

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

Effective immediately, full size cribs are no longer required. The rules addressing crib requirements for type A homes 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 type A homes 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 the 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 Type A Home Manual (CCAM).

| LOCATION   | REMOVE AND<br>FILE AS OBSOLETE | INSERT<br>REPLACEMENT |
|--|--------------------------------|-----------------------|
| Child Care Type A Home Manual Procedure Letters (CCAMPL) |                                | CCAMPL No. 5          |

# CCAMPL 4 (New Inspection Schedule and Continuous License for Child Care Centers and Type A Homes)

## Child Care Type A Homes Procedure Letter No. 4

### Child Care Centers Manual Procedure Letter 3

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

\*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<br>AS OBSOLETE | INSERT/REPLACEMENT |
|--|--------------------------------|--------------------|
| Child Care Center Procedure Letters      |                                | CCCMPL No. 3       |
| Child Care Type A Home Procedure Letters |                                | CCAMPL No. 4       |

# CCAMPL 3 (E-mail Address Requirement for Licensed Type A Homes)

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

### Child Care Centers Manual Procedure Letter No. 2

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).

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



# **CCAMPL 2 (Collective Bargaining Agreement with Independent Child Care Home Providers)**

## **Child Care Type A Homes Procedure Letter No. 2**

## **Child Care Type B Homes Procedure Letter No. 2**

February 16, 2010

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

FROM: Douglas E. Lumpkin, Director

SUBJECT: Collective Bargaining Agreement with Independent Child Care Home Providers

The state of Ohio has entered into a collective bargaining agreement with the American Federation of State, County and Municipal Employees (AFSCME) Ohio Council 8 Independent Child Care Home Providers. This agreement was made pursuant to Executive Order 2008-02S, "Establishing Collective Bargaining for Child Care Home Providers." The Ohio Department of Job and Family Services (ODJFS) will implement the terms of the agreement, including policy changes that affect provider certification requirements and responsibilities of the county departments of job and family services. ODJFS will work in consultation with the State-Union Committee to develop and implement new policies and to provide technical assistance.

Per the agreement, ODJFS will:

- Create a brochure for parents who are considering using subsidized child care.
- Develop a list of items to be included in a parent handbook for type B providers to distribute.
- Develop a curriculum for county certification staff to use, which will include an inspection checklist with a section for the provider to make comments at the end of the inspection. The provider will be given a copy of the form before the inspector leaves the home. A similar form will be used for complaint investigations.
- Create a form that will notify caretakers and providers when a change occurs in the caretaker's eligibility.
- Provide training and technical assistance to county staff regarding the terms of the agreement. Notice of rule changes will be made through the usual Clearance and rule-filing process.

The agreement further stipulates that:

- Each CDJFS will schedule 30 minutes during the health and safety training for type B providers to allow a union representative to distribute materials and provide membership information. ODJFS field office staff will schedule 30 minutes during initial meetings with type A providers for this purpose.
- A provider's participation on the State-Union Committee is an acceptable use of a substitute care provider.
- The term "legal representative," as used in rule 5101:2-14-40 of the Ohio Administrative Code, may include a union representative or steward designated by the child care provider.
- Providers and the union may file grievances as a result of alleged violations of the agreement.

AFSCME Ohio Council 8 is a statewide organization representing all of Ohio's type A and type B home providers. AFSCME has eight regional offices in the following cities: Akron, Athens, Cincinnati, Cleveland, Columbus, Dayton, Toledo and Youngstown. Addresses of these offices and the names of their union representatives can be found in the December 2009 edition of the "Providers Together" newsletter. A link to more information for home child care providers can be found at:

<http://www.afscmecouncil8.org/>

If you have questions or concerns, please contact the OFC Help Desk toll free at 1-866-886-3537, option 4.

INSTRUCTIONS: The following chart identifies the material that should be added to the Child Type A Manual (CCAM) and the Child Care Type B Manual (CCBM).

| LOCATION               | REMOVE AND FILE AS OBSOLETE | INSERT/REPLACE |
|------------------------|-----------------------------|----------------|
| CCAM Procedure Letters |                             | CCAPL No. 2    |
| CCBM Procedure Letters |                             | CCBPL No. 2    |

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

## Child Care Type A Homes 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    |

# **CCBMPL 6 (Parental Notification of Intent to Revoke License)**

**Child Care Type B Manual Procedure Letter No. 6**

**Child Care Center Manual Procedure Letter No. 9**

**Child Care Type A Homes Manual Procedure Letter No. 9**

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.

# **CCBMPL 5 (Changes to Background Check Requirements for Child Care Providers)**

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

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

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

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<br/>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> |

# CCBMPL 4 (Revised JFS 01332 "Certified Child Care Handbook for Caretakers")

## Child Care Type B Manual Procedure Letter No. 4

December 8, 2010

To: All Child Care Center Manual Holders

From: Douglas E. Lumpkin, Director

Subject: Revised JFS 01332 "Certified Child Care Handbook for Caretakers"

The [JFS 01332](#) "Certified Child Care Handbook for Caretakers" has been revised to account for changes in rules and processes due to the development and implementation of new modules of the Child Care Information Data System (CCIDS).

References to the Ohio Department of Job and Family Services (ODJFS) have been added because ODJFS is now making payments to providers. Language has been clarified for certification information, copayment, fees, enrollment records and children's records.

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, procedure letters and forms.

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

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

| LOCATION                   | REMOVE AND FILE AS OBSOLETE | INSERT/REPLACEMENT                              |
|----------------------------|-----------------------------|---|
| CCBM                       | JFS 01332 (Rev. 7/2009)     | <a href="#"><u>JFS 01332</u></a> (Rev. 11/2010) |
|                            |                             | <a href="#"><u>JFS 01332-I</u></a>              |
| CCBMPL Transmittal Letters |                             | CCBMPL No. 4                                    |

# CCBMPL 3 (Revisions to the Child Care Type B Homes Crib Requirements)

## Child Care Type B Manual Procedure Letter No. 3

July 27, 2012

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

Effective immediately, full size cribs are no longer required. The rules addressing crib requirements for type B homes will be revised to reflect this change. However, as many providers are currently replacing their older cribs with new cribs that meet the new federal standards, the department wanted all providers to be notified as soon as possible. Until the rule changes are finalized, during certification inspection visits type B homes 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 which prohibited infants over thirty inches tall from being placed in a porta crib 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 county certification worker 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 Type B Home Manual (CCBM).

| LOCATION   | REMOVE AND<br>FILE AS OBSOLETE | INSERT<br>REPLACEMENT |
|--|--------------------------------|-----------------------|
| Child Care Type B Home Manual Procedure Letters (CCBMPL) |                                | CCBMPL No. 3          |

# **CCBMPL 2 (Collective Bargaining Agreement with Independent Child Care Home Providers)**

## **Child Care Type A Homes Procedure Letter No. 2**

## **Child Care Type B Homes Procedure Letter No. 2**

February 16, 2010

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

FROM: Douglas E. Lumpkin, Director

SUBJECT: Collective Bargaining Agreement with Independent Child Care Home Providers

The state of Ohio has entered into a collective bargaining agreement with the American Federation of State, County and Municipal Employees (AFSCME) Ohio Council 8 Independent Child Care Home Providers. This agreement was made pursuant to Executive Order 2008-02S, "Establishing Collective Bargaining for Child Care Home Providers." The Ohio Department of Job and Family Services (ODJFS) will implement the terms of the agreement, including policy changes that affect provider certification requirements and responsibilities of the county departments of job and family services. ODJFS will work in consultation with the State-Union Committee to develop and implement new policies and to provide technical assistance.

Per the agreement, ODJFS will:

- Create a brochure for parents who are considering using subsidized child care.
- Develop a list of items to be included in a parent handbook for type B providers to distribute.
- Develop a curriculum for county certification staff to use, which will include an inspection checklist with a section for the provider to make comments at the end of the inspection. The provider will be given a copy of the form before the inspector leaves the home. A similar form will be used for complaint investigations.
- Create a form that will notify caretakers and providers when a change occurs in the caretaker's eligibility.
- Provide training and technical assistance to county staff regarding the terms of the agreement. Notice of rule changes will be made through the usual Clearance and rule-filing process.

The agreement further stipulates that:

- Each CDJFS will schedule 30 minutes during the health and safety training for type B providers to allow a union representative to distribute materials and provide membership information. ODJFS field office staff will schedule 30 minutes during initial meetings with type A providers for this purpose.
- A provider's participation on the State-Union Committee is an acceptable use of a substitute care provider.
- The term "legal representative," as used in rule 5101:2-14-40 of the Ohio Administrative Code, may include a union representative or steward designated by the child care provider.
- Providers and the union may file grievances as a result of alleged violations of the agreement.

AFSCME Ohio Council 8 is a statewide organization representing all of Ohio's type A and type B home providers. AFSCME has eight regional offices in the following cities: Akron, Athens, Cincinnati, Cleveland, Columbus, Dayton, Toledo and Youngstown. Addresses of these offices and the names of their union representatives can be found in the December 2009 edition of the "Providers Together" newsletter. A link to more information for home child care providers can be found at:

<http://www.afscmecouncil8.org/>

If you have questions or concerns, please contact the OFC Help Desk toll free at 1-866-886-3537, option 4.



**INSTRUCTIONS:** The following chart identifies the material that should be added to the Child Type A Manual (CCAM) and the Child Care Type B Manual (CCBM).

| LOCATION               | REMOVE AND FILE AS OBSOLETE | INSERT/REPLACE |
|------------------------|-----------------------------|----------------|
| CCAM Procedure Letters |                             | CCAPL No. 2    |
| CCBM Procedure Letters |                             | CCBPL No. 2    |

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

## Child Care Type B Homes 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    |

## Family Child Care Rules

**FCCMTL 7**

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

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

- (A) "Adult" means an individual who is at least eighteen years of age.
- (B) "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).
- (C) "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.
- (D) "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.
- (E) "Child" means an infant, toddler, preschool child or school-age child.
- (F) "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 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.
- (G) "Child care staff member" means any adult employed by the family child care provider who is responsible for the care and supervision of children.
- (H) "Employee" means a person who is at least fifteen years old, receives compensation for duties performed in a licensed family child care home or has assigned work hours or duties in a licensed family child care home.
- (I) "Family child care provider" is an Ohio department of job and family services (ODJFS) licensed type A home provider or an ODJFS licensed type B home provider.
- (J) "Field trips" means infrequent or irregularly scheduled excursions from the licensed family child care home.
- (K) "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.
- (L) "Infant" means a child who is under eighteen months of age.
- (M) "License capacity" is the maximum number of children who may be cared for in a family child care home 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 home or attending the home on any given day. Children away from the home 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.

- (N) "Medication" means any substance or preparation of a substance 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.
- (O) "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 5101:2-13-22 of the Administrative Code.
- (P) "Owner" includes a person, as defined in section 1.59 of the Revised Code, or government entity.
- (Q) "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.
- (R) "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.
- (S) "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.
- (T) "Preschool child" means a child who is three years old or older but is not a school-age child.
- (U) "Provider" means the person responsible for the daily operation of the family child care home. The provider and the owner of the family child care home shall be the same person and the family child care home shall be the permanent residence. If the owner of the home is a corporation, the agent(s) of the corporation shall include the provider. For a type A home, the provider is also the named administrator.
- (V) "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.
- (W) "Related to the provider" means any of the following persons when determining group size in a family child care home: grandchildren, daughters, sons, step daughters, step sons, sisters, brothers, step sisters, step brothers, nieces, nephews, half brothers, half sisters, or first cousins who are related to the provider by blood, marriage or adoption. Children receiving foster care from the provider are not considered to be related to the provider.
- (X) "Routine trips" means repeated excursions off the premises of the home which regularly occur on a previously scheduled basis and that parents have been made aware of the destinations of the trip.
- (Y) "School-age child" means a child who is enrolled in or is eligible to be enrolled in a grade of kindergarten or above, but who is less than fifteen years old, unless the child meets the definition of "special needs" as defined in this rule.
- (Z) "Serious risk non-compliance" means a licensure rule violation that has the potential to lead to a great risk of harm to, or death of, a child.
- (AA) "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.
- (BB) "Specialized foster home" means a medically fragile foster home or a treatment foster home.
- (CC) "Substitute" means a child care staff member who replaces a provider or 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) "Treatment foster care" means foster caregiver-based treatment services for children whose special or exceptional needs cannot be met in their own homes. Treatment foster care focuses on providing rehabilitative services to children with special or exceptional needs and their families with the primary location of treatment being in the treatment foster home.
- (FF) "Type A home" means the permanent residence of the provider in which child care is provided for seven to twelve children at one time.
- (GG) "Type B home" means the permanent residence of the provider in which child care is provided for one to six children at one time and no more than three children are under two years of age.
- (HH) "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.

