DCY MONITORING & COMPLIANCE FIELD GUIDE

Early Care & Education Child Care Center

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Department of Children & Youth

ChildrenAndYouth.Ohio.gov

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DCY Early Care & Education Field Guide

The Ohio Department of Children and Youth (DCY), the Divisions of Policy and Regulatory Compliance, welcome you to our Early Care & Education (ECE) Field Guide. This guide gives transparency in monitoring regulatory requirements, provides suggestions for best practices in meeting and maintaining compliance, offers resources for ongoing efforts in improving quality practices, and promotes consistency in interpretation of rules and monitoring approaches.

Utilizing the Field Guide

The ECE Field Guide is intended to benefit interested parties in the policies and practices used in monitoring regulations assigned to Early Care & Education programs. DCY is the regulating agency ensuring all programs are reviewed at least annually according to Child Care Development Fund (CCDF), Ohio Revised Code (ORC) and Ohio Administrative Code (OAC) requirements.

By utilizing the ECE Field Guide:

- Programs are provided resources, knowledge of monitoring approaches, and best practice tips to maintain compliance, including self-guided growth in daily practices.
- Licensing specialists are provided with ongoing training and guidance for consistent monitoring.
- Families are provided with knowledge of OAC and approaches to monitoring for programs in which their children receive care.
- Stakeholders are provided with transparent procedures related to Ohio's ECE system.

The ECE Field Guide is outlined in rule topics, with related content per rule topic. For users, simply find the rule topic of interest and review the related content. Here's a helpful look at the sections of the field guide, per rule topic.

Rule Topic

Rule | This section references the OAC rule number and title	
This section includes the link to the OAC rule.	
Desired Outcome	
This section provides the desired outcome when the rule is maintained compliant.	
Guidance for Demonstrating Compliance	
This section provides examples providers use to demonstrate compliance and should be considered a sample, not an all-inclusive list.	
Common Non-Compliance(s)	
This section provides examples demonstrating non-compliance and should be considered a sample, not an all-inclusive list.	
Resources	
This section provides resources that both DCY and other entities have developed and maintain for public access.	
Assessment/Monitoring Approach	
Observations	This section provides examples of how the program will be assessed for the rule topic through observations and should not be considered an all-

	inclusive list. Any references to "not applicable" are for generalized purposes, but observations may occur based on unique facts and circumstances.
Interviews	This section provides examples of how the program will be assessed for the rule topic through interviews and should not be considered an all-inclusive list. Any references to "not applicable" are for generalized purposes, but interviews may occur based on unique facts and circumstances.
Documentation Review	This section provides examples of how the program will be assessed for the rule topic through documentation review and should not be considered an all-inclusive list. Any references to "not applicable" are for generalized purposes, but documentation review may occur based on unique facts and circumstances.
Compliance Finding	This section provides examples of technical assistance that may be offered to the program through the monitoring of the rule topic based on demonstration of at least ninety percent compliance effort. For standalone documents such as a fire inspection report, the ninety percent threshold is not applied for noted technical assistance opportunities. PLEASE NOTE: technical assistance will NOT be offered if the requirement is specifically related to a complaint rule allegation.

Technical Assistance

The term "technical assistance" (TA) is a common term in the regulatory industry. At its core, regulatory TA provides tailored, expert guidance to help a program navigate compliance requirements, interpret regulations, and improve the program's overall quality experience for the children and youth in their care. Your licensing specialist is your partner and will provide TA whenever an opportunity exists to help jointly achieve these goals. In the Field Guide, the **Compliance Finding** section of each topic area notes any rule requirement that may be offered TA in lieu of a non-compliance. The requirements listed available as TA are identified to not pose an elevated risk of harm to children and are systemic in nature, in that efforts to reach compliance by the provider are considered when identifying a potential miss in their process. In the Field Guide you'll note the reference for ninety percent compliance effort. In all topic areas, ninety percent should be considered in a qualitative measure rather than a quantitative measure. By universally assigning a percentage threshold, the program and the licensing specialist have a frame of reference to determine if a strong attempt is made, processes are in place, but one misstep or gap did not result in one hundred percent compliance of that particular topic area. In other words, the program has put forth the right system and is almost perfect in demonstrating compliance in that topic area, and by providing TA the program has opportunity to fully reach compliance at one hundred percent. When determining a qualitative calculation of ninety percent, consider these factors:

	Technical Assistance (TA)	**Non-Compliance**
Frequency	An isolated lapse in an otherwise functional process	A persistent pattern or recurring theme throughout the review
Scope	Limited to a single file, staff member, or room	Spread across multiple files, staff or rooms

Intent/Care	A "human error" or oversight despite having a system in place	A complete absence or minimal effort of a system or practice to achieve compliance
History	The program was fully compliant with the requirement at the last inspection	This is a repeat finding from previous visits

While providing TA, your licensing specialist will discuss with you any potential process that will elevate your ninety percent qualitative effort to one hundred percent full compliance. You're encouraged to find the right process that fits your program's size, structure, and staffing pattern and always reach in to your specialist for additional support needed.

Compliance Reports

Following the conclusion of the program's review, DCY will provide a compliance report, complete with recorded findings of determined compliance, determined non-compliance, and technical assistance provided. The compliance report will include standard finding language, restating OAC requirements, for consistent language used across all reports.

Corrective Action Plan

When a non-compliance is identified and recorded, the program or provider submits a Corrective Action Plan (CAP) clearly demonstrating to the licensing authority their plan on correcting the non-compliance, both through immediate and long-term efforts. The written CAP should be considered a professional commitment to the licensing authority in which the program or provider applies critical thinking skills, current practices, and utilizes resources within their program to demonstrate intent to comply with requirements. The written CAP is not an explanation of why the non-compliance occurred, but a well-thought-out plan that is obtainable and sustainable preventing the non-compliance from recurring. Submitting the CAP will address three key concepts. Think of these key components as the WHAT, WHY, WHO.

- Short term action taken
    - This is the WHAT key concept. Ask yourself WHAT do I need to fix. Identify a one or two step action item that can immediately resolve the issue to satisfy the requirement. This is the easy part and should occur instantly and without pause.
- Planned changes in system/procedure
    - This is the WHY key concept. Now let's think about the requirement itself. WHY is it important? Identify the intention, the reasoning behind why the requirement exists. Reach out to your licensing specialist for technical assistance if needed. It's nearly impossible for you to implement a system or procedure to prevent a non-compliance from recurring if the intention of the requirement is not clear to you. Let us help with that. Once you understand the WHY behind the requirement, think about your resources, your physical space, your staff, and develop a system or procedure that meets YOUR program's ability to maintain compliance.
- Responsible person for implementation
    - This is the WHO key concept. Administrators CANNOT be responsible for every single thing that occurs within the program. Lean in on your staff, your parents, your community, every interested party helps play a role in providing a positive learning

experience for children. Often administrators assign themselves as the party responsible for every requirement, but that is not sustainable and often leads to things getting lost in the mix. Think about WHO among your staff can be assigned to implement and ensure the new system or procedure is always followed, leading to long-term compliance. By assigning a responsible person, the administrator is committing to the program maintaining compliance in an organized, well-thought-out system.

When submitting your CAP to the licensing authority, be sure to answer the three questions and upload any complete and applicable documents. The specialist will review and either approve your CAP or return your CAP for revision. This should be a partnership between you and your specialist. If your CAP has been returned and you are unsure why, reach out to your specialist to better understand how you can strengthen your WHAT, WHY, OR WHO key concepts. By partnering with your specialist, you're demonstrating your intent to comply with the requirement and strengthening your program's compliance. Be sure to respond timely, following the due date outlined in your inspection report. By not submitting a CAP, or submitting a CAP past its due date, you're demonstrating a lack of intent to comply with requirements and additional non-compliances would follow. Your inspection status, including whether your non-compliances were addressed, is publicly available for consumer education on the DCY website. To ensure your program is reflected favorably to your families and potential families, submit your CAP timely, completely addressing the non-compliance recorded. By applying the WHAT, WHY, WHO key concepts timely, your program's compliance will provide a positive, healthy and safe experience for the children in your care.