Effective: 10/29/2017

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

Certification: CERTIFIED ELECTRONICALLY

Date: 10/12/2017

Promulgated Under: 119.03

Statutory Authority: 5104.018, 5104.017

Rule Amplifies: 5104.01

Prior Effective Dates: 9/5/86, 7/1/03, 9/1/07, 9/29/11, 9/28/15, 12/31/16

**FCCMTL 7**

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

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

**Appendix A - Required Documents During the Application Process**

**Appendix B - Medical Statement Requirements for Family Child Care Providers, Employees, Child Care Staff Members and Substitutes in a Licensed Family Child Care Home**

- (A) What is the application process to establish or operate a licensed family child care home?
- A resident of Ohio who wishes to become a licensed family child care provider shall:
- (1) Complete a professional registry profile for the family child care applicant through the Ohio professional registry (OPR) at <https://occrpa.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 application online in the Ohio child licensing and quality system (OCLQS) at <https://oclqs.force.com> and submit the fee of two hundred fifty 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 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 home 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 and appendix B to this rule are required and shall be completed and submitted for licensure.
- (C) Does the family child care provider license need to be posted and where should it be posted?
- (1) The family child care license shall be posted.
  - (2) The license shall be visible to parents at all times.
- (D) Can more than one child care provider license be issued for an address?
- (1) Only one family child care provider license shall be issued for each address.
  - (2) A family child care provider license shall not be issued to any address that is currently licensed as a child care center.
- (E) Can someone be both a licensed family child care provider and be certified to provide foster care pursuant to Chapter 5103. of the Revised Code?
- (1) A licensed type A provider shall not be certified to provide foster care.
  - (2) A licensed type B provider may be certified for foster care but shall be not certified as a specialized or treatment foster care home pursuant to Chapter 5103. of the Revised Code. A licensed type B provider who was initially certified as a type B provider prior to August 14, 2008 with no break in certification or licensure is exempt from this requirement.



(F) Will the license be a continuous license?

The license shall be a continuous license unless:

- (1) The family child care provider is in the provisional period pursuant to rule 5101:2-13-06 of the Administrative Code.
- (2) The family child care provider moves to a new address and does not propose a change of location amendment pursuant to paragraph (G) of this rule.
- (3) The owner of the type A home provider changes and a new application for licensure is not submitted pursuant to paragraph (A) of this rule.
- (4) The family child care provider voluntarily surrenders the license by notifying the county agency in writing.
- (5) It is revoked pursuant to rule 5101:2-13-05 of the Administrative Code.

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

- (1) The provider shall log on to <https://oclqs.force.com> and submit a request and all applicable documents.
- (2) What information can be amended on an existing license?
  - (a) License capacity.
  - (b) Change of location of the program.
- (3) What is the timeline for requesting an amendment?
  - (a) For a change in capacity, the provider shall request and be approved for the amendment prior to serving additional children.
  - (b) For a change in location, the provider 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) Can a family child care home request a change in administrator?

Only a type A home provider may change an administrator if all of the following are met:

- (a) The home is owned by a corporation.
  - (b) The proposed administrator is a resident of the home and agent of the corporation and meets the requirements of a provider pursuant to rule 5101:2-13-07 of the Administrative Code.
  - (c) The provider logs onto <https://oclqs.force.com> and submits a request and all applicable documents to the county agency.
- (5) What are the requirements if a family child care provider wants to permanently move to a different location?

The provider shall:

- (a) Comply with paragraph (G)(3)(b) of this rule.
- (b) Submit a fee of one hundred twenty-five 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 operation at the original location at the time the license is issued for the new address.



- (6) What are the requirements if a family child care provider needs to temporarily provide care in a different location?
- (a) If the family child care provider is temporarily unable to provide care in the licensed location because the physical location has been deemed unsafe for care of children by the building department, fire department, local health department or local law enforcement, the provider may request to temporarily provide care in a new location.
    - (i) The family child care provider shall send a written request to the county agency 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 family child care provider shall provide written approval to the county agency from the government agency that has deemed the location safe to resume care of children.
  - (b) If the family child care provider is unable to return to the licensed location within ninety days, the provider shall follow the process for a permanent change of location pursuant to paragraph (G)(4) of this rule.

- (H) When shall an initial application and fee be required from a type A home provider?

An initial application and fee are required for any change in ownership which is defined as a sale of a child care program in its entirety or a transfer of control and administration by the owner(s) of a child care program to a new controlling entity.

- (I) How shall a family child care provider request a voluntary temporary closure status for a licensed family child care home?

- (1) The provider shall request in writing to ODJFS the temporary closure status.
- (2) The temporary closure status shall not exceed twelve months.
- (3) The provider shall not serve any children during the temporary closure status.
- (4) The provider shall comply with an inspection prior to the end of the temporary closure status and serving children again.
- (5) If at the end of the twelve months, the family child care provider 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 in accordance with the requirements of Chapter 119. of the Revised Code.

- (J) What information shall the provider 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 (if applicable) for type A homes only.

- (K) What information shall the provider keep current in the provider portal?

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

- (L) 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 provider shall complete an updated JFS 00598 and submit to ~~the~~ ODJFS within thirty days of the change, for type A homes only.

- (M) What is the county agency's responsibility for the application and issuance of a license for a family child care provider?

The county agency shall:

- (1) Recommend the application for approval or denial to the ODJFS within ninety days of receiving a completed application. The completed application includes all of the requirements in appendix A to this rule with the exception of the completed background check pursuant to rule 5101:2-13-09 of the Administrative Code.
- (2) Recommend the request for change of location, move to a temporary location or a voluntary temporary closure status to ODJFS within five business days of receiving the request and all required written documentation.
- (3) Provide the applicant with the JFS 08087 "Ohio Communicable Disease Chart" ~~(rev. 10/2016)~~ (rev. 12/2016) when a recommendation is made to ODJFS to license the applicant.
- ~~(4) Review the bureau of criminal investigation (BCI) and federal bureau of investigation (FBI) records checks as well as child abuse registry checks for the provider, provider's employees, substitutes and all adult residents to ensure compliance with rules 5101:2-13-07, 5101:2-13-08 and 5101:2-13-09 of the Administrative Code.~~
- ~~(5)~~(4) Request from the current county agency any documentation not captured in OCLQS within ten business days if a provider proposes a change of location into the county.
- ~~(6)~~(5) Provide the new county agency with any documentation not captured in OCLQS within ten business days if a provider proposes a change of location to another county.

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FCCMTL 7

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**Appendix A - Serious Risk Non-compliances and Point Values for Family Child Care**

- (A) ~~How many~~What inspections are required for family child care providers?
- (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 regarding the licensed family child care provider.

- (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 family child care provider for an inspection and/or complaint investigation?

The family child care provider shall allow the county agency and the Ohio department of job and family services (ODJFS) to:

- (1) Complete an inspection of all areas of the family child care home where child care is provided, children have access to, and all areas used to verify compliance with Chapter 5101:2-13 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) Residents of the home.
  - (e) Staff of the public children services agency (PCSA).
  - (f) Staff of the county agency and the ODJFS.
  - (g) Anyone mentioned by the complainant.
  - (h) Law enforcement personnel.
  - (i) Current and past family child care staff employees.
  - (j) Other witnesses.

- (4) Document findings in writing or in photographs or by any other means.

- (D) What are additional requirements for a licensed family child care provider as a result of an inspection and/or complaint investigation?

The family child care provider shall:

- (1) Provide written materials to the county agency addressing non-compliances detailed in the inspection report within the time frame requested in the inspection report.

~~(2) Permit the county agency and ODJFS to investigate all complaints.~~

~~(3)~~(2) Not misrepresent, falsify or withhold information from the county agency or ODJFS.

(E) Will a licensed family child care provider have additional inspections based on non-compliances found?

Non-compliances, as detailed in appendix A to this rule, may lead to additional inspections or compliance materials required by the county agency or ODJFS.

(F) What if a licensed family child care provider does not agree with the licensing findings?

The family child care provider 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) Submit the request and documentation within seven business days from the receipt of the inspection report.

(G) What are the county agency requirements for compliance inspection and complaint investigation of a family child care provider?

- (1) The county agency shall inspect each family child care home according to the schedule as determined by ODJFS and released via a procedure letter.
- (2) All inspections shall be completed during the operating hours of the family child care home even if children are not currently enrolled.
- (3) For each inspection, the county agency shall:
  - (a) Complete the JFS 01926 "Inspection Report for Family Child Care" (~~rev. 12/2016~~)(rev. 10/2017), the JFS 01306 "Employee Record Chart for Child Care" (rev. 10/2017) and the JFS 01215 "Children's Record Review for Child Care" (rev. 12/2016) or system-generated equivalents in the Ohio child licensing and quality system (OCLQS).
    - (i) If OCLQS is not utilized on-site, the county agency shall enter the data from the JFS 01926, JFS 01306 and JFS 01215 into the system within the timeline specified in rule 5101:2-13-26 of the Administrative Code.
    - (ii) If additional information is added to the report or it is revised in any way, the county agency shall send a copy of the report to the provider within five business days of the date of the addition or revision.
  - (b) Provide a hard copy or electronic copy of the inspection report and supporting documents to the provider by close of business the next business day.
- (4) The county agency shall investigate any complaints alleging rule noncompliance against a provider. The county agency may inspect the family child care home as part of the complaint investigation.
  - (a) Investigations of all complaints shall begin within five business days of the receipt of a complaint by the county agency.
  - (b) If the complaint alleges an immediate risk to children, the county agency shall begin the investigation by the next business day of receipt of the complaint.
  - (c) For each investigation, the county agency shall:
    - (i) Document the complaint in OCLQS.
    - (ii) Complete the JFS 01526 "Complaint Investigation Receipt for Child Care" (rev. 12/2016) and furnish one copy to the family child care provider before the county agency staff leaves the provider's home. This form is not required for any portion of the investigation completed by telephone pursuant to paragraph (G)(4)(d) of this rule.
  - (d) If a JFS 01926 is completed as part of an investigation conducted by telephone, the county agency shall send a copy of the report to the provider within five business days of the initial telephone contact. If additional information is added to the report or it is revised

in any way, the county agency shall send a copy of the report to the provider within five business days of the date of the addition or revision.

- (5) Each JFS 01926 shall include:
  - (a) A statement of the specific non-compliance findings.
  - (b) A statement of what must be done to correct the noncompliance.
  - (c) The date, not to exceed thirty business days, by which the correction must be completed.
- (6) The county agency shall provide a copy of the JFS 01926 or its system generated equivalent to anyone who submits a request to the county agency. The county agency shall remove all confidential information prior to providing a copy of the JFS 01926.
- (7) The county agency shall provide technical assistance for complying with the requirements of Chapter 5104. of the Revised Code and Chapter 5101:2-13 of the Administrative Code.
- (H) What other requirements shall the county agency follow for complaints?
  - (1) If the complaint alleges child abuse or neglect, the county agency shall report the complaint within the same business day to the public children services agency (PCSA). The oral report shall be followed with a written report to the PCSA, if requested by the PCSA. The written report shall contain the following:
    - (a) A summary of allegations.
    - (b) The name of the reporter, unless anonymity is requested.
    - (c) A summary of actions taken by the county agency or plans to initiate an investigation of non-compliance with the regulations contained in Chapter 5101:2-13 of the Administrative Code.
    - (d) A request for clarification of joint or parallel investigatory roles.
  - (2) A PCSA investigation does not relieve the county agency of its responsibility to investigate provider non-compliance with regulations contained in Chapter 5101:2-13 of the Administrative Code unless the PCSA indicates that the county agency complaint investigation would interfere with the PCSA's investigation of the case.
  - (3) If the county agency receives a report that an unlicensed home may be caring for too many children in violation of section 5104.02 of the Revised Code, the county agency shall refer the report to the appropriate ODJFS child care licensing office for investigation. If the home is licensed, the county agency shall conduct an investigation according to procedures contained in this rule.
- (I) 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 family child care home licensing record.

~~A copy of the family child care provider'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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**FCCMTL 6**

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**Appendix A - Fire Safety Requirements for a Licensed Type B Home Provider**

**Appendix B - Flammable and Combustible Material Storage for a Type B Home Provider**

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

- (1) Licensed type A homes shall be inspected by the local building department having jurisdiction. Building inspections shall be obtained:
  - (a) At the time of application for a child care license.
  - (b) At the time of a type A home 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 any major repair, modification, or alteration of any existing structure presently being used for a type A home but prior to the continued use of modified or altered parts of the structure. A major repair, modification or alteration includes:
    - (i) Cutting away of any wall, partition or portion thereof, the removal 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.
- (2) The licensed type A home provider shall abide by any stipulations or limitations that are noted on the building inspection report.
- (3) The building department inspection shall be documented on a form set forth by the bureau of building standards.
- (4) The licensed type A home provider shall provide documentation that the type A home license is not prohibited by the local zoning board.

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

- (1) Licensed type A homes 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 type A home shall abide by any stipulations or limitations set forth in the written documentation by the state fire marshal or the local fire safety inspector.
- (2) The fire inspection and approval needs to be obtained for a licensed type A home:
  - (a) At the time of initial application for a family child care license.
  - (b) At the time of a family child care 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 use for type A home care.

- (e) Prior to caring for infants and non-ambulatory children of any age other than on the first floor of the type A home.

(C) What requirements does a licensed type B home provider need to ensure fire safety?

A licensed type B home shall have:

- (1) The emergency exit features and operational conditions listed in appendix A to this rule.
- (2) At least one underwriters laboratories (UL) or factory mutual laboratories (FM) smoke detector located in the basement and on each level of the licensed type B home. The licensed type B home provider shall place, install, test and maintain smoke detectors in accordance with manufacturer's recommendations.
- (3) At least one working UL or FM portable fire extinguisher, not expired, in the licensed type B home which shall have a minimum rating of 1A:10BC. At least one fire extinguisher shall be located in the kitchen where food is provided for child care or cooking area.
- (4) All electrical connections made in junction boxes properly covered. Electrical extension cords shall not be used as permanent wiring.
- (5) A written evacuation plan that identifies the primary escape route and alternate escape route to a designated meeting place outside of the home. A copy of the plan shall be posted on each level of the home on which care is provided.

(D) What are the requirements for flammable and combustible materials and substances on-site at the licensed type B home?

If a licensed type B home provider has items such as, but not limited to, gasoline, kerosene, propane and other fuels, the materials shall be stored in accordance with the storage requirements listed in appendix B to this rule.

(E) Can a licensed type B home provider use heaters?

If vented gas, oil, or wood-fired heaters are used, a nonflammable guard shall be provided for each heater, stove or fireplace to protect the children from hot surfaces and open flames.

- (1) No unprotected open flame, such as fireplaces, oil lamps or candles, shall be allowed to burn in the home while care is being provided.
- (2) Unvented fuel-fired heaters shall not be used while child care is being provided.

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**FCCMTL 7**

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- (A) What are the reasons an applicant may have an application denied or a licensed family child care provider may have a provisional or continuous license revoked?
- (1) The family child care provider is not in compliance with Chapter 5101:2-13 of the Administrative Code or Chapter 5104. of the Revised Code.
  - (2) The family child care provider or a household member has ~~pleaded guilty to or been convicted of an offense and does not meet the rehabilitation standards defined in~~ been determined not eligible for employment or residence in a licensed family child care home as a result of the background check requirements pursuant to rule 5101:2-13-09 of the Administrative Code.
  - ~~(3) The family child care provider or a resident of the home has had a child removed from his or her home due to abuse or neglect caused by the provider or resident pursuant to section 2151.353 of the Revised Code.~~
  - ~~(4)~~(3) The family child care provider fails to submit documentation or information requested by the county agency or the Ohio department of job and family services (ODJFS) ~~ODJFS~~ within required time frames.
  - ~~(5)~~(4) The family child care provider has refused to allow ~~the~~ ODJFS or the county agency staff access onto its premises or to any area used for child care.
  - ~~(6)~~(5) The family child care provider has furnished or made misleading or false statements or reports to ~~the~~ ODJFS or the county agency.
  - ~~(7)~~(6) The family child care provider has accumulated eighteen or more points from moderate or serious risk non-compliances in accordance with appendix A to rule 5101:2-13-03 of the Administrative Code, during the provisional license 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 5101:2-13 of the Administrative Code.
  - ~~(9)~~(8) Someone under the age of eighteen who resides in the home has been adjudicated a delinquent child for committing a violation of any section listed in division (A)(5) of section 109.572 of the Revised Code or an offense of any other state or the United States that is substantially equivalent and the records of the adjudication or conviction have not been sealed or expunged pursuant to sections 2151.355 to 2151.38 or sections 2953.31 to 2953.38 of the Revised Code.
  - ~~(10)~~(9) It has been determined through the results of the child abuse and neglect report or any other means pursuant to rule 5101:2-13-09 of the Administrative Code that there is an individual, of any age, who resides in the home and whose behavior or health may endanger the health, safety, or well-being of children.
  - ~~(11)~~(10) The family child care provider fails to cooperate with the county agency or ~~the Ohio department of job and family services (ODJFS)~~ ODJFS in the licensing process or complaint investigation including, but not limited to, consistently being unavailable for unannounced inspections conducted by the county agency or the ODJFS.
- (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 type A home license or type B home 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 ~~and~~ a notice of intent to revoke, no new application for a type A home license or type B home license shall be processed for the same owner until after the completion of the revocation process.
- (C) What if a provider 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 has been 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 applicant shall not be licensed until five years have elapsed from the date the application was denied.
- (3) If a family child care provider 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 gives the family child care provider rights to a prior 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 5101:2-13-01 of the Administrative Code.
- (4) Issuance of a license with authorization for license capacity which does not agree with the authorization sought by the provider.
- (5) Denial of a continuous license at the expiration of the family child care provider's provisional license.
- (F) When can ~~the~~ ODJFS suspend a license?
- ~~The~~ ODJFS may immediately suspend the license of a family child care provider 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 family child care provider.
- (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 owner or owner's representative of the family child care home.
- (b) The administrator of the type A home, if not the owner or owner's representative and if the administrator has not been released from employment or put on administrative leave.
- (c) An employee of the family child care home, if the employee has not been released from employment or put on administrative leave.
- (d) A resident of the family child care home.
- (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 owner or owner's representative of the family child care home.
- (b) The administrator of the type A home, if not the owner or owner's representative and if the administrator has not been released from employment or put on administrative leave.

- (c) An employee of the family child care home, if the employee has not been released from employment or put on administrative leave.
- (d) A resident of the family child care home.
- (4) ~~The~~ ODJFS or a county agency determines that the licensed family child care provider created a serious risk to the health or safety of a child receiving child care in the family child care home 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 owner or owner's representative of the family child care home.
  - (b) The administrator of the type A home, if not the owner or owner's representative and if the administrator has not been released from employment or put on administrative leave.

(G) What happens if a family child care provider's license is suspended?

- (1) Upon receipt of a suspension order from ~~the~~ ODJFS, the family child care provider 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 home.
- (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 family child care provider request a review of the decision to suspend the license?

The family child care provider 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 5101:2-13-02 of the Administrative Code.
- (4) Closing a license if the family child care provider 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 5101:2-13-02 of the Administrative Code.

(K) Can the county agency recommend denial of an application, suspension of a license or revocation of a license to ~~the~~ ODJFS?

- (1) The county agency may recommend the denial of an application or revocation of a license for any of the reasons detailed in paragraph (A) of this rule.
- (2) The county agency may recommend the suspension of a license for any of the reasons detailed in paragraph (E) of this rule.
- (3) The county agency shall provide any requested documents to ~~the~~ ODJFS,

- (4) If a license is revoked, the county agency shall contact any parents who are receiving publicly funded child care services from the provider by telephone with follow up written notification to inform the parent of the following:
  - (a) The provider's license has been revoked.
  - (b) The availability of alternate child care services.
- (L) What does "owner" mean?
  - (1) For the purposes of paragraphs (B) and (D) of this rule, "owner" is as defined in rule 5101:2-13-01 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 5101:2-13-01 of the Administrative Code.

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**FCCMTL 6**

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

- (A) How long is a provisional license valid for a newly licensed family child care provider?  
A provisional license for a newly licensed family child care provider is valid for at least twelve months and until the continuous license is issued, unless revoked pursuant to rule 5101:2-13-05 of the Administrative Code.
- (B) What requirements shall the family child care provider 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 provider shall:
- (1) Be in compliance with Chapter 5101:2-13 of the Administrative Code.
  - (2) Have children enrolled and attending the home.
    - (a) If the provider has not served any children during the provisional period, the provisional period shall continue for up to twelve additional months or until children have been enrolled.
    - (b) The county agency shall complete an inspection with children in attendance prior to recommending a continuous license.

Replaces: 5101:2-13-4.1, 5101:2-14-05

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**FCCMTL 7**

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

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

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

**Appendix B - Education and Training Requirements for Family Child Care Providers**

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

**Appendix D - Family Child Care Parent Information**

(A) What are the requirements to be a licensed family child care provider?

The family child care provider shall:

- (1) Be at least eighteen years old, and for those type B certified or licensed after April 1, 2003, have completed a high school education. Verification of high school education is detailed in appendix A to this rule.
- (2) Meet the training or education requirements detailed in appendix B to this rule.
- (3) Reside in the home where the care is being provided.
- (4) Not have had any child removed from his or her home due to abuse or neglect caused by the provider pursuant to section 2151.353 of the Revised Code.
- (5) Not have a prohibited offense as required by rule 5101:2-13-09 of the Administrative Code.
- ~~(6)~~ ~~Complete the JFS 01302 "Request for Child Abuse and Neglect Report Information for Child Care" (rev. 12/2016) and update it annually (for the provider and all adults (eighteen and older) residing in the home of the type B home provider).~~
- ~~(7)~~(6) Provide a safe, healthy environment when child care services are being provided. The provider or anyone in the family child care home including any child care staff members shall not:
  - (a) Demonstrate physical or mental conditions potentially harmful to children.
  - (b) Be under the influence of alcohol or other drugs while child care is being provided.
- ~~(8)~~(7) Not be involved in any activities which interfere with the care of the children. This includes not being involved in other employment during the operating hours of the family child care home.
- ~~(9)~~(8) Complete only one of the following:
  - (a) Obtain and maintain liability insurance that insures the family child care provider against liability arising out of, or in connection with, the operation of the family child care home.
    - (i) The liability insurance shall cover any cause for which the family child care home would be liable, in the amount of at least one hundred thousand dollars per occurrence and three hundred thousand dollars in the aggregate.
    - (ii) Proof of insurance shall be maintained at the home.
    - (iii) If the family child care provider is not the owner of the home where the family child care home is located and the provider obtains liability insurance described in this rule, the provider shall name the owner of the property as an additional insured party on the liability insurance policy if all of the following apply:
      - (a) The owner requests the provider in writing to add the owner to the liability insurance policy as an additional insured party.
      - (b) The addition of the owner does not result in cancellation or nonrenewal of the insurance policy.



(c) The owner pays any additional premium assessed for coverage of the owner.

(b) Complete the JFS 01933 "Liability Insurance Statement for Family Child Care Providers" (rev. 12/2016) if the family child care provider is not obtaining liability insurance and shall provide the JFS 01933 to the parent of each child receiving care in the home. The JFS 01933 shall be signed and dated by the parent and on file by the child's first day of attendance.

(i) If the family child care provider is not the owner of the home where the family child care home is in operation, the statement shall also include that the owner of the home may not provide coverage of any liability arising out of, or in connection with, the operation of the family child care home.

(ii) The JFS 01933 shall be kept on file at the home.

(B) What are the on-going requirements to be a licensed family child care provider?

The family child care provider shall:

- (1) Be onsite a minimum of seventy-five per cent of the operating hours per week. The provider may request a short-term exemption from this requirement from the county agency.
- (2) Post scheduled hours of availability in a noticeable place for parents.
- (3) Make available the current licensing rules to all staff and parents. The rules may be made available via paper copy or electronically.
- (4) 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.
- (5) Be responsible for the creation, maintenance and implementation of the policies and procedures detailed in appendix C to this rule. A copy of these policies and procedures shall be available on-site at the home.
- (6) Provide the parent and all employees with the policies and practices in appendix C to this rule.
- (7) Provide a copy of appendix D to this rule to the parents of children enrolled in the home.
- (8) Notify the county agency no later than the next business day of any change in the household composition including someone joining the household or leaving the household.
- (9) Notify the county agency no later than the next business day of anyone temporarily staying in the home for more than five consecutive calendar days.