Resource Library

Throughout the ECE Field Guide, you will find both internal and external resources. Internal resources are considered those that DCY maintains and is available for the public. External resources are considered those that DCY does not maintain and are available for the public. General resources referenced throughout the Field Guide are specific to the topic of the rule. Provided here is a list of general resources to be considered for all rule topics.

- Department of Children and Youth | Ohio.gov
- Family and Customer Support Center | Ohio Department of Children and Youth or 1-844-234-KIDS (5437)
- DCY Ohio Child Licensing and Quality System (OCLQS) Technical Support at 844-234-KIDS (5437), option 6
- Tuesday Times | Ohio Department of Children and Youth
- Ohio Child Licensing and Quality System (OCLQS) Job Aids | Ohio Department of Children and Youth
- Program Rules and Resources | Ohio Department of Children and Youth
- Forms Central
- Office of Child Care (OCC) | The Administration for Children and Families
- Caring for Our Children Basics Home | Child Care Technical Assistance Network
- The Ohio Child Care Resource & Referral Association | OCCRRA
- State Support Teams | Ohio Department of Education and Workforce

Navigating the Field Guide

You are encouraged to use this field guide in an electronic format rather than printing the document. You'll find many interactive links that will support your program's professional growth.

There are two user friendly options to easily navigate through the field guide without the need to scroll through the individual pages.

Bookmarks – To open, simply click on Bookmarks in your menu pane. Click on each topic or subtopic to reach your interest.

Table of Contents - Using the Table of Contents, click the page number to reach your interest.

Thank You!

DCY is grateful for the many stakeholders who provided input into the development of the ECE Field Guide, including Program Representatives and County Licensing Teams. By utilizing the Field Guide, all interested parties share transparency and responsibility ensuring our youngest learners in our Early Care & Education programs receive positive early learning experiences.

5180:2-12-02 Applications and amendments
Application for a Child Care Center License

Rule 5180-2-12-02 | Applications and amendments
Rule 5180:2-12-02 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Proposed program has all required documents and approvals necessary to begin caring for children in a healthy and safe environment. The materials submitted with an application clearly demonstrate qualifications, experience, and preparedness to meet the expectations of a licensed provider. Provider obtains licensure to operate in compliance with all state regulations and quality standards.
Guidance for Demonstrating Compliance

- Before accessing the application, complete the required DCY Center Pre-Licensing Training.
- A license is valid only for the specific owner and address to which it is issued. If applicable, use current Articles of Incorporation or Organization to verify ownership.
- When creating a program's account in the statewide licensing system prior to submission, the listed owner is the legal entity responsible for the program — such as a corporation, partnership, organization, business trust, or similar. Enter an individual's name as the owner only when the program is operated by a sole proprietor with no other liable party.
- Gather and prepare the following documents:
    - Appropriate ownership documentation. This should include the operation agreement or documentation registered with the Secretary of State or similar agency, if not an individual owner.
    - A list including the names of all individuals who have an ownership interest in the program.
    - Proof of administrator qualifications. Documents such as high school diploma, high school transcript, college diploma, or college transcripts may be uploaded into the application for verification, in addition to documents such as a Career Pathways Level (CPL) certificate and summary, and/or verification of required experience in child care.
    - A current fire inspection approval issued by the State Fire Marshal or a local fire safety inspector.
    - A current certificate of occupancy (COO) issued by either the Ohio Department of Commerce or a local certified building authority for any primary use buildings. The COO has a use group acceptable for the care of children and that the program is following any and all restrictions and/or limitations noted.
    - Food service license or exemption.
    - Site plan as detailed in rule.
- During the application process, the Federal Employer Identification Number (FEIN) refers to the business's tax ID, while the entity number corresponds to the identifier assigned to a corporation, limited liability corporation (LLC), or partnership by the Secretary of State's office.
- Prior to submitting the application, verify your documentation is complete, current, and accurate to avoid any delays in the licensing approval process. Refer to all sections of the rule and field guide for required documentation.

- Once the application is approved, the license is displayed in a visible location within the program.

Common Non-Compliance(s)

- Submission of incomplete or incorrect documents – these documents are returned for revision, which delays the overall process and extends the time required to become licensed.
- Incomplete or missing background checks for the administrator .
- Program is not able to be licensed within 12 months.
- License is not posted in a location visible to parents.

Resources

- Pre-Licensing Training | Ohio Professional Registry
  - Search for "DCY Center Pre-Licensing Training" (ST# 10163192)
- Become a Provider | Ohio Department of Children and Youth
- DCY 01316 Child Care Licensing - Getting Started
- Background Checks | Ohio Department of Children and Youth
- License Application - Child Care Center Job Aid for OCLQS
- Printing a License and SUTQ Certificate Job Aid for OCLQS
- Local Health Department | Ohio Department of Health
- Local Fire Department
- Ohio State Fire Marshal | Ohio Department of Commerce
- Building Plan and Approval | Ohio Department of Commerce
- Board of Building Standards | Ohio Department of Commerce

Assessment/Monitoring Approach

Observations	• Once licensed, the licensing specialist will observe where the license is posted in order to ensure it is in a place that is visible to parents.
Interviews	• The licensing specialist may ask questions regarding discrepancies between documents and the application. • The licensing specialist may confirm ownership and ownership type.
Documentation Review	• Application information and all documents required with the application • Secretary of State website for active ownership entity status
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program's license is not posted in a visible location as required.

Ownership Documentation

Rule 5180-2-12-02 | Applications and amendments

Rule 5180:2-12-02 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Define the ownership of a program and all responsible parties. Filing documentation establishes a business as a legal entity recognized by the state and helps determine who has the authority to make decisions on behalf of the business. When the owner is an individual, list the name of the individual owner. When the owner is a corporation, business trust, estate trust, partnership, or association, list the names of all authorized representatives and individuals with an ownership interest.

Guidance for Demonstrating Compliance

- If ownership is under a corporation or LLC, the business often files the articles with the Secretary of State in the originating state, and you can obtain them by visiting the Secretary of State's website. It's a good idea to maintain verification of current articles of incorporation or organization on file at the program.
- A copy of the legal document forming the business entity, that includes the names of the individuals who formed the business, could be the document uploaded in the licensing system when applying for a license. This is often called an operating agreement. The paperwork showing the business filing with the Secretary of State often does not include the names of the individuals who formed the business entity and would not meet the requirement of the rule if all individual's names are not listed.
- If ownership is structured under a business partnership, any change to the partners requires a new application due to change in ownership.
- If ownership is structured under a sole proprietorship, meaning an individual owns the program without involvement from a corporation, LLC, or business partnership, that person is recognized as the sole owner; therefore, there are no articles or documentation required. If an individual ownership change results in a new individual owning the program, this requires a new application due to change in ownership.
- If a change in ownership structure results in a new entity being created, this requires a new application due to the change in ownership.
- If there is uncertainty as to the owner or questions regarding ownership's structure, the program is encouraged to contact the program's legal consultant.
- Programs are responsible for maintaining a clear and up-to-date list of individuals who hold an ownership interest. This could include board members, corporate representatives, incorporators, or partners. Whenever these individuals change, the rule requires the program to update these individuals in the statewide licensing system.
- The corporation is the owner of the program rather than the individuals. The individuals own the corporation. Refer to Paragraph A of Section 5104.03 of ORC for further clarification of "owner."