~~(10) Complete annually the JFS 01302 as required in paragraph (A)(6) of this rule.~~

~~(11)~~(10) Be responsible for all information provided to the county agency or ~~the~~ ODJFS including information provided by a substitute, child care staff member or resident of the home.

~~(12)~~(11) Have available on-site a written list of all employees including their dates of hire, positions and scheduled hours.

(12) Submit to the county agency an updated JFS 01174 "Adjudicated a delinquent child statement" (rev. 10/2017) within ten business days if a child residing in the home is adjudicated a delinquent child.

(C) What if the type B home provider is a foster parent?

The type B home provider shall:

- (1) Notify the county agency and all parents.
- (2) Notify the county agency of all children receiving care within one business day of when the type B home provider is to begin caring for additional foster children.
- (3) Maintain a written record documenting the date and how the county agency and parents were notified about foster children in care.

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FCCMTL 7

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**Appendix A - Family Child Care Staff Member**

**Appendix B - Substitute Requirements**

- (A) What are the requirements for an employee of a family child care provider?
- (1) An employee shall have on file a completed medical statement that meets the requirements of appendix B to rule 5101:2-13-02 of the Administrative Code.
  - (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 of a family child care provider?
- A child care staff member:
- (1) Shall meet all of the requirements detailed in appendix A to this rule.
  - (2) Shall meet all training requirements prescribed in rule 5101:2-13-10 of the Administrative Code.
  - (3) Shall complete the staff orientation training as prescribed by the Ohio department of job and family services (ODJFS) within thirty days of starting employment unless the child care staff member has documentation of completion of the training after December 31, 2016.
    - (a) The online training may be used for up to six hours of professional development pursuant to rule 5101:2-13-10 of the Administrative Code.
    - (b) Completion of the training shall be documented with verification from the Ohio professional registry.
    - ~~(c) Once a child care staff member has completed this orientation training and then begins employment with another licensed family child care provider, 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.~~
    - ~~(d) Child care staff members employed before the effective date of this rule shall have until June 30, 2017 to complete the online orientation.~~
  - (4) May be used to meet group size and supervision requirements but shall not be left alone with the children until the orientation training is completed.
  - (5) May act in the provider's place during an inspection if the provider is not present.
- (C) What documentation is required to be on file for a child care staff member?
- (1) The licensed family child care provider shall maintain documentation for each current staff member on file at the home.
  - (2) Employment records shall be made available upon request by the county agency or by the ODJFS for at least three years after each staff member's departure.
  - (3) Employment records shall include days and hours worked, duties and group assignments, if applicable.
- (D) What shall be reviewed with a child care staff member at the time of employment?
- The licensed family child care provider shall review all family child care policies, procedures and licensing rules with each child care staff member.
- (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.

(F) What are the requirements for a ~~family child care provider~~ substitute child care staff member?

If the family child care provider chooses to utilize a substitute, the substitute shall:

- (1) Meet all of the requirements detailed in appendix B to this rule.
- (2) Complete the staff orientation training as prescribed by the Ohio department of job and family services (ODJFS) within thirty days of starting employment unless the child care staff member has documentation of completion of the training after December 31, 2016. Substitutes employed prior to the effective date of this rule shall complete the orientation by January 1, 2018.
- ~~(2)~~(3) Follow all of the requirements in rule 5101:2-13-19 of the Administrative Code.

(G) What are the requirements for using a substitute caregiver?

- (1) Substitute child care shall occur only in the family child care home to which the children are authorized.
- (2) The licensed family child care provider shall ensure that the substitute and child care staff members have the following information at the time child care services are provided:
  - (a) Telephone number where the provider can be reached.
  - (b) Location of first aid supplies.
  - (c) Child records detailed in rule 5101:2-13-15 of the Administrative Code.

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**FCCMTL 7**

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

**Appendix A - Standards for Rehabilitation**

**(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) Licensed family child care providers and applicants to be licensed family child care providers.
- (2) Adults (age eighteen and older) residing in the home of the family child care provider or applicant.
- (3) Employee of a family child care provider or applicant as defined in rule 5101:2-13-01 of the Administrative Code.
- (4) Child care staff member of the family child care provider or applicant as defined in rule 5101:2-13-01 of the Administrative Code, including substitutes.

**(C) When is a background check required?**

- (1) At application for a family child care license.
- (2) Within ten business days after a resident of the home turns eighteen years old.
- (3) ) Within ten business days of an adult moving into the home.
- (4) Prior to the first day of employment for the employee or child care staff member.
- (5) Every five years from the date of the most recent criminal records 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 individual employed by a program, the family child care provider or resident of the home prior to the effective date of this rule shall submit to ODJFS the JFS 01175 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 or residence in a licensed family child care home?

- (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 with respect 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 the person.

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

- (1) The provider and county agency 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 provider shall not hire the individual or shall terminate them from employment immediately upon receipt of the JFS 01176.
  - (b) For those individuals not eligible for residence in a licensed family child care home, the resident shall immediately cease living in the family child care home upon receipt of the JFS 01176.
  - (c) A child care staff member shall not be left alone with children until the JFS 01176 is on file at the home.
- (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/residency 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) to this rule:

- (1) The program shall not allow the individual to be on-site at the program or reside in the home during the review by ODJFS.
- (2) If the individual is determined to be eligible for employment or residence, the program may allow the individual to be employed or reside in the home and shall keep the updated JFS 01176 on file pursuant to paragraph (G)(1) 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.

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## FCCMTL 8

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### **Appendix A - Health Training Courses**

### **Appendix B - Professional Development Training Topics**

(A) What health training is required for a licensed family child care provider prior to licensure?

The family child care provider shall complete the following:

- (1) Have a current certification in first aid and cardiopulmonary resuscitation (CPR). Training shall be appropriate for all of the ages of children in care.
- (2) Have a current training in management of communicable disease and the six-hour child abuse recognition and prevention.

~~(3) Type A child care providers licensed prior to the effective date of this rule shall have until June 30, 2017 to meet the health training requirements of this paragraph.~~

(B) What health training is required for a licensed family child care provider once licensed?

- (1) Maintain current certification in first aid and infant and child CPR. The training shall be appropriate for all of the ages of children in care.
- (2) Maintain current training in management of communicable disease and child abuse recognition and prevention.
- (3) Audiovisual or electronic media training shall not be used to meet the CPR training requirement pursuant to paragraphs (A)(1) and (B)(1) of this rule unless there is also an in-person component of the training.

(C) What health training is required for a licensed family child care staff member and a substitute child care staff member?

- (1) Prior to being left alone with children, the child care staff member shall complete and be current in:
  - (a) CPR.
  - (b) First aid.
  - (c) Management of communicable disease.
  - (d) ODJFS prescribed one-hour child abuse overview which is valid for two years.

~~(2) Child care staff members employed on or before the effective date of this rule shall have until June 30, 2017 to complete the one-hour child abuse overview.~~

~~(3)~~(2) Trainings shall meet course and trainer requirements in appendix A to this rule.

~~(4)~~(3) Audiovisual or electronic media training shall not be used to meet the CPR training requirement pursuant to paragraph (C)(1) of this rule unless there is also an in-person component of the training.

(D) What are the on-going professional development requirements for the licensed family child care provider and child care staff members?

- (1) Complete a minimum of six clock hours of training annually in any of the categories listed in appendix B to this rule each fiscal year. The fiscal year is defined as July first through June thirtieth.



- (2) A family child care provider licensed between January first and June thirtieth of each year is not required to complete the professional development requirements until the following fiscal year.
  - (3) A child care staff member hired between January first and June thirtieth of each year is not required to complete the professional development requirements until the following fiscal year.
  - (4) Health trainings taken pursuant to paragraph (A), (B), or (C) of this rule may not be used to meet the professional development training requirements.
  - (5) Audiovisual or electronic media training may be used to meet the required six hours of annual training.
  - (6) A person designated and employed as a substitute child care staff member is not required to meet the professional development requirements.
- (E) What verification is needed on file at the home to document the completed training?
- (1) The health trainings shall be documented by one of the following:
    - (a) Verification from the Ohio professional registry.
    - (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 diseases.
  - (2) The on-going professional development shall be documented by one of the following:
    - (a) Verification from the Ohio professional registry (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 family child care provider 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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**FCCMTL 6**

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**(A) What are the indoor space requirements for a licensed family child care home?**

- (1) There shall be at least thirty-five square feet of usable wall-to-wall indoor floor space per child for the total number of children who are present at one time.**
- (2) Usable indoor floor space shall not include bathrooms, hallways, storage rooms or other areas not available or not used for child care.**

**(B) What are the outdoor space requirements for a licensed family child care home?**

- (1) The home shall have an on-site 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 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 child care staff member or provider being aware of them.**
  - (c) Is protected from animals.**
  - (d) Provides access to bathroom facilities and drinking water during play times.**
  - (e) Provides a shaded area. The shade may be naturally occurring from trees, building, or overhangs. Providers may also install lawn umbrellas that are securely anchored or other structures that provide shade in a safe manner.**
- (2) The home shall not use outdoor porches above the first floor as play areas, unless the porches are fully enclosed and structurally sound.**
- (3) 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 house door alone is not a sufficient barrier) that prevents children from accessing the water. Wading pools shall only be accessible to children in accordance with rule 5101:2-13-24 of the Administrative Code.**

**(C) What are the exemptions from having an on-site outdoor space?**

**If an onsite play area is not available, a provider may use an off-site play area for daily use if it is determined, upon inspection by the provider and the county agency, that the area and its accessibility are safe. An off-site play area approved for regular use shall meet the same requirements as the onsite play areas listed in this rule.**

**(D) 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, 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 to prevent 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 protective 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.

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

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.

- (1) 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.
- (2) Equipment shall not be placed directly over concrete, asphalt, blacktop, dirt, rocks, grass or any other hard surface.
- (3) Synthetic surfaces shall follow manufacturer's guidelines for depth.
- (4) 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.

Replaces: 5101:2-13-13, 5101:2-13-14, 5101:2-14-11

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**FCCMTL 8**

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- (A) What are the safe equipment requirements for a licensed family child care provider?
- (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.
  - (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 manufacturer's guidelines.
  - (5) All 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 family child care home.
- (B) What are the safe environment requirements for a licensed family child care provider?
- (1) Weapons, firearms and ammunition materials shall be kept inaccessible to children, out of sight of children and in locked storage areas. 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 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 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 or substances shall not be on the premises. Alcohol shall be kept inaccessible to children and out of sight of children.
  - ~~(3)~~(4) Carbon monoxide detectors shall meet the following requirements:

- (a) In single family homes, there shall be at least one UL listed carbon monoxide detector located in the basement and on each level of the home in which child care is being provided.
  - (b) In multi-family buildings, there shall be at least one UL listed carbon monoxide detector located in the basement and on each level of the unit in which child care is being provided.
  - (c) The carbon monoxide detectors 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 family child care provider 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 licensed family child care provider shall maintain an indoor temperature of at least sixty-five degrees Fahrenheit. If the homes 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, provider's, staff's or household member'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.
- ~~(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 homes which serve school-age children exclusively.
- ~~(12)~~(13) Renovations and remodeling to the home 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 home 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 room where children are in attendance.
- ~~(17)~~(18) All utilities shall be operable.
- ~~(18)~~(19) The home shall contain a kitchen sink, refrigerator and stove or microwave oven in working condition.

~~(19)~~(20) If gates are used in the home, they shall be firmly anchored when in use. Gates at the top of stairs shall be wall mounted. Gates shall have no spaces where a child could become entrapped. Accordion style gates shall not be used.

~~(20)~~(21) Handles of pots and pans placed on top of a stove or oven shall be directed inward so they are not easily accessible to children.

~~(21)~~(22) The home shall have both hot and cold running water. The temperature of the hot water shall not exceed one hundred twenty degrees Fahrenheit unless the provider demonstrates that the hot water faucet can be made inaccessible or inoperable when children are in care.

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

- (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 family child care provider's home.
- (3) Children shall not be directly exposed to animal urine or feces inside the home or in the outdoor play area.