Common Non-Compliance(s)

- The certificate is the only document submitted, missing the complete set of articles.
- The trade name registration is not the same as the Articles of Incorporation and should not be submitted in their place. Upload current Articles that are listed as active on the Secretary of State's website.
- When entering the name of the owner on the application, enter the name exactly as it is listed in the articles. When ownership is not accurately reflected, unnecessary delays can occur. Ensuring all individuals who have a vested interest in the business are included as authorized representatives in the application can assist with those delays.

Resources

- Ohio Secretary of State website
- You can always consult with your legal counsel for questions regarding establishing an ownership entity and ownership documentation
- Update Authorized Reps-Owner-Partnership Information Job Aid for OCLQS

Assessment/Monitoring Approach	
Observations	• Not applicable
Interviews	• The licensing specialist may ask for clarification on any discrepancies in the documentation.
Documentation Review	• Business documentation on the Secretary of State's website for accuracy, authorized representatives, and to ensure they are current
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

Application – Site Plan Documentation

Rule 5180-2-12-02 | Applications and amendments

Rule 5180:2-12-02 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Proposed program has a safe and acceptable indoor area, in addition to the outdoor play space when applicable. This will assist the licensing specialist in determining which areas to assess for compliance.

Guidance for Demonstrating Compliance

Indoor Floor Plan

- Submit indoor floor plans that are easy to read and fully capture the program's layout. Include all space that can be used for the program. Include the following details:
  - Each classroom or area labeled with desired age group, including any identifying room name or number
  - All entrances, exits, and points of egress
  - Designated restrooms
  - Labeled non-child care space such as office, kitchen or food prep area, storage closet
- All additional details will be observed during the pre-licensing inspection, including but not limited to: furniture, cots, cribs, changing tables, chairs, and tables.
- The ages of children cared for in specific rooms need to align with any limitations by the building and fire departments.

Outdoor Diagram

- Submit an easy-to-read outdoor site drawing that captures the surrounding environment. Include the following details:
  - Any physical or natural barriers
  - Locations of secured gates

- Roads, parking lots, and other buildings surrounding the program building and outdoor play space
- Permanent outdoor equipment
- The route children take to access the playground
- Any body of water located on the program's property or accessible to children in care

- You can use satellite images from Google Maps or images from your county auditor's website when submitting outdoor space diagrams. (Note: Some website images may not be current). Add any necessary items or create your own diagram. Your program's space will be assessed at an onsite inspection.
- All additional details will be observed during the pre-licensing inspection, including but not limited to fall zone and fall surface.
- When using natural barriers in place of a fence, it's important to understand what qualifies as continuous and secure. Acceptable barriers may include open space (such as a large field or park that is adjacent to the program's property), dense hedges, tall, anchored walls, or secured partitions that effectively prevent unsupervised exit. Temporary fencing securely anchored and tall enough to serve as an adequate barrier to children in care may meet this requirement. Refer to the Outdoor Space section for more information on barriers.
- On the other hand, driveways, ditches, bodies of water, wooded areas, sidewalks, parking lots, cones, grassy patches, tree lines with gaps large enough children can travel through, and neighboring yards do not meet safety requirements and cannot be used as barriers.
- If an offsite outdoor play space is being used, provide a clear visual of the exact route children and staff will take to safely access that location.

Common Non-Compliance(s)

- Floor plans and outdoor site drawings are not legible or complete – if there are details missing, it can delay the application process while revisions are being completed.
- The facility and outdoor play space provide inadequate space for the number of children that will be cared for, or conflicts with the building inspection and fire inspection.
- The outdoor site drawing does not include enough distance when using space as a natural barrier.

Resources

- Building Plan and Approval | Ohio Department of Commerce
- Board of Building Standards | Ohio Department of Commerce

Assessment/Monitoring Approach

Observations	• During the onsite inspection, the licensing specialist will verify the floor plans and outdoor diagram match the space being approved.
Interviews	• The licensing specialist may ask for clarification on any discrepancies in the documentation.
Documentation Review	• Indoor floor plan • Diagram of outdoor play space
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list:

	• The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

Amendments – Change of Administrator

Rule 5180-2-12-02 | Applications and amendments
Rule 5180:2-12-02 - Ohio Administrative Code | Ohio Laws
Desired Outcome
The program has a current qualified administrator named on the license. The administrator is responsible for the daily operation of the child care center and for maintaining compliance.
Guidance for Demonstrating Compliance
• When a child care program has a change in administration, the provider submits an amendment through the statewide licensing system. This amendment allows DCY to review the qualifications of a new administrator. The rule requires the amendment to be submitted within 60 days of the change. • A child care administrator is to have completed a high school education and at least one of the educational options listed in the administrator rule combined with experience where noted. • If using experience as part of the administrator's qualifications, be sure to review Appendix A to rule 5180:2-12-07 to see examples of experience that count towards the two years and how the two years is calculated. • It is important to submit appropriate documentation of administrator qualifications with the requested amendment.
Common Non-Compliance(s)
• The proposed new administrator does not meet qualifications specified in the rule. • The documents submitted with the amendment are incomplete or incorrect. • When using two years' experience to meet the qualification, verification of that experience is not included. • Background check results are not completed. • Amendment is not submitted within the required timeframe.
Resources
• Change of Administrator Amendment Job Aid for OCLQS • Appendix A to Rule 5180:2-12-07 - Administrator Qualifications

Assessment/Monitoring Approach	
Observations	• Not applicable
Interviews	• Not applicable
Documentation Review	• Education verification • Verification of additional qualifications • Background check results
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list:

	• The program did not notify DCY of a change of administrator as required.

Amendments – Change of Capacity

Rule 5180-2-12-02 | Applications and amendments
Rule 5180:2-12-02 - Ohio Administrative Code | Ohio Laws
Desired Outcome
The program does not care for more children than the number and age groups approved by DCY.
Guidance for Demonstrating Compliance
• When a child care program wishes to request a change in its capacity to serve more or less children, the provider submits an amendment through the statewide licensing system. This amendment allows DCY and relevant local agencies to review whether the proposed change aligns with space, safety, and structural requirements. • Capacity approvals are based on usable square footage and the limitations set forth by fire safety regulations and building codes. These limitations are evaluated using the COO in addition to inspections and determinations made by both the fire department and DCY. • It is important for providers to assess their true operational needs before submitting a capacity amendment.   ○ Example: If the request exceeds what the space can support or doesn't reflect actual program plans then the program will be asked to withdraw the request to maintain accuracy in the statewide licensing system and avoid unnecessary processing delays. • Remember to wait for DCY to approve the request before serving additional children.
Common Non-Compliance(s)

• Caring for more children than the capacity permits while awaiting approval for an increase to the capacity
• Incomplete or missing documentation for space requested to be used by children not previously approved. This applies to a request impacting either new space to be used or new age group to be served:
  ○ COO or other building approval
  ○ Current fire inspection

Resources
• Change of Capacity Amendment Job Aid for OCLQS
Assessment/Monitoring Approach

Observations	• If the program is adding a new room or space that has not previously been approved by DCY and will care for children under two and one-half years of age in the space, the licensing specialist will conduct an inspection prior to recommending the capacity change for approval.
Interviews	• Not applicable
Documentation Review	• Fire inspection • COO
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this

	rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

Amendments – Permanent Change of Location

Rule 5180-2-12-02 | Applications and amendments	
Rule 5180:2-12-02 - Ohio Administrative Code | Ohio Laws	
Desired Outcome	
The program does not care for children at a location that has not been reviewed and approved by DCY.	
Guidance for Demonstrating Compliance	
• When planning to change locations, the request is submitted at least 30 days prior to the last day at the current location. Prompt and careful action supports a smooth transition and minimizes disruption to care. • It is essential that all required documents are submitted accurately, completely, and in a timely manner. Missing or incorrect documentation can delay the approval process and may prevent the program from operating as intended. • Participate in any change of location inspection similar to an initial onsite inspection to verify all rule requirements are being met prior to caring for children in that location.	
Common Non-Compliance(s)	
• The new location is unsafe and/or has unsanitary conditions. • Required postings are missing. • Program operates at new location prior to new location being approved and new license issued. • The program is unable to get licensed at the new requested location within 90 days.	
Resources	
• Change of Location Amendment Job Aid for OCLQS • Local health department | Ohio Department of Health • Fire Department Listing • Building Plan and Approval | Ohio Department of Commerce	
Assessment/Monitoring Approach	
Observations	• The licensing specialist will observe all areas planned for care of children, such as bathrooms, and indoor and outdoor play areas for safe and sanitary conditions. • The licensing specialist will check that required postings are visible and complete according to rule.
Interviews	• Not applicable
Documentation Review	• Fire inspection • COO • Food service license • Indoor/outdoor site plan

Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

Amendments – Temporary Change of Location

Rule 5180-2-12-02 | Applications and amendments
Rule 5180:2-12-02 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Program operates at a safe location.
Guidance for Demonstrating Compliance
• In the event of a significant incident, such as a fire, flood, structural damage, or other serious hazard, a child care program may need to operate from a temporary location to ensure children's safety. These situations require swift action and thorough documentation to remain in compliance and protect families relying on care. • Programs obtain and retain written confirmation from the appropriate authorities such as the building department, fire department, local health department, law enforcement, or another relevant government agency stating that the original location has been deemed unsafe for child care operations. • While operating from a temporary location, it is important to collaborate with the appropriate agencies to understand what steps are required to restore the original space to safe conditions. If the program intends to return, maintain written approval from the same authorities verifying that the space is safe to resume care before children can return to that site. • If it becomes evident that returning to the original location is not feasible, then the provider submits a permanent location amendment as soon as the decision is made. This amendment is submitted at least 30 days prior to the 180-day deadline and must be approved by DCY to ensure continuity of care for enrolled families and prevent unnecessary disruption.
Common Non-Compliance(s)
• Providing care in an alternate location without first receiving approval to do so • Continuing to care for children in a location that is unsafe • Failing to obtain written documentation that the original location has been deemed unsafe • Failing to request a permanent change of location when the program cannot return to its original location • Continuing care of children in an approved temporary location for more than 180 days
Resources
• Fire Department Listing • Building Plan and Approval | Ohio Department of Commerce
Assessment/Monitoring Approach

Observations	• The licensing specialist will observe all space(s) used for care of children.

Interviews	• The licensing specialist may inquire as to the circumstances around the need to temporarily relocate.
Documentation Review	• Written documentation received by the building department, fire department, local health department, local law enforcement or other government agency, which indicates the location has been deemed unsafe for the care of children • Request for permanent change of location, if applicable
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

Amendments – Temporary Closure

Rule 5180-2-12-02 | Applications and amendments
Rule 5180:2-12-02 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Allow programs the option of temporarily closing for up to twelve months without terminating their license to allow time to address issues prohibiting them from operating such as staffing, low or no enrollment, or financial difficulty.
Guidance for Demonstrating Compliance
• If a program does not have children enrolled for more than 120 days, a temporary closure request needs to be submitted. • When a child care program enters temporary closure status, the provider has a maximum of 12 months from the effective closure date to reopen. If the program is unable to reopen within that timeframe, the license is considered permanently closed. In such cases, the provider submits a new initial application and completes the full licensing process again to reopen and begin operating. • There are several reasons a program may not be able to reopen within the 12-month period, including unfinished construction or repairs, lack of child enrollment, or a decision to permanently cease offering care. In these instances, the program would submit a request for permanent closure. • Before reopening, an inspection may be required, especially in situations involving major structural changes or potential health and safety concerns, such as repairs, reconstruction, a new COO, or other substantial modifications. These steps ensure that the program meets all regulatory standards and is safe to welcome children and families once again.
Common Non-Compliance(s)
• Caring for children while in temporary closure status, including prior to the space being re-inspected (when needed) and the license reinstatement being approved
Resources
• License Closure Request Job Aid for OCLQS • License Re-Open Request Job Aid for OCLQS • Local health department | Ohio Department of Health

• Local fire department • Local building department	
Assessment/Monitoring Approach	
Observations	• If inspection is required, the licensing specialist will observe all areas for care of children, such as bathrooms, hallways, and indoor and outdoor play areas for safe and sanitary conditions.
Interviews	• Not applicable
Documentation Review	• Fire inspection (if applicable) • Food service license (if applicable) • COO (if applicable)
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not notify DCY of a temporary closure prior to closing as required

Amendments – Permanent Closure

Rule 5180-2-12-02 | Applications and amendments
Rule 5180:2-12-02 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Allow programs to permanently close their license.
Guidance for Demonstrating Compliance
• Submit a request in the statewide licensing system to close the license.
Common Non-Compliance(s)
• The program is no longer operating but fails to submit the request for permanent closure. • The program continues to operate after the license has been closed.
Resources
• License Closure Request Job Aid for OCLQS

Assessment/Monitoring Approach	
Observations	• Not applicable
Interviews	• Not applicable
Documentation Review	• Not applicable
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

Maintaining Current Information

Rule 5180-2-12-02 | Applications and amendments
Rule 5180:2-12-02 - Ohio Administrative Code | Ohio Laws

Desired Outcome
Program information in the statewide licensing system is current and accurately reflected on the public facing website.
Guidance for Demonstrating Compliance

• Submit a request in the statewide licensing system to update changes to the following information:
  ○ Program name
  ○ Program email address
  ○ Program telephone number
  ○ Program mailing address
  ○ Days and hours of operations
  ○ Services offered
  ○ Private pay rates
  ○ Ohio Secretary of State entity number, if applicable
  ○ Individuals who hold an ownership interest in the program (authorized representatives, business partners, etc.)

Common Non-Compliance(s)
• The program changed the hours of operation but hasn't submitted a new schedule. • The program adds a new owner's representative, or removes a previous owner's representative, and did not submit the change in the statewide licensing system.
Resources
• Update Information Job Aids for OCLQS

Assessment/Monitoring Approach	
Observations	• The licensing specialist will compare the information displayed in the statewide licensing system with the program's reported current information.
Interviews	• The licensing specialist may ask if there have been any changes to owner's representatives and program information.
Documentation Review	• Program's website • Parent information • Secretary of State's website
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

5180:2-12-03 | Compliance inspection and complaint investigation Preparing for and Cooperating with Inspections

Rule 5180-2-12-03 | Compliance inspection and complaint investigation
Rule 5180:2-12-03 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Program meets all regulatory requirements, protects children from harm, secures the environment, and delivers high-quality care.

Guidance for Demonstrating Compliance

Pre-Licensing Inspection

- Maintaining copies of all documents uploaded during the application process onsite assists in verification at the pre-licensing inspection.
- Before a program begins providing care to children, they thoughtfully prepare the physical environment to be safe and fully compliant with all licensing requirements. A well-organized and developmentally appropriate space not only supports regulatory compliance but also enhances the quality of care and learning experience for children.
- Assemble all age-appropriate equipment and materials, arrange them to be ready for use prior to the inspection. Having these items easily accessible to children and strategically placed will promote engagement, independence, and exploration. For guidance on required categories of equipment, refer to section Materials & Equipment.
- Equipment includes a wide range of items, from toys, tables, and chairs to diaper changing stations, trash receptacles, dishes, and cleaning supplies. When thoughtfully designed, a well-equipped classroom can function as an additional teacher, supporting the daily flow, fostering engagement, and enriching the learning environment. The licensing specialist will verify you have enough materials and equipment to adequately care for the number of children expected on the first day of operation. If this number is different than the number submitted on your initial application, the licensing specialist will document the change in the number at opening in the pre-licensing inspection report.
- To ensure a smooth licensing process, maintain accurate, complete, and current documentation, proactively address environmental hazards, and verify all staff are linked to the program in the OPR and have complete background checks. Attention to these details not only expedites approval but also reinforces a safe and compliant environment for children and staff alike.
- Before a child care program welcomes its first group of children, it should be fully prepared to operate as if opening day were already underway. This level of readiness reflects not only compliance with licensing requirements but also a deep commitment to safety, organization, and professionalism.