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**FCCMTL 8**

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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 family child care home?
- (1) Toilet tissue, liquid soap, running water, individually assigned towels or disposable towels 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 home 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 and vacuuming, 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 home's water is not publicly supplied, the provider 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 provider shall comply with the Ohio EPA requirements.
    - (b) If the water supply does not qualify as a public water system, the provider shall contact the local health department to have the water tested and follow any additional requirements requested by the health department. The provider shall retain a copy of the water test in the home 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 licensed family child care home?
- (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 the family child care provider, 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 licensed family child care home?
- The provider 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.
- (D) What are the requirements for toothbrushing in a licensed family child care home?
- Licensed family child care providers 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 - Type A Home Vehicle Requirements**

**Appendix C - Type B Home Vehicle Requirements**

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

The licensed family child care provider shall:

- (1) Have written and signed permission from the parent before transporting or escorting a child away from the home for field trips and routine trips as detailed in appendix A to this rule. The permission slips shall be kept on file at the home for one year.
- (2) Attach to each child on a routine or field trip, except children being transported only to and from school or only to and from home, identification containing the family child care provider'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 5101:2-13-16 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 family child care provider, child care staff member or substitute 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 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.

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

- (1) The staff/child ratio and group size requirements of rule 5101:2-13-18 of the Administrative Code shall be met on field trips and routine trips. Children shall be assigned to the provider or specific child care staff members for all field trips.
- (2) Parents, guardians or adults authorized by the provider may be drivers on field trips provided that staff/child ratio requirements are met at the destination.
- (3) An adult must be present with the vehicle any time children are in the vehicle. At no time are children to be left unattended.
- (4) The vehicle shall be checked at completion of each trip to ensure that no child has been left on the vehicle.

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

The driver shall:

- (1) Be at least eighteen years old.
- (2) On routine trips, be the provider, 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 home.
  - (b) The family child care provider 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) Adhere to the state of Ohio's child restraint law found in section 4511.81 of the Revised Code when transporting children in care.
- (7) Not allow children under twelve years of age to ride in the front seat of any vehicle.
- (8) Be trained utilizing the Ohio department of job and family services (ODJFS) driver training if the driver is an employee. ~~Providers and child care staff members employed as of the date of this rule have until June 30, 2017 to meet this requirement.~~
  - (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 or the school district is providing transportation to or from the provider's home.
- (9) Only a child care staff member or substitute who is used in accordance with the requirements in rule 5101:2-13-08 of the Administrative Code may transport children without the provider present, except parents may transport children for field trips.
- (10) For drivers who are not child care staff members or substitutes, the family child care provider shall secure and keep on file at the home a JFS 01266 "Contracted Driver Qualifications Statement for Child Care" (rev. 10/2016) that has been completed at least annually by their driver's employer.

(D) What are the vehicle requirements for a licensed family child care home?

- (1) Any vehicle operated by the family child care home provider, child care staff member, or substitute to transport children for routine trips or field trips shall be mechanically safe at all times.
- (2) Requirements for type A home vehicles used for transportation of children are listed in appendix B to this rule.
- (3) Requirements for type B home vehicles used for transportation of children are listed in appendix C to this rule.

(E) When shall vehicles used for transporting children be inspected?

- (1) The licensed family child care provider 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 family child care provider 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 (F)(1) of this rule.

- (F) Parents, who are not employed by the family child care provider, who use their vehicles for transportation for field trips shall not have to meet the requirements of paragraph (E) of this rule.

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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 family child care provider?**

The provider shall:

- (1) Have a completed JFS 01234 on file for each child in care by the first day of attendance, including the provider's own children under the age of six.
- (2) Ensure the JFS 01234 is reviewed at least annually by the parent and updated as needed when information changes. The parent and the provider 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 home 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 family child care provider?**

- (1) The provider shall secure and have on file verification of a medical examination for each child enrolled, including the provider's own children. 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 home within thirty days of the child's first day of attendance and shall be 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 specific health condition for a licensed family child care provider?

- (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 provider shall:
    - (i) Ensure the parent completes and signs a JFS 01236 for each condition per child.
    - (ii) Review the JFS 01236 for completeness and sign.
    - (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 home 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 home 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 child care staff members, if applicable. The parent and the provider shall initial and date the form when the information is reviewed or updated.
- (3) The plan shall be on file with the provider by the first day of attendance or upon confirmation of a health condition.
- (4) If the provider suspects that a child has a health condition, the provider may require a physician's statement within a designated timeframe.
- (5) The provider, child care staff member and substitute shall be trained by a parent or certified professional before being permitted to perform medical procedures or other action needed for a health condition or special need.

(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 (ODJFS) and the county agency for the purpose of administering Chapter 5104. of the Revised Code and Chapter 5101:2-13 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 family child care provider?

The family child care provider 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 in a noticeable location on each level of the home in use for child care.
- (2) Complete the JFS 01201 "Dental First Aid" (rev. 12/2016) and post in a location readily available to parents, child care staff members and substitutes.
- (3) Post a fire and weather alert plan in each space 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 family child care provider?

- (1) An unlocked, closed first-aid container shall be on the premises and readily available to the provider but shall be kept out of reach of children.
- (2) The first-aid container shall contain all of the items listed in appendix A to this rule.
- (3) 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 family child care provider 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, leak-proof 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 needs, such as lancets for finger sticks or syringes, require a disposable container called a "sharps container." This is a container made of durable, rigid material which safely stores the lancets or needles until the parent can take them home for disposal. Sharps containers shall be stored out of the reach of children.
- (D) What are the communicable disease requirements for a licensed family child care provider?
- (1) The provider shall decide if he or she will care for sick children as defined in appendix B to this rule, and shall inform parents of his or her decision.
  - (2) If the provider cares for sick children, the provider shall follow the guidelines detailed in appendix B to this rule.
  - (3) 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.
  - (4) No later than the end of the next business day, the provider shall notify parents when their child has been exposed to a communicable disease listed on the JFS 08087.
  - (5) All the requirements of this rule shall apply if the provider's own child is sick.
  - (6) The provider 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 family child care provider complete the JFS 01299 "Incident/Injury Report for Child Care" (rev. 12/2016)?
- (1) The family child care provider 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 provider, such as a child leaving the home 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 home for least one year and shall be available for review by the Ohio department of job and family services or county agency.
- (F) What is a serious incident?
- (1) Death of a child at the home.
  - (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 home for medical treatment, professional consultation or transportation for emergency treatment.
  - (4) An unusual or unexpected incident which jeopardizes the safety of a child or employee of a family child care home.
  - (5) An incident defined as a serious risk noncompliance in appendix A to rule 5101:2-13-03 of the Administrative Code.
- (G) What does the licensed family child care provider do if there is a serious incident?
- (1) The licensed family child care provider 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's services agency if there are concerns of child abuse or neglect as required by rule 5101:2-13-19 of the Administrative Code.
- (3) The provider 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 licensed family child care provider?

The licensed family child care provider 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 home.
- (2) The disaster plan shall include details for:
  - (a) Shelter in place or evacuation, how the home 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 provider.
    - (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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**FCCMTL 6**

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

**(A) What are the programming requirements for a licensed family child care provider?**

The requirements include:

- (1) Posting the daily schedule in a visible place in the home.
- (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. Suitable weather is at a minimum twenty-five to ninety degrees Fahrenheit.
  - (a) For any infant over twelve months of age, toddler, preschool and school-age child in attendance four or more consecutive daylight hours.
  - (b) If only one staff member is present and there is an infant under twelve months of age in care, the provider is exempt from this requirement.
- (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 family child care provider?**

The family child care provider 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 family child care provider shall have materials from each category in appendix A to this rule for infants, toddlers and preschool-age children.
  - (b) The family child care provider 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.

Replaces: 5101:2-13-16, 5101:2-14-17

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**FCCMTL 8**

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- (A) What are the requirements for staff/child ratios and maximum group size for a licensed family child care provider?
- (1) Each child care staff member shall care for no more than six children at any one time. No more than three of those children may be under two years of age.
  - (2) The family child care provider shall not exceed the license capacity at any time when caring for children during the provider's hours of operation.
  - (3) The family child care provider shall ensure that the required staff/child ratios are maintained at all times including during routine trips and field trips.
- (B) What children in the home are counted in ratio and group size?
- (1) Any child present at the home who meets any of the following shall be counted in the group size:
    - (a) All children under six years old, including those related to the provider, the provider's own children and residents of the family child care home.
    - (b) Children six years old through fourteen years old who are not related to the provider.
    - (c) Children six years old up to fifteen years old who are related to the provider and for whom care is privately or publicly funded.
    - (d) Children fifteen years old through seventeen years old who are authorized to the provider for publicly funded child care pursuant to Chapter 5101:2-16 of the Administrative Code.
    - (e) Foster children shall be counted as a child not related to the provider.
  - (2) If the parent of a child is also present and caring for the child, the child does not count in group size, unless the parent is the licensed family child care provider, a resident of the family child care home, an employee, a child care staff member or a substitute.
- (C) What are the requirements for providers to keep an attendance record?
- (1) The provider 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 home 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) The provider and child care staff member shall maintain a daily attendance record. Attendance records shall remain with the group at all times throughout the day including outdoor play and~~

~~emergency evacuations. 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 name 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 copy of attendance records shall remain at the home at all times.~~
- ~~(4) The written records of attendance shall be kept for a period of one year.~~

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**FCCMTL 6**

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**Appendix A - Allowable Discipline Techniques**

**(A) What are the requirements for supervision for a licensed family child care provider and child care staff members?**

The family child care provider and each child care staff member shall:

- (1) Leave no child unsupervised. Supervision means the provider or child care staff member has 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 or hearing of the provider or child care staff member at all times. Within sight or 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 provider or 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 provider or child care staff member shall remain outdoors with infants, toddlers and preschoolers at all times.
  - (b) School-age children may be permitted in the approved outdoor play space without the provider or child care staff as long as the children remain within sight and hearing of the provider or child care staff if both of the following occur:
    - (i) The children are not engaged in higher risk activities such as but not limited to swimming, activities with animals or using equipment with motors or moving parts.
    - (ii) The provider or child care staff member are always able to intervene if needed.
  - (c) When the outdoor play space is not on the premises, the provider or child care staff member 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) With written parent permission, school-age children may leave the provider's home for specific activities, including:
  - (a) Walking to and from the provider's home or school.
  - (b) Walking home or to another destination.
- (2) The written permission shall specify:
  - (a) Child's name.
  - (b) Location of the activity.

- (c) Arrangements for going to and from the activity.
- (d) Start and end time of the activity.
- (e) Time period for when the permission is given.
- (f) Parent's signature and date.

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

- (1) The provider, child care staff members and substitutes shall follow appendix A to this rule regarding guidance techniques to be used with children.
- (2) The provider shall communicate and consult with the parent prior to implementing a specific behavior management plan. This plan shall be in writing, 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 provider, 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: 5101:2-13-20, 5101:2-13-21, 5101:2-13-22, 5101:2-14-20

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**FCCMTL 6**

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- (A) What are the sleep and nap requirements for a licensed family child care provider?
- (1) The family child care provider shall provide a quiet space for children who want to rest, nap or sleep, including provider's own children.
  - (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.
- (B) Where may children nap or rest at the home?
- (1) The family child care provider may assign cribs, playpens, beds, couches, cots or mats to individual children.
  - (2) An air mattress designed for overnight sleeping may be used. All manufacturer's warnings must be followed. Air mattresses designed for use as flotation devices shall not be used for napping or sleeping.
  - (3) Each couch and bed used shall have clean bed linens changed at least weekly, and more often if necessary.
  - (4) Bed linens shall be laundered before another child uses them pursuant to rule 5101:2-13-13 of the Administrative Code.
  - (5) 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.
  - (6) 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.
  - (7) No child shall be permitted to rest, nap or sleep on the floor without a mat, pad or cot.
- (C) What are the crib and playpen requirements for a licensed family child care provider?
- (1) Unless the infant meets the requirements of paragraph (D) of this rule, each infant in attendance shall have a separate crib or playpen that meets the following requirements:
    - (a) Any crib manufactured before June 28, 2011 shall have a certificate of compliance (COC) on file. The provider 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 must be attached to the crib.
    - (c) Cribs and playpens shall be used according to manufacturer's instructions.
    - (d) Each crib and playpen 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 or playpen and between the bars and end panels of the crib or playpen shall not exceed two and three-eighths inches.



(iii) Playpen mesh openings shall be less than one quarter inch.