Ongoing Inspections

Best Practice

- Keep all documentation current and complete.
- Verify staff are connected to your program and background checks have been completed in the Ohio Professional Registry (OPR).
- Proactively address environmental and safety hazards.
- Confirm that all spaces in use are approved and compliant.
- Arrange toys in an orderly manner, clearly label activity areas, and have materials easily accessible to children.
- Each classroom's daily schedule should be posted and visible, allowing all staff and families in that classroom accessibility to the group's daily routine.
- All classroom spaces should reflect thoughtful planning and readiness. The licensing specialist will be mindful of children's curiosity and exploration, which will lend flexibility to the program implementing their daily schedule.

- Have a supply of forms available for immediate use. These could include:
  - Attendance logs
  - Enrollment forms
  - Incident reports
  - Medication administration forms
  - Health care plans
  - Emergency contact forms
  - Menus
- A separate licensing binder could be assembled to streamline inspections. This binder could include:
  - Fire, weather, and lockdown drill logs
  - Annual fire inspection reports
  - Certificate of occupancy or other building approval
  - Emergency preparedness and response plan
  - Parent handbook
  - Food service license or Department of Agriculture (ODA) registration (or exemption letter)
  - Driver credentials and vehicle evacuation drill records
- To ensure transparency and accessibility, designate a location for displaying the following items for parents and staff:
  - Menu
  - Copy of the license
  - Communicable Disease Chart (DCY 08087)
  - No Smoking sign (if not already posted near the main entrance)
- In each classroom, find a noticeable location to display:
  - Daily schedule
  - Emergency phone numbers
  - Evacuation map and instructions for fire and weather emergencies
- Outdoor areas will be inspected for compliance with square footage requirements, secure fencing or natural barriers, and overall safety. The space must be free of hazards and debris. If outdoor play equipment is used, check to see that it is age-appropriate equipment prior to it being purchased and installed. Check all permanent structures to be free of hazards. Maintain fall zone requirements according to rule.
- Permanent equipment is not required; children may engage in outdoor play using large motor items such as balls, hula hoops, bikes, and exploratory activities such as sidewalk chalk.
- By proactively addressing these areas, providers demonstrate their commitment to maintaining a safe, compliant, and professional environment. Regular internal reviews and timely updates are key to sustaining operational excellence and building trust with families.

Forms and Documents Used to Demonstrate Compliance

- Programs are encouraged to use sample forms provided by DCY. If using self-created forms, include all required information specified in the licensing rules. You can submit self-created forms to your licensing specialist for technical assistance prior to using your forms. When a rule references a specific form number, that form is prescribed, and must be used. You can use electronic forms whenever compliance can be maintained. This includes capturing electronic signatures.
- If certain items cannot be observed during the inspection, licensing specialists will ask questions to determine whether the program is meeting compliance.

Serious Risk Non-compliances

- Programs provide written notification to families when a serious risk non-compliance has been cited. The program uploads a copy of the written notification along with the program's corrective action plan (CAP).

Common Non-Compliance(s)

- The program changed the hours of operation but hasn't submitted a new schedule.
- The program adds a new owner's representative, or removes a previous owner's representative, and did not submit the change in the statewide licensing system.
- Employment records were not linked to the dashboard or otherwise were not accurate.
- During inspections, several common safety hazards often emerge:
  - Outdoor play areas lacking protective surfacing, increasing risk of injury
  - Building issues such as loose stair railings, unsecured outlets, or chipped/peeling paint
  - Improper storage of chemicals on low shelves or stacked chairs creating unsafe conditions
  - Incomplete first aid kits or expired documents, even by one day, can trigger delays
- Electrical hazards, including uncovered outlets or surge protectors within children's reach.
- Broken or damaged toys/equipment that pose physical risks.
- Missing or outdated ODA certificates for programs using food caterers or vendors.
- Playground safety documentation is not current or is missing altogether.
- Required postings are not displayed as mandated.
- Families are not notified when a serious risk non-compliance is cited in a licensing inspection.

Resources

- Become a Provider | Department of Children and Youth
- Background Checks | Department of Children and Youth
- For questions about a background check, email CCBackgroundCheck@childrenandyouth.ohio.gov
- DCY 01316 Child Care Licensing - Getting Started
- Child Care Administrator/Staff Licensing Responsibilities
- Public Children's Service Agency (PCSA)
- OPR online tutorial | OCCRRA
- Local Resource & Referral Agency | OCCRRA
- Ohio Attorney General
- Corrective Action Plan Response Job Aid for OCLQS
- Inspection Protocol | Department of Children and Youth

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe all spaces used by or accessible to children, including hallways, gyms, cafeterias, bathrooms, and indoor/outdoor play areas, for compliance. • The licensing specialist will measure and compare all rooms actively in use to building approval to confirm they are authorized for child care activities. • The licensing specialist will assess: ○ General environment and room setup

	○ Presence of a first aid kit ○ Cleaning and sanitizing supplies ○ Designated spaces for children's belongings • The licensing specialist will observe the outdoor play space and may use tools from their playground safety inspection kit to check for head and neck entrapment, protrusion, and entanglement hazards on outdoor play equipment.
Interviews	• The licensing specialist may discuss rules that are unable to be observed during the pre-licensing inspection, such as how the program plans to maintain ratio and supervision, and how the program plans to ensure all proper medication documentation and children files are obtained prior to first day of care. • The licensing specialist may ask what forms or documents will be used to gather required information for children's files, staff files, and transportation files.
Documentation Review	• The licensing specialist will verify each DCY 01176 on file to ensure it indicates the individual is eligible to be employed and that each was requested for that specific program/ownership. • The documents for administrator qualifications will be reviewed. • All required staff documentation will be reviewed (verification of education, TB test screening, required training etc.) See Staff immunization and tuberculosis screening requirements and Orientation sections for a detailed description of required documentation.
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

5180:2-12-04 | Building department inspection and fire inspection for a licensed child care center

Building and Fire

Rule 5180-2-12-04 | Building department inspection and fire inspection for a licensed child care center
Rule 5180:2-12-04 - Ohio Administrative Code | Ohio Laws
Desired Outcome
The facility is structurally sound, safe, and approved to be used for the intended purpose.
Guidance for Demonstrating Compliance
Building Approval

- To confirm a facility's readiness for child care operations, programs are typically required to submit a Certificate of Occupancy (COO). This document verifies that the building meets applicable safety and structural standards based on the type of child care program being offered. However, there are exceptions to this requirement.
    - Example: a program operating within a school building that is already in use and only serves children two and one-half years of age or above, is not required to provide a copy of a COO. Refer to section 3301.55 of the Ohio Revised Code for the definition of a school building.
- In the event of a change in ownership of a child care program, a new COO is generally not necessary. Questions regarding the acquisition or validation of a COO should be directed to the issuing authority or to the Ohio Board of Building Standards, which oversees compliance with building codes and occupancy regulations.
- A new COO or building approval is required when a program makes a major modification to the physical space. This typically includes repairs or renovations such as removing or adding walls, doors or windows, electrical or plumbing work or changing exit paths. Renovations such as changing floor surfaces or painting generally do not require building approval.

Fire Inspection

- Demonstrate fire safety compliance by submitting a fire inspection report. This report must be completed by the State Fire Marshal or an authorized local fire safety inspector. To be considered current, the inspection must have been conducted within the previous 12 months.
- While DCY does not directly evaluate fire or building regulations, it collaborates with the appropriate authorities to help ensure that child care environments remain safe and compliant with all relevant standards.
- While they are present for the annual fire inspection, it's a good idea to remember to ask the fire inspector to review and approve any space heaters that may be used to ensure compliance with Rule 5180:2-12-12.

Common Non-Compliance(s)

- COO is missing or outdated. The COO confirms that the building complies with safety and zoning regulations and is approved for a specific type of use. If a program submits a construction permit instead of a final COO, or fails to provide a COO altogether, it may be cited for not demonstrating structural readiness.
- COO does not have the correct use group designation. A use group other than E, I-2, or I-4 can result in a violation, as it indicates the building may not be approved for the intended occupancy.
- Occupant load discrepancies. Check to see that the COO states maximum number of individuals permitted in the facility, either as a total or broken down by room. If this information is missing, outdated, or not included in the application materials (especially when a second page is required), the program may be found non-compliant.
- COO does not have a valid signature and/or date from the issuing authority, or the COO is missing any applicable limitations or conditions.
- Structural changes to the facility without an updated COO. Major repairs, renovations, or layout modifications often require an updated COO.
- Fire inspection report is missing or expired. These reports must include the facility's name and address, the inspection date (within the past 12 months), and the inspector's name or signature. Missing any of these elements can result in a citation.

- System-specific inspections, such as those for fire alarms or suppression systems, submitted in place of a full fire inspection report. These documents do not assess overall facility safety and are not accepted as substitutes. Programs that rely on these partial inspections may be flagged for failing to meet fire safety documentation requirements.
- Using a space that has not been approved by the building and/or fire department or using the space in a way that was not approved.

Resources

- Pre-Licensing Training | Ohio Professional Registry
  - Search for "DCY Center Pre-Licensing Training" (ST# 10163192)
- Become a Provider | Ohio Department of Children and Youth
- Find Local Health Districts | Ohio Department of Health
- Fire Department Listing
- Ohio State Fire Marshal | Ohio Department of Commerce
- Building Plan and Approval | Ohio Department of Commerce
- Board of Building Standards | Ohio Department of Commerce
- Ohio Choose Safe Places | Ohio Department of Health

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe child care spaces to determine if the program is following any stipulations on the building approval or fire inspection. • The licensing specialist will check that any fire inspection violations have been corrected for buildings that are currently unoccupied, such as initial application and change of location. Programs should work with their local fire inspector to correct violations for ongoing annual fire inspections. Licensing specialists may ask questions regarding progress on correcting any remaining fire violations and determine if they may contact the fire inspector if there are fire safety concerns.
Interviews	• The licensing specialist may reach out to the owner and/or administrator for clarification on any discrepancies in the documentation. • The licensing specialist may reach out to the building or fire department if there are questions about the COO or fire inspection.
Documentation Review	• COO and fire inspection report are reviewed at the time of application or any applicable point in time • Fire inspection • Written building approval or COO • Floor plans • Written fire inspection report
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list:

	• The program's COO or other building approval is not maintained onsite as required. • The program's fire inspection is overdue, but the program demonstrates verification they have contacted the fire inspector at least 30 days prior to expiration to schedule a new fire inspection as required. • The program's fire inspection was missing information to verify it was completed as required.

Food Preparation and Meals

Rule 5180:2-12-04 | Building department inspection, fire inspection and food service requirements for a licensed child care center
Rule 5180:2-12-04 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Programs intending to provide meals and/or snacks do so in a safe and hygienic manner in accordance with their local health department requirements.
Guidance for Demonstrating Compliance
• Food preparation and service within child care centers are subject to specific definitions and licensing requirements under Ohio law. According to ORC 3717.01, "serving food" is defined as responding to an order for one or more individual portions of food that are ready to eat without the need for additional washing, cooking, or preparation. This definition helps clarify which activities fall under regulated food service and which do not. Programs who plan on serving food should reach out to their local health department to determine if a food service license is required. • "Prepared" food refers to any food that has been altered in any way beyond simply receiving it or keeping it at its original temperature. Even minimal handling, such as slicing, mixing, or assembling, qualifies as preparation. • Programs not planning to prepare or serve food can submit verification of exemption, confirming that they are not engaging in regulated food service activities. This exemption allows programs to operate without a food service license, provided they do not alter or serve food in a way that meets the legal definition of preparation or service. • Programs planning to prepare or serve food, are required to have a current and valid food service license. This license will reflect the appropriate level of approval based on the type of food handling involved. There are multiple levels of food service licenses, each permitting different scopes of activity, from basic serving to full meal preparation. Local health departments are the primary resource for determining which license level is appropriate and for answering questions about licensing requirements or limitations. • When meals are prepared and served by a food vendor, the program should maintain a copy of the food vendor's current United States Department of Agriculture (USDA) registration. However, if meals are prepared by the food vendor but served by the program itself, the program must hold a valid food service license that authorizes food service at the appropriate level. • Typically, health departments will only issue one food service license per address. A child care center may operate under another organization's food service license. Written

permission would need to be obtained from the license-holding entity allowing the center to serve food under that license.

- Understanding and complying with food service regulations is essential for maintaining a safe and healthy environment for children. Programs are encouraged to work closely with their local health departments to ensure they meet all food service licensing requirements and to avoid potential non-compliances related to food handling and service.
- Remember to submit the renewal documentation/fee according to the local health department's timeframe each year to ensure the new food service license is received timely. Food service licenses typically expire March 1st each year.

Common Non-Compliance(s)

- Program serves food to more than 13 children without holding a valid food service license. In such cases, operating under an exemption is not permitted, and failure to obtain the appropriate license can result in a non-compliance.
- The food service license is expired, issued to a different entity, or lists an incorrect facility address.
- Program attempts to operate under a food service license issued to another organization at the same location without written permission from the other organization.
- The program serves food prepared by a food vendor without holding a valid food service license.
- The program does not have a copy of the food vendor's ODA food processing establishment registration.

Resources

- Local health department | Ohio Health Department
- Food Safety Certification | Ohio Department of Health
- Division of Food Safety | Ohio Department of Agriculture

Assessment/Monitoring Approach

Observations	• The licensing specialist will review the food service license or exemption at the time of application, during the pre-licensing inspection, and during on-going inspections as needed.
Interviews	• The licensing specialist may ask for clarification from the program on any discrepancies in the documentation. • The licensing specialist may reach out to the health department if there are questions or concerns about food service and safety practices.
Documentation Review	• Food service license • Food service exemption • USDA food vendor registration
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not renew their food service license timely as required, but demonstrates verification the renewal was submitted.

5180:2-12-05 | Denial, revocation and suspension of an application or license

Denial, Revocation, and Suspension

Rule 5180-2-12-05 | Denial, revocation and suspension of an application	
Rule 5180:2-12-05 - Ohio Administrative Code | Ohio Laws	
Desired Outcome	
Licensed programs are expected to operate in compliance with licensing rules and regulations to ensure the health, safety, and well-being of the children in care at all times. Denial, revocation and suspension actions are taken to protect children when programs are not operating and complying with the licensing rules and regulations.	
Guidance for Demonstrating Compliance	
• Operate in compliance with the Ohio Administrative Code (the licensing rules). • Have children enrolled and attending the center. • Establish and maintain strong systems of administrative organization and health and safety practices. • Take advantage of the technical assistance calls and visits that are offered. • Maintain open communication and a professional partnership with your licensing specialist. • Be sure to provide truthful and accurate information to your licensing specialist. Review documents submitted by staff and families for misrepresentation or alteration. • Submit CAPs that fully address the non-compliances by the due date. • If your program receives a letter that DCY intends to revoke the program's license, post it in a location visible to parents. • If your program receives a suspension letter, notify families of enrolled children in writing.	
Common Non-Compliance(s)	
• Program has repetitive history of non-compliances. • Program fails to correct non-compliances. • Program provides false and/or misleading information to DCY. • There are serious incident(s) or injury or death of a child. • The program is found to have ownership ineligibility. • DCY staff are denied access. • Intent letter, if received, is not posted. • Program does not notify families of suspension.	
Resources	
• Not applicable	
Assessment/Monitoring Approach	
Observations	• The licensing specialist will observe the notice of intent to revoke. • The licensing specialist will observe the written notification of the suspension order.
Interviews	• Not applicable
Documentation Review	• Inspection reports and past compliance history • CAP history

Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program has not posted the notification or informed enrolled families of the proposed revocation of the program's license as required. • The program has not informed enrolled families that the program's license has been suspended as required.