- (e) Cribs and playpens shall be used with the mattress supports in their lowest positions and the sides in the highest positions.
- (f) Each crib shall have a firm mattress that is at least one and one half inches thick.
- (g) Each playpen shall have a firm mattress or pad that does not exceed one inch in thickness.
- (h) The space between the mattress and the side or end panels of the crib or playpen shall not exceed one and one-half inches.
- (i) 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.
- (j) 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) Bumper pads shall not be used.

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

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

(6) No blankets shall be in the crib or playpen 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.

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

(8) Infants shall be placed in their cribs or playpens 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 or playpen, written permission shall be obtained from a physician and shall be on file.

(9) 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.

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

(D) When shall children stop using cribs or playpens?

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

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

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

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

Replaces: 5101:2-13-19, 5101:2-13-42, 5101:2-14-19

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**FCCMTL 6**

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

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

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

If the licensed family child care provider has evening or overnight care, the following are required:

- (1) The provider and/or child care staff member shall remain awake until all children are asleep. When children sleep in the evening or overnight, the provider shall have a monitoring device that ensures sight or hearing at all times.
- (2) Children under the age of five shall sleep on the same floor as the provider and/or child care staff member.
- (3) The home shall provide adequate lighting indoors in all areas, including bathrooms, hallways and sleeping rooms to ensure that children can be seen by the provider.
- (4) When parents arrive or depart after daylight hours, the provider shall assure that outdoor walkways and entrances to be used are adequately lighted for safety and security.
- (5) Children shall only sleep during evening and overnight care in areas that have been approved for sleeping.
- (6) Each child in care during evening and overnight hours shall be provided with an individual crib, playpen, cot, mattress, couch or bed in accordance with rule 5101:2-13-20 of the Administrative Code.
- (7) Bedtime routines shall be developed in consultation with the parents of the children.
- (8) 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 provider or child care staff member?**

The provider or child care staff member shall:

- (1) Ensure that each child who sleeps at the home for four or more hours has clean, comfortable sleeping clothes.
- (2) 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 at least weekly, when soiled and when assigned to a different child.
- (5) Ensure that 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 home provides bathing. The provider shall also have written permission from the parent prior to allowing the child to bathe.

- (8) Ensure bath tubs 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.

Replaces: 5101:2-13-23, 5101:2-14-24

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**Appendix A - Meal and Snack Requirements**

**Appendix B - Portion Sizes for Meals**

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

The family child care provider 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 provider, 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 provider shall obtain written, dated and signed instructions from the child's parent unless the special diet is part of the provider's program.
- (7) Set its own policy regarding the accommodation of a parent's alternate diet for a child when the provider provides the meal. The provider 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. Potentially hazardous foods such as, but not limited to, milk, milk products, eggs, meat, poultry, fish, cooked rice, baked or boiled potatoes shall be refrigerated at a temperature at or below forty degrees Fahrenheit.
- (9) Have drinking water freely available to children throughout the day.
- (10) Ensure individual servings or individual packages of food or drink that have been served to a child be 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 provider's home 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 family child care home?**

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

- (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 family child care provider 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 provider's home.
- (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 family child care provider implement for safe food handling?

The family child care provider 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 of rule 5101:2-13-13 of the Administrative Code.
- (2) Eating utensils and dishes are suitable for the age and developmental level of the children.

Replaces: 5101:2-13-39, 5101:2-14-21

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**FCCMTL 8**

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**Appendix A - Breast Milk Storage**

- (A) What are the requirements for infant daily care?
- (1) The licensed family child care provider 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 or playpen 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 family child care provider shall:
- (1) Prepare and serve infant food in a manner appropriate to the developmental needs of each child. The family child care provider shall introduce new foods only after consultation with the parent. The provider 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 the provider prepares infant formula they shall do so according to the manufacturer's instructions or instructions from the infant's physician, physician 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 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. Providers shall follow the chart in appendix A to this rule for storing breast milk.

(C) What are the requirements for diapering?

- (1) The family child care provider shall change a child's diaper immediately when wet or soiled.
- (2) Clothing shall be changed immediately when wet or soiled.
- (3) When changing diapers the provider shall comply with the following:
  - (a) The provider 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.

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

- ~~(5)~~(4) The family child care provider 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 provider 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 provider shall store soiled diapers and diapering washcloths, which are to be laundered in the provider's home, in a covered container with sanitizing solution.
  - (c) If soiled diapers are to be commercially laundered, the provider shall hold them for laundering pickup for no longer than seven days.
  - (d) The provider 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 provider is laundering diapers, the provider 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 provider shall ensure that toilet training is never forced.

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**FCCMTL 6**

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

***Most Current Prior Effective Date: September 1, 2007***

**(A) Are on-site pools allowed to be used at a licensed family child care home?**

**(1) If the family child care provider has a swimming pool located on the premises, the provider shall make the pool inaccessible to children who are in care by a fence or other physical barrier (the locked house door is not a sufficient barrier) that prevents children from accessing the water. A pool shall meet at least one of the following barrier options:**

**(a) For in-ground or at ground level pool:**

- (i) A barrier that prevents a child from going around, under or through to access the pool water and the means of access to the pool (i.e. ladder, gate to deck) is secured, locked or removed to prevent access to pool water.**
- (ii) A fence that is at least four feet tall that separates the pool from the play area.**
- (iii) A secure cover that meets the following standards:**
  - (a) Inhibits access to the pool water.**
  - (b) Demonstrates an opening is sufficiently small and strong enough to prevent an infant from passing through.**
  - (c) Is able to hold a weight of at least four hundred eighty-five pounds.**
  - (d) Has manufacture safety label attached.**
  - (e) Prevents water collecting on the cover surface.**

**(b) For an above ground or above ground level pool:**

- (i) A minimum of four feet walls (four feet above ground level) that are non-climbable and non-inflatable and the means of access to the pool (i.e. ladder, gate to deck) is secured, locked or removed to prevent access to pool water.**
- (ii) A fence that is at least four feet tall that separates the pool from the play area.**
- (iii) A secure cover that meets the following standards:**
  - (a) Inhibits access to the pool water.**
  - (b) Demonstrates an opening is sufficiently small and strong enough to prevent an infant from passing through.**
  - (c) Is able to hold a weight of at least four hundred eighty-five pounds.**
  - (d) Has manufacture safety label attached.**
  - (e) Prevents water collecting on the cover surface.**

**(2) The provider shall not permit use of the pool by children in care.**

**(B) What are the requirements for swimming sites for licensed family child care?**

**(1) Approved off-site swimming sites shall meet all state and local guidelines for environmental health inspections. Activities in bodies of water more than eighteen inches 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.**

- (2) Pursuant to rule 5101:2-13-19 of the Administrative Code, the provider shall actively supervise children and shall be able to clearly see all parts of the swimming area, including the bottom of the pool. The provider shall not serve as the life guard.
  - (3) The use of saunas, hot tubs and spas by children is prohibited and these items shall be inaccessible to them.
  - (4) Swimming in lakes, rivers, ponds, creeks or other similar bodies of water is prohibited.
  - (5) The provider 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 disinfected daily or more often if needed.
    - (b) The provider 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.
- (C) What are the requirements for parental permission for water and swimming activities?
  - (1) The provider 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 home. Written permission for on-going activities such as the wading pools shall be updated annually.
- (D) 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 provider 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.

Replaces: 5101:2-13-17, 5101:2-14-23

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**FCCMTL 8**

**Effective Date: October 29, 2017**

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

- (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 family child care provider shall ensure that the parent complete and sign box one of the JFS 01217 "Request for Administration of Medication for Child Care" (rev. 12/2016).
  - (2) The family child care provider 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 non-prescription medications, food supplements or medical foods?  
The family child care provider shall ~~do one of the following~~:
- (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 family child care provider shall:
- (1) Ensure that the product is stored in the original container with 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 family child care home who chooses to administer medications, food supplements, medical foods or topical products in a licensed family child care home?  
The family child care provider shall:
- (1) Not administer any medication, food supplement, medical food, or topical product until the child has received the first dose or application at least once prior to the provider 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. 12/2016) 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 home 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 family child care home?

The family child care provider shall:

- (1) Safely store all medication, food supplements, and medical foods immediately upon arrival at the home. 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 home.
- (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 home if needed.
- (5) Ensure that medications and products are accessible to child care staff members at all times.
- (6) Ensure that medications and products are removed from the home when no longer needed or expired.

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**FCCMTL 7**

**Effective Date: October 29, 2017**

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

- (A) What are the responsibilities of the county agency staff for ~~licensing~~licensed family child care providers?
- (1) The county agency shall comply with all requirements set forth in Chapter 5104. of the Revised Code and Chapter 5101:2-13 of the Administrative Code.
  - (2) The county agency shall train anyone employed by the county agency to inspect or investigate licensed family child care homes using the curriculum provided by the Ohio department of job and family services (ODJFS).
    - (a) The training shall be documented using the form included with the curriculum. Documentation shall be maintained on file at the county agency. The documentation shall remain on file for at least three years after the person is no longer conducting inspections or investigations of licensed family child care homes.
    - (b) The training shall be completed prior to the person conducting inspections or investigations.
    - (c) If the curriculum is revised, the county agency shall document that anyone conducting inspections or investigations has reviewed the revised materials or has completed the training again.
- ~~(B) What are the on-going county agency review requirements for licensed family child care providers?~~
- ~~(1) The county agency shall review the following for all individuals and timeframes required in rule 5101:2-13-09 of the Administrative Code:~~
- ~~(a) Bureau of criminal investigation (BCI) and federal bureau of investigation (FBI) criminal records checks.~~
- ~~(b) JFS 01328 "Statement of Nonconviction for Child Care" (rev. 12/2016).~~
- ~~(c) JFS 01302 "Request for Child Abuse and Neglect Report Information" (rev. 12/2016).~~
- ~~(2) If the county agency determines that any of the criminal records checks indicate a prohibitive offense as defined in paragraph (D) of rule 5101:2-13-09 of the Administrative Code, the county agency shall determine if the individual meets rehabilitation standards as detailed in appendix A to rule 5101:2-13-09 of the Administrative Code.~~
- ~~(3) The county agency shall use the JFS 01527 "Notification of Criminal Records Checks and Child Abuse and Neglect Checks" (rev. 12/2016) to notify the provider of the results of each review required in paragraph (B)(1) of this rule for employees, child care staff members and substitutes.~~
- ~~(C)~~(B) What documentation shall be maintained by the county and what can be shared?
- (1) The county agency shall enter all child care licensing information required in the Ohio child licensing and quality system (OCLQS).
    - (a) Full inspections within seven business days of inspection.
    - (b) Revised inspections within seven business days of revision.
    - (c) Complaint intake data within five business days of receipt of complaint.
    - (d) Complaint inspections within seven business days of inspection.
    - (e) Review of compliance materials within twenty business days of submission.

- (2) The county agency shall maintain a case file on all licensed family child care providers. The following certification and licensing documents shall be included in each provider's file using the following retention schedule:
- (a) The initial application and all supporting documentation (for life of license), unless the information is in OCLQS.
  - ~~(b) For all individuals required by rule 5101:2-13-09 of the Administrative Code:~~
    - ~~(i) Results of any criminal records checks and completion of rehabilitation standards, if applicable (retain the most recent checks and rehabilitation standards), not documented in OCLQS.~~
    - ~~(ii) JFS 01328 as required by rule 5101:2-13-09 of the Administrative Code (for five years from the date of the signature).~~
    - ~~(iii) Results of the JFS 01302 (for five years from the date of the check).~~
  - ~~(c)~~(b) Inspection reports not documented in OCLQS (for five years from the date of the report).
  - ~~(d)~~(c) All correspondence with the family child care provider or regarding the license (for five years from the date of the correspondence).
  - ~~(e)~~(d) Compliance materials (for five years from the date of the materials).
  - ~~(f)~~(e) Copies of all written notices to the provider (for five years from the date of the notices).
- ~~(3) The county agency shall maintain the following certification and licensing documents in the family child care provider's file for each employee, child care staff member and substitute using the following retention schedule:~~
- ~~(a) Results of the criminal records checks and completion of rehabilitation standards required by rule 5101:2-13-09 of the Administrative Code (retain the most recent checks and rehabilitation standards).~~
  - ~~(b) JFS 01328 as required by rule 5101:2-13-09 of the Administrative Code (for five years from the date of the signature).~~
  - ~~(c) Results of the JFS 01302 as required by rule 5101:2-13-09 of the Administrative Code (for five years from the date of the check).~~
- ~~(4)~~(3) The files required in ~~paragraphs (C)(2) and (C)(3)~~paragraph (B)(2) of this rule shall be maintained according to the retention schedule for all open licenses. If a license is closed or revoked, the county agency shall maintain the provider file for two years after the date the license is closed or revoked.
- ~~(5)~~(4) The county agency shall not disseminate the following confidential information:
- ~~(a) Child abuse and neglect investigative records, pursuant to sections 5101.131 and 2151.421 of the Revised Code and rule 5101:2-33-21 of the Administrative Code.~~
  - ~~(b)~~(a) The identity of an information source or witness to whom confidentiality has been reasonably promised, or the identity of a complainant for whom confidentiality is required.
  - ~~(c)~~(b) Any information, when such information would disclose the identity of one to whom such confidentiality has been reasonably promised.
  - ~~(d) Results of any criminal records check on an applicant, provider, adult residing in the licensed family child care provider's home, employee or substitute, except that these records are available to the person who is the subject of the criminal records check, his or her representative and any court, hearing officer or other necessary individual involved in a case dealing with denial or revocation of licensure related to the criminal records check.~~
  - ~~(e) The disposition of any investigation requested by a county agency from the PCSA concerning reports of child abuse or neglect on an applicant, provider, adult residing in~~



~~the family child care home, employee, and child care staff member. The county agency shall not provide to the person who is the subject of the records check any information that identifies the person who made the report, statements of witnesses or police or other investigative reports.~~

~~(f)~~(c) Provider medical records pertaining to the medical history, diagnosis, prognosis or medical condition of the provider, which are generated and maintained in the process of medical treatment, except as authorized by section 1347.08 of the Revised Code if requested by the subject of the report.

~~(6)~~(5) As needed, the county agency shall share information with the PCSA or a law enforcement agency concerning an investigation of alleged child abuse or neglect or criminal activity.

~~(7)~~(6) A provider shall have the right to access, review and make copies of any information in the county agency or ODJFS files of the provider, except information prohibited by state or federal law. The provider may be accompanied by a representative or other legal representation for this purpose and/or may authorize a legal representative to access such information.

~~(8)~~(7) The county agency is responsible for sharing all provider, client and fiscal information with ODJFS during the course of a monitoring review of its licensing program or if ODJFS is investigating a complaint involving the county agency.

~~(9)~~(8) ODJFS shall have access to all information in the provider's file.

~~(D)~~(C) May the county agency have additional requirements that exceed the family child care licensing standards in Chapter 5101:2-13 of the Administrative Code?

(1) The county agency shall not have additional requirements for licensing family child care providers.

(2) Any additional requirements approved prior to the effective date of this rule shall no longer be permitted.

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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 family child care provider.

- Verification of completion of a high school education, a high school diploma or general education development (GED), as required in 5101:2-13-07 of the Administrative Code.
- A medical statement for the family child care provider applicant that meets the requirements detailed in appendix B to this rule.
- JFS 01250 "Plan of Operation for Child Care" (rev. 12/2016) and any necessary attachments.
- Written information for parents and employees as required in rule 5101:2-13-07.
- JFS 01174 "Adjudicated a Delinquent Child Statement" (rev. 10/2017).
- Documentation of building inspection by local building department, for type A home providers.
- Fire inspection approval by the state fire marshal or local fire safety inspector, for type A home providers.
- JFS 00598 "Owner's Authorized Representative/Partnership Form for Child Care" (rev. 10/2015), for type A home providers.
- Articles of incorporation, if applicable, for type A home providers.
- Written zoning approval, for type A home providers.

The following documents shall be available for review at the time of the first pre-licensing visit.

- Verification of the family child care provider and child care staff members are current in all health and safety trainings required by rule 5101:2-13-10 of the Administrative Code.
- A medical statement for child care staff members in the family child care home.

Note: Fingerprints for the bureau of criminal investigation (BCI) and federal bureau of investigation (FBI) criminal records checks for the provider and any resident of the home age 18 or older shall be requested at time of application in accordance with rule 5101:2-13-09 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.

**Medical Statement Requirements for Family Child Care Providers, Employees, Child Care Staff Members and Substitutes in a Licensed Family Child Care Home**

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 nurse midwife or certified nurse practitioner who completed the examination.
- A statement that verifies the person is:
  - Physically fit for employment in a family child care home 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, everyone shall have on file written verification of being immunized against pertussis from a licensed physician, physician's assistant, advanced practice registered nurse, certified nurse midwife or certified nurse practitioner.
  - The person may be exempt from the immunization requirement for religious reasons upon filing a written request with the provider, 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 a person's ability to perform required duties.

### Serious Risk Non-compliances and Point Values for Family Child Care

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|--|
| <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>  |
| <b>5101:2-13-03 Compliance inspection and complaint investigation of a licensed family child care provider</b><br><b>Serious Risk Non-Compliance (6 Points)</b> <ul style="list-style-type: none"> <li>• Provider, resident, child care staff member or employee refuses ODJFS or county agency access to program.</li> <li>• Provider falsifies information to ODJFS or county agency.</li> </ul>   |
| <b>5101:2-13-04 Building department inspection and fire inspection for a licensed family child care provider</b><br><b>Moderate Risk Non-Compliance (3 Points)</b> <ul style="list-style-type: none"> <li>• Home cares for children on unapproved floor.</li> <li>• Home exceeds room/building occupancies. (Type A only)</li> <li>• Home fails to obtain building approval for rooms used. (Type A only)</li> <li>• Home cares for children in room not approved for age group. (Type A only)</li> <li>• Fire Approval – Unable to obtain approval due to violations or update not requested at least 30 days prior to expiration. (Type A only)</li> <li>• Flammable or combustible materials and substances are store neared heaters, furnaces, water heaters or gas appliances. (Type B only).</li> <li>• The home’s primary or alternate escape route is blocked or inaccessible. (Type B only).</li> </ul> |
| <b>5101:2-13-08 Employees, child care staff members and substitute responsibilities and qualifications for a licensed family child care provider</b><br><b>Serious Risk Non-Compliance (6 points)</b> <ul style="list-style-type: none"> <li>• Required child abuse and neglect check not completed/updated.</li> <li>• Unsatisfactory child abuse and neglect check and remains employed.</li> </ul>  |
| <b>5101:2-13-09 Background check requirements for a licensed family child care provider</b><br><b>Moderate Risk Non-Compliance (3 Points)</b> <ul style="list-style-type: none"> <li>• Information for background checks not submitted (JFS 01175 or fingerprints).</li> <li>• Resident of home turns 18 or moves into home and information for background checks not submitted.</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><br><b>Serious Risk Non-Compliance (6 Points)</b> <ul style="list-style-type: none"> <li>• Provider, resident, employee or child care staff member is not eligible for employment or residency and remains employed or in the home.</li> <li>• Resident or employee or child care staff member refuses to submit information for a background check.</li> </ul>   |
| <b>5101:2-13-11 Indoor and outdoor space requirements for a licensed family child care provider</b><br><b>Moderate Risk Non-Compliance (3 Points)</b> <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 used to off-site space.</li> </ul>  |
| <b>5101:2-13-12 Safe equipment and environment for a licensed family child care provider</b><br><b>Moderate Risk Non-Compliance (3 Points)</b> <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>• No mats under indoor climbing equipment.</li> <li>• Home does not have required or working carbon monoxide detector</li> </ul>  |

**Serious Risk Non-Compliance (6 Points)**

- Firearms, weapons or ammunition are not secure and there's no valid exemption or are carried by someone with a valid exemption but are accessible to children.
- Illegal drugs on premises or alcohol in area used for child care.

**5101:2-13-14 Transportation and field trip safety for a licensed family child care provider****Moderate Risk Non-Compliance (3 Points)**

- Driving a vehicle w/o correcting the noted violations.
- 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.

**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.

**5101:2-13-15 Child record requirements for a licensed family child care provider****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 1236 not implemented or followed.
- Non-trained staff performed procedure on child.

**5101:2-13-18 Group size and ratios for a licensed family child care provider.****Moderate Risk Non-Compliance (3 Points)**

- Program is out of ratio.
- Program exceeds license capacity.

**5101:2-13-19 Supervision of children and child guidance for a licensed family child care provider****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 off-site or during a swimming activity.
- Child unattended outside (not school-age).
- Provider fails to report suspected abuse/neglect/endangerment.
- Provider uses prohibited disciplinary techniques.
- Physical abuse/neglect/endangerment by any child care staff member, employee, resident or provider.
- Substantiated public children's services agency finding of abuse or neglect by any child care staff member, employee, resident or provider.
- Child(ren) not protected from harm which resulted in a serious incident or injury.

**5101:2-13-20 Sleeping and napping requirements for a licensed family child care provider****Moderate Risk Non-Compliance (3 Points)**

- Child placed in crib or playpen with object which poses suffocation/strangulation risk (item tied around neck, blankets, pillows, boppies, bumper pads, etc.).
- Stacked cribs are used.

- Cribs or playpens do not meet size requirements.
- Cribs or playpens are unstable.
- Cribs do not meet the Consumer Product Safety Commission standards.
- JFS 01235 sleep position waiver needed but not on file.

**5101:2-13-21 Evening and overnight care for a licensed family child care provider**

**Moderate Risk Non-Compliance (3 Points)**

- Provider or child care staff member are asleep before all children are asleep.
- Children under 5 are not on the same floor as the provider or child care staff member.
- Children asleep on unapproved floor of building.

**5101:2-13-23 Infant care and diaper care for a licensed family child care provider**

**Moderate Risk Non-Compliance (3 Points)**

- Breast milk given to wrong child.
- Container used for heating bottles was accessible to children.

**5101:2-13-24 Swimming and water safety requirements for a licensed family child care provider**

**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.

**5101:2-13-25 Medication administration, food supplements and medical foods for a licensed family child care provider**

**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 child.

**Serious Risk Non-Compliance (6 Points)**

- Medication was administered to the wrong child.

**5101:2-13-12 Safe equipment and environment for a licensed family child care provider****Moderate Risk Non-Compliance (3 Points)**

- Chemicals accessible to children.
- Unsafe equipment accessible to children (lawnmowers, power tools accessible, etc.).
- Children not protected from unsafe items, conditions or situations.
- Space heaters used without approval.
- No mats under indoor climbing equipment.
- Home does not have required or working carbon monoxide detector

**Serious Risk Non-Compliance (6 Points)**

- Firearms and weapons are not secured and/or separate from ammunition.
- Illegal drugs on premises or alcohol in area used for child care.

**5101:2-13-14 Transportation and field trip safety for a licensed family child care provider****Moderate Risk Non-Compliance (3 Points)**

- Driving a vehicle w/o 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 purchased after 2008 or provider licensed after 2008, type not permitted to be used. (Type A only)
- Vehicle purchased after 2016 or provider licensed after 2016, type not permitted to be used. (Type B only)

**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.

**5101:2-13-15 Child record requirements for a licensed family child care provider****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 1236 not implemented or followed.
- Non-trained staff performed procedure on child.

**5101:2-13-18 Group size and ratios for a licensed family child care provider.****Moderate Risk Non-Compliance (3 Points)**

- Program is out of ratio.
- Program exceeds license capacity.

**5101:2-13-19 Supervision of children and child guidance for a licensed family child care provider****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 off-site or during a swimming activity.
- Child unattended outside (not school-age).
- Provider fails to report suspected abuse/neglect/endangerment.
- Provider uses prohibited disciplinary techniques.
- Physical abuse/neglect/endangerment by any child care staff member, employee, resident or provider.

- Substantiated public children's services agency finding of abuse or neglect by any child care staff member, employee, resident or provider.
- Child(ren) not protected from harm which resulted in a serious incident or injury.

**5101:2-13-20 Sleeping and napping requirements for a licensed family child care provider**

**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.
- Cribs do not meet the Consumer Product Safety Commission standards.
- JFS 01235 sleep position waiver needed but not on file.

**5101:2-13-21 Evening and overnight care for a licensed family child care provider**

**Moderate Risk Non-Compliance (3 Points)**

- Provider or child care staff member are asleep before all children are asleep.
- Children under 5 are not on the same floor as the provider or child care staff member.
- Children asleep on unapproved floor of building.

**5101:2-13-23 Infant care and diaper care for a licensed family child care provider**

**Moderate Risk Non-Compliance (3 Points)**

- Breast milk given to wrong child.
- Container used for heating bottles was accessible to children.