5180:2-12-06 | Procedures for a licensed child care center operating under a provisional license

Operating Under a Provisional License

Rule 5180-2-12-06 | Procedures for a licensed child care center operating under a provisional license	
Rule 5180:2-12-06 - Ohio Administrative Code | Ohio Laws	
Desired Outcome	
The child care center completes its provisional period of 12 months without revocation and seamlessly converts to a continuous license by meeting all regulatory requirements, demonstrating operational stability, program compliance, and leadership readiness.	
Guidance for Demonstrating Compliance	
• Operate in compliance with the Ohio Administrative Code (the licensing rules). • Have children enrolled and attending the center. • Establish and maintain strong systems of administrative organization and health and safety practices. • Take advantage of the technical assistance calls and visits that are offered. • Maintain open communication and a partnership with your DCY licensing specialist.	
Common Non-Compliance(s)	
• Fails to respond to CAPs • No children enrolled and attending • No qualified administrator	
Resources	
• Inspection Protocol | Department of Children and Youth • What to Expect During a Center Licensing Inspection • Local Resource & Referral Agency | OCCRRA	
Assessment/Monitoring Approach	
Observations	• The licensing specialist will conduct at least two full provisional inspections and additional inspections as needed.
Interviews	• Not applicable
Documentation Review	• Fully addressed CAPs • Accumulated non-compliances
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this

	rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

5180:2-12-07 | Administrators

Administrator Qualifications

Rule 5180-2-12-07 | Administrators
Rule 5180:2-12-07 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Qualified administrators understand child development, risk management, emergency procedures, and ensuring a secure and nurturing environment for children. Having a background in child development helps the administrator support teachers in implementing developmentally appropriate practices that support school readiness and lifelong learning. Completing required training equips the administrator with the knowledge and skills necessary to effectively lead the program and staff while ensuring ongoing compliance with licensing requirements.
Guidance for Demonstrating Compliance
• The administrator is the leader and role model for program staff. An administrator with a combination of child development education and experience helps ensure the administrator has the background to effectively lead the team and support developmentally appropriate practices. • The program can name up to three administrators on the license, if desired. Forming a team with different experiences and backgrounds can help share the administrative duties based on everyone's strengths and skills. • Register and complete the required administrator training early. The training must be completed within six months of being named on the license and updated every five years. Don't wait until the last minute to register for the training. • When updating the administrator training every five years, you can complete either the original or refresher training to meet the requirement. • If an administrator was promoted from within, be sure to complete training or education so the qualification requirements are met within one year of the promotion.
Common Non-Compliance(s)
• The required administrator rules course was not completed within six months of being named on the license. • The required administrator rules course was not updated every five years. • Administrators named on the license using the "promoted within" qualification did not complete education or training within one year of being promoted. • The program does not have a qualified administrator named on the license.
Resources
• Appendix A to Rule 5180:2-12-07 - Administrator Qualifications • Child Care Center Administrator Rule Review Guidance • Child Care Center Licensing Required Training • Sign In | OCCRRA

○ Search for "DCY Child Care Administrator Rule Review Part 1" (ST# 10163198) ○ Search for "DCY Child Care Administrator Rule Review Part 2", individual sessions will have separate ST#s.	
Assessment/Monitoring Approach	
Observations	• Not applicable
Interviews	• The licensing specialist may ask questions for clarification.
Documentation Review	• Administrator staff records • OPR review
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program's administrator did not complete the rules review course as required.

Administrator Responsibilities

Rule 5180-2-12-07 | Administrators
Rule 5180:2-12-07 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Qualified administrators are present during the program's hours of operation, leading the staff in maintaining a safe, high-quality, and compliant environment for children, families, and staff.
Guidance for Demonstrating Compliance
Daily Operations and Compliance • Regularly review and stay current with licensing requirements in Chapter 5104 of the Ohio Revised Code and Chapter 5180:2-12 of the Ohio Administrative Code to ensure all operations align with these regulations. • Maintain a schedule that ensures you are on-site for at least half of the center's operating hours during the week, or 40 hours per week, whichever is less. If there are multiple administrators, ensure at least one meets this requirement. • For centers operating on weekends or evenings, ensure you are on-site at least 20 hours per week during the hours of 6 a.m. to 7 p.m., Monday through Friday. If there are multiple administrators, ensure at least one meets this requirement. This allows you to see all areas of operation and observe staff on all shifts. It also shows families you are available and accessible to them. • Track staff completion of health and safety trainings and expiration dates to ensure training is current. When writing the staff schedule, be sure staff with current training are scheduled during all hours the program operates. **Policies and Procedures** • Part of your role as an administrator is to create a written policy manual for staff and families. Once the manual has been created, you will need to ensure the policies are implemented. It is a good idea to do an annual review of the policy manual to ensure it still aligns with licensing rules and the program's philosophy. You will want to ensure these policies do not conflict with the licensing rules. Keep a copy of these policies on-site. • The written policy manual needs to be provided to all parents and employees, including a copy of Appendix C to the rule if it is not incorporated as part of the policy manual.

- Cooperate with other government agencies, such as building, fire, health, and the local public children services agency (PCSA), to maintain compliance with the licensing rules.

OPR and Documentation Responsibilities

- The administrator is responsible for maintaining the center's organization dashboard in the OPR. This includes ensuring all employees and child care staff members, including yourself, create and update their individual profiles and employment records.
- Create employment records before the individual's first day of employment and update them within 10 business days of any changes to positions or roles, scheduled days and hours, group assignments, and end dates of employment.
- Develop a system for maintaining staff files for each current employee and child care staff member. Documentation can be kept electronically or in paper files. Whatever system you choose, it must be available on-site during an inspection for current employees and staff members. If storing staff files electronically, make sure you have a back-up plan in case technology doesn't cooperate during an inspection.
- When staff are no longer employed, the program is responsible for making their records available upon request by DCY for at least three years after each person's departure, if not verified in the OPR.
- Store staff and child records in a way that maintains confidentiality except when made available to DCY.

When an Administrator is Not On-Site

- Designate a child care staff member as the person in charge when you are not on-site. This person does not need to meet the educational requirements of an administrator nor be named on the license.
- Make sure the designated person knows they will be in charge, can appropriately handle emergencies, and is able to access required records and documentation.

Common Non-Compliance(s)

- None of the administrators are meeting the on-site time requirement.
- The program did not have at least one staff member with current health and safety trainings on-site during all hours of operation.
- The written policies and procedures are missing required information.
- The written policies and procedures are not available on-site or were not provided to a parent or employee.
- Appendix C was not provided to a parent when their child was enrolled.
- The administrator did not cooperate with a government agency.
- A designee was not in place when the administrator was absent.
- The designee did not have access to records and/or documentation.
- OPR records are missing or incomplete.
- The OPR dashboard is not maintained.
- Staff records for previous employees are not available.

Resources

- Appendix B to Rule 5180: 2-12-07 - Written Information for Parents and Employees
- Appendix C to Rule 5180: 2-12-07 - Center Parent Information
- Getting Started as a New Administrator
- Child Care Administrator/Staff Licensing Responsibilities

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe the postings.
Interviews	• The licensing specialist may ask questions for clarification.
Documentation Review	• Staff records • OPR review • Postings
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • Employment records are missing or incomplete in the OPR as required. • There is an employee's file not maintained on-site as required; however, the documentation required to be maintained on file has been previously assessed. • The administrator did not retain separated employees' files on-site for at least three years after separation as required. • Employees' records are not kept confidential as required. • The administrator was not the individual responsible for maintaining the program's daily operations, or did not delegate responsibilities, as required.

Written Policies, Parent Handbook

Rule 5180-2-12-07 | Administrators
Rule 5180:2-12-07 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Policies and procedures are in place to ensure that parents and staff know what to expect from the program and to ensure that there is consistency, compliance, and clarity regarding operations of the program. Situations can unfold rapidly. A written plan, and appropriate training, ensures everyone knows the expectations and steps to take when things arise.
Guidance for Demonstrating Compliance
• Think of the written information for parents as the place to find the answers to any questions that may arise. The policies and procedure manual will be assessed by the licensing specialist during the pre-licensing inspection. The licensing specialist will also review it during a licensing inspection every other year or as updates and changes are made. Be sure to always have a copy available. It can be shared electronically or as a printed version. • Ensure the policies and procedures do not conflict with Chapter 5104. of the Ohio Revised Code (ORC) or Chapters 5180:2-12, 5180:2-16, 5180:6-1, or 5180:2-17 of the Ohio Administrative Code (OAC). • Provide a copy to every family when they enroll their child, including Appendix C to rule 5180:2-12-07. The family will confirm receipt of the policies and procedures on their child's enrollment form. • The written policies and procedures should be available for all staff to read and should be reviewed periodically. It is the administrator's responsibility to ensure that the program and all staff are following the policies as written.

• Programs can use the DCY sample handbook or work with their local resource and referral agencies (R&Rs) for assistance when creating the policies. • For multi-site programs shared by same ownership, consider submitting the company's policy manual to DCY for shared specialist review and then be sure to apply program-specific information such as address and phone number for each individual site.
Common Non-Compliance(s)
• The written policies and procedures are missing required information. • The written policies and procedures are not available on-site or were not provided to a parent or employee. • Appendix C was not provided to a parent when their child was enrolled. • The program does not maintain or abide by their written policies. • The policies conflict with ORC or OAC.
Resources
• Appendix B to Rule 5180:2-12-07 - Written Information for Parents and Employees • Appendix C to Rule 5180:2-12-07 - Center Parent Information
Assessment/Monitoring Approach

Observations	• Not applicable
Interviews	• The licensing specialist may ask questions regarding the policies or ask for clarification.
Documentation Review	• Written policies/parent handbook
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program's policies and procedures handbook does not contain all items as required. • The administrator is not maintaining the parent handbook as required. • The program's policies and procedures handbook was not provided or available to all families in the program as required.

5180:2-12-08 | Employee and child care staff members Staff Immunizations and Tuberculosis Screening

Rule 5180-2-12-08 | Employee and child care staff members
Rule 5180:2-12-08 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Immunized staff and verifying the absence of tuberculosis (TB) promotes a safe and healthy environment for children.
Guidance for Demonstrating Compliance
• Demonstrating compliance involves regular review, organized recordkeeping, and readiness for inspections. • As part of the onboarding process for new staff, the individual completes the required information regarding TB screening.

- Have written verification on file, within 30 days of their start date, indicating the employee is immunized against measles, mumps, rubella (MMR), and tetanus, diphtheria and pertussis (Tdap). Immunization records could be obtained from a healthcare provider or online patient portal. If an employee cannot access their immunization record, they can have a healthcare provider complete a titer test.
- A good system to support compliance includes letting potential employees know about this requirement when offering them a position.
- If an employee is exempt from receiving vaccinations, be sure to have documentation on file as required in rule.
- Create a system to routinely review staff files to ensure documents remain on file.

Common Non-Compliance(s)

- Verification of immunization status or exemption documentation are not on file.
- TB screening is missing or incomplete.

Resources

- Appendix B to Rule 5180:2-12-08 - Center Requirements for Positive TB Test Results
- Child Care Administrator/Staff Licensing Responsibilities

Assessment/Monitoring Approach

Observations	• Not applicable
Interviews	• Not applicable
Documentation Review	• Staff immunizations • TB Screening records
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • Verification of staff immunization was not on file as required. • Verification of TB screening was not on file as required.

Staff Requirements

Rule 5180-2-12-08 | Employee and child care staff members

Rule 5180:2-12-08 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Having qualified staff promotes a safe, healthy, and developmentally appropriate environment for children.

Guidance for Demonstrating Compliance

- Demonstrating compliance involves regular review, organized recordkeeping, and readiness for inspections.
- Have a copy of a high school or college diploma or transcript with a graduation date on file or verified in the Ohio Professional Registry (OPR) prior to the employee's start date. If the individual is a high school junior or senior, obtain documentation showing the grade they are enrolled in and evidence they are enrolled in or have completed a technical, training or college credit program in early childhood education or child development.
- If high school juniors or seniors or graduates who have not turned 18 yet will be responsible for supervising children, remember to review the limitations set forth in Appendix C of this

rule. These individuals may not transport children, administer medication, be left alone in the building or be the administrator or designee at any time.
- View the document for any unusual font, dates, or other irregularities. If you have concerns about the validity of the document, you can reach out to the school for verification.
- Make copies of education documentation from original documents to ensure validity.
- Create a system to routinely review staff files to ensure documents remain on file.
- Have all education documentation on file or in the OPR for licensing specialist review.
- Have all educational documents translated into English and ensure they are equivalent to a high school education in the United States, if applicable.
- Staff documentation may be stored electronically or in a paper file. If kept electronically, be sure to have a back-up system available in case there is an issue with technology during an inspection.

Common Non-Compliance(s)

- There is no valid education documentation on file on the employee's first day.
- The staff member's transcript or high school diploma does not list a graduation date.
- Program does not translate or provide equivalency for education documentation, if applicable.
- The education documentation is from a non-accredited school.
- The education documentation is falsified.
- High school juniors are left alone with children.
- High school students transport children, administer medication or medical procedures or are left alone with children on field or routine trips.

Resources

- Appendix A to Rule 5180:2-12-08 - Verification of High School Education
- Appendix C to Rule 5180:2-12-08 - Limitations on Child Supervision and Safety Requirements for High School Students Working as CCSM
- Child Care Administrator/Staff Licensing Responsibilities
- International Education Verification | OCCRRA
- U.S. High School Diploma Equivalent Credentials | University of Michigan-Dearborn
- U.S. High School Diploma Equivalents | Mesa Community College

Assessment/Monitoring Approach

Observations	• Not applicable
Interviews	• Not applicable
Documentation Review	• Education documents
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The employee's education document verifying completion of high school education or equivalent is not complete or on file as required.

Orientation

Rule 5180-2-12-08 | Employee and child care staff members
Rule 5180:2-12-08 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Staff orientation training promotes a safe, healthy, and developmentally appropriate environment for children.

Guidance for Demonstrating Compliance

- Demonstrating compliance involves regular review, organized recordkeeping, and readiness for inspections.
- When writing the staff schedule, make sure child care staff members will not be left alone with children until the DCY Child Care Center Staff Orientation training is complete.
- Be sure to build time into the onboarding process for new staff to complete the DCY Child Care Center Staff Orientation within 30 days of hire unless previously completed after December 31, 2016.
- Encourage staff members to register for the DCY Child Care Center Staff Orientation training in the Ohio Professional Registry (OPR), or the administrator can assign the training to the staff member in the OPR.
- When staff members take the training, it is highly recommended the administrator is available to answer questions and share building-specific information for each topic. The administrator will also want to provide an environment that allows the staff member to be fully engaged in the training and not easily distracted.
- If multiple staff are completing orientation training at the same time, the program can do this as a group training session, but each individual must log in and complete