**5101:2-13-24 Swimming and water safety requirements for a licensed family child care provider**

**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.

**5101:2-13-25 Medication administration, food supplements and medical foods for a licensed family child care provider**

**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 child.

**Serious Risk Non-Compliance (6 Points)**

- Medication was administered to the wrong child.

## Appendix A to Rule 5101:2-13-04

**Fire Safety Requirements for a Licensed Type B Home Provider**Emergency Exit and Operational Conditions

(1) All levels used for child care shall have a primary escape route which provides a safe exit to the outside of the home. If the level is above or below ground level, the primary escape route shall be an interior stairway or an exterior stairway.

(2) In addition to the primary escape route, each level used for child care, including for napping and sleeping purposes, shall have an alternate means of escape. The alternate escape route shall not use the same stairway as the primary escape route. This alternate escape route shall include either of the following:

- A door or stairway providing an unobstructed exit to the outside of the home at ground level.
- A window at least twenty inches in width that opens without the use of tools to the outside. The interior window opening shall be at least 5.7 square feet in area. If the window is more than forty-four inches above the floor, there shall be a platform or stairs under the window. The platform or stairs shall be firmly attached to the floor or wall.

(3) Type B home providers who are certified or licensed after September 1, 2008 shall not use any room or space higher than the second floor of the home for child care.

(4) No room or space that is accessible only by a ladder, folding stairs, or through a trapdoor shall be used for child care.

(5) All stairways shall have lighting so that each step can be clearly seen while going up and down the stairs. There shall be a hand rail on at least one side if there are four or more stairs.

(6) All hallways, corridors, ramps and passageways leading to an exit shall be adequately lighted by natural or artificial light using at least a 60 watt light bulb or comparable compact fluorescent light (CFL) bulb.

(7) Doorways, corridors, and stairways which are part of the primary or alternate escape route shall be kept clear of obstructions such as toys, clothing, snow, ice, accumulated trash and assorted debris.



## Appendix B to Rule 5101:2-13-04

**Flammable and Combustible Material Storage for a Type B Home Provider**

1. No gasoline, kerosene, propane or other fuels shall be stored in the licensed type B home.
2. Flammable and combustible materials and substances shall be:
  - Stored in their original containers.
  - Kept in closed storage.
  - Stored out of the reach of children.
  - Stored away from heaters, furnaces, water heaters and gas appliances.
3. Flammable and combustible materials and substances shall not be stored below the first floor.

### **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 provider meets the required standards for high school 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.

**Education and Training Requirements for Family Child Care Providers**

A family child care provider shall have one of the following:

1. At least thirty clock hours of documented training in early childhood education or related field.
2. Two years of college training verified by a transcript including two courses in child development. Two years of training shall be sixty semester or ninety quarter hours from an accredited college, university or technical college. Two courses shall be six semester hours or nine quarter hours from an accredited college, university or technical college.
3. A currently valid child development associate (CDA) credential issued by the national child development associate credentialing commission. In order to remain as the licensed provider, the CDA credential must be currently valid. Additional information on the CDA process may be obtained at <http://www.cdacouncil.org/>.
4. Completion of a two year vocational child care training program approved by the state board of education verified by a transcript or diploma.
5. A pre-kindergarten associate certificate that is issued by the state board of education.
6. A Montessori preprimary/early childhood credential from the American Montessori society, association of Montessori international, national center for Montessori education, or other Montessori program accredited by the Montessori accreditation council for teacher education.
7. At least twelve months experience in caring for children twelve years or younger. Parenthood may be used to meet this requirement.
8. Designation as a career pathways level one.

### **Written Information for Parents and Employees**

Written information shall be developed and provided to parents and employees that include policies and procedures of the family child care home containing, at a minimum, the following:

#### **General Information**

1. Name, address, email address and telephone number.
2. Description of the provider'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 activities.
8. Opportunities for parents to meet with the provider 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).

#### **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 provider dietary policy, if applicable. If all of the food is parent provided, the policy shall also include if the provider 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, notification of parent of ill child and whether or not the provider will care for sick children.
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 the provider using a substitute or child care staff member pursuant to 5101:2-13-08 of the Administrative Code for sick days, vacations or other time off.
16. Policy on when the provider will require disenrollment of a child
17. Procedure for parents or employees to follow when needing assistance in resolving problems related to the family child care home.
18. Policy on whether or not the provider will provide child care services to children whose parents refuse to grant consent for transportation to the source of emergency treatment.
19. Policy on whether the program conducts formal assessments on enrolled children and if the

Appendix C to Rule 5101:2-13-07

program reports child level data to ODJFS pursuant to 5101:2-17-02 of the Administrative Code.

### **Family Child Care Parent Information**

The provider 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 provider'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 home.

Any parent of a child enrolled in the home shall be permitted unlimited access to the home during all hours of operation for the purpose of contacting their children, evaluating the care provided or evaluating the premises. Upon entering the premises, the parent, or guardian shall notify the provider of his/her presence.

The provider's hours of availability are posted in a noticeable place in the home for review.

The licensing record, including licensing inspection reports, complaint investigation reports and evaluation forms from the building and fire departments (Type A Homes only), is available for review upon written request from the county agency.

The provider will accept only those placements that suit the provider's abilities and the physical environment of the home, but not discriminate in providing child care services to children upon the basis of handicap, race, color, religion, sex or national origin.

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>

**Family Child Care Staff Member**

An individual who is interested in becoming a child care staff member in a family child care home shall meet the following requirements prior to caring for children:

1. Be at least eighteen years of age.
2. Provide verification of a high school education, a high school diploma or general educational development (GED) in accordance with the guidelines in appendix A of rule 5101:2-13-07 of the Administrative Code.
3. Provide a medical statement that meets the requirements detailed in appendix B to rule 5101:2-13-02.
4. Meet the eligibility for employment criteria based on the background check requirements pursuant to rule 5101:2-13-09 of the Administrative Code.
5. Provide a safe and healthy environment when children are present.
6. Ensure that any individuals whose behavior or health endangers the health, safety and well-being of children are not present while child care is being provided by the child care staff member.

## Appendix B to Rule 5101:2-13-08

### **Substitute Requirements**

A substitute shall meet the following requirements prior to caring for children:

1. Be at least eighteen years of age.
2. Provide verification of a high school education, a high school diploma or general educational development (GED) in accordance with the guidelines in appendix A of rule 5101:2-13-07 of the Administrative Code.
3. Meet the eligibility for employment criteria based on the background check requirements pursuant to rule 5101:2-13-09 of the Administrative Code.
4. Provide a medical statement that meets the requirements detailed in appendix B to rule 5101:2-13-02.
5. Provide a safe and healthy environment when children are present.
6. Ensure that any individuals whose behavior or health endangers the health, safety and well-being of children are not present while child care is being provided by the substitute.



### **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 5101:2-13-10

**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 provider 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.
2. Is valid for three years.
3. 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.

### 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 5101:2-13-10

**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 & 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.

## Appendix A to Rule 5101:2-13-13

**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**: Family child care providers 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>                               | <b>X</b> | <b>X</b> | Immediately  |
| <b>Blankets/sheets for cots or cribs</b>   | <b>X</b> |          | Weekly, when soiled and before another child uses.   |
| <b>Bottles, bottle caps, nipples and other equipment used for bottle feeding</b> | <b>X</b> | <b>X</b> | 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>   | <b>X</b> |          | Vacuum weekly or when soiled. Clean when soiled.   |
| <b>Changing table</b>  | <b>X</b> | <b>X</b> | Clean when visibly soiled and sanitize after each use.   |
| <b>Cots/Pads/Mats</b>  | <b>X</b> | <b>X</b> | Before assigning to a different child, when soiled, and at least every 3 months.   |
| <b>Cribs</b>   | <b>X</b> | <b>X</b> | Monthly, when soiled and before another child uses.  |
| <b>Diaper receptacles</b>  | <b>X</b> | <b>X</b> | Daily or more frequently as needed to eliminate odor.  |
| <b>Dishes/Cups/Silverware/ Water Containers</b>                                  | <b>X</b> | <b>X</b> | 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>                                 | <b>X</b> |          | Monthly and when soiled.   |
| <b>Floors</b>  | <b>X</b> |          | Weekly and when soiled.  |
| <b>Food prep area, including sink</b>  | <b>X</b> | <b>X</b> | Before and after preparing food (including bottle preparation) and between preparing raw   |

| Area/Object   | Clean    | Sanitize | Frequency Requirements  |
|---|----------|----------|---|
|   |          |          | 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.<br>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.<br>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 5101:2-13-13

**Smoke Free Environment**

- Smoking on the property during the hours that child care is being provided shall be permitted only if all of the following requirements are met:
  - Smoking shall not occur within the home or attached building and garage areas.
  - The area where smoking is occurring is so far removed from the children being cared for that the children cannot inhale any smoke.
  - Smoking cannot be seen by children, including any outside area.
- The provider shall not expose the children to cigarette, cigar or pipe butts or ashes.
- If smoking is permitted in the home or in vehicles used for transporting children during hours that the provider is not providing child care, the provider shall provide to the parent of each child enrolled a written notice that smoking occurs at the home or in the vehicle outside of operation hours.
- The provider shall not permit any person to smoke in a vehicle while it is occupied by children in the provider's care.
- The provider shall post in a noticeable place at the main entrance of the home, a notice stating that smoking is prohibited.

Note: The above requirements also include smokeless tobacco, electronic cigarettes, vaporizers, chewing tobacco and their byproducts.

## Appendix A to Rule 5101:2-13-14

**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.
- 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 for one year or until withdrawn by the parent.

**Field Trips**

Written permission from the parent shall include:

- The child's name.
- The date and destination of the trip.
- The departure and return time of the trip.
- 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 each field trip and shall inform the parent about each trip in advance.

## Appendix B to Rule 5101:2-13-14

**Type A Home Vehicle Requirements**

## 1. Effective until January 1, 2017:

- a. Type A Homes 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. Type A Homes 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 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.

## 2. Effective January 1, 2017:

- a. Type A Homes 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. Type A Homes shall not 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 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.

## Appendix C to Rule 5101:2-13-14

**Type B Home Vehicle Requirements**

## 1. Effective until January 1, 2022:

- a. Type B Homes that are issued a provisional license after the effective date of this rule 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. Type B Homes 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 the effective date of this rule and which 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 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.

## 2. Effective January 1, 2022:

- a. Type B Homes 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. Type B Homes shall not 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 the effective date of this rule and which 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.

**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.

## Appendix A to Rule 5101:2-13-16

**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 homes 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 guide to emergency first aid.
- 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 at the home, for cardiopulmonary resuscitation (CPR) administration.

In addition to the above items, on field trips or when transporting away from the home, the following items are required:

- Soap or waterless sanitizer.
- Bottled water.

## Appendix B to Rule 5101:2-13-16

**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 eye lashes, 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 provider 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 bed or the sick infant with a crib, if necessary, and make comfortable.
- Notify the child's parents 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 5101:2-13-13 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 5101:2-13-19

**Allowable Discipline Techniques**

The following techniques or practices may be used by all child care staff members and employees of a family child care provider 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<br>(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**

| <b>Meal</b>      | <b>Component</b>                     | <b>Minimum Serving</b>       |                              |                              |
|------------------|--------------------------------------|------------------------------|------------------------------|------------------------------|
|                  | <b>Age of Child</b>                  | <b>1 &amp; 2 years</b>       | <b>3-5 years</b>             | <b>6-12 years</b>            |
| <b>Breakfast</b> | Fluid Milk                           | ½ cup                        | ¾ cup                        | 1 cup                        |
|                  | Juice/Fruit or Vegetable             | ¼ cup                        | ½ cup                        | ½ cup                        |
|                  | Grains/Breads/Dry Cereal             | ½ slice<br>¼ cup or<br>⅓ oz. | ½ slice<br>⅓ cup or<br>½ oz. | ½ slice<br>¾ cup or<br>1 oz. |
| <b>Meal</b>      | 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<br>¼ cup             | ½ slice<br>¼ cup             | 1 slice<br>½ cup             |
|                  | Fluid Milk                           | ½ cup                        | ¾ cup                        | 1 cup                        |
| <b>Snack</b>     | 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<br>¼ cup or<br>⅓ oz. | ½ slice<br>¼ cup or<br>⅓ oz. | ½ slice<br>¼ cup or<br>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 5101:2-13-23

**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   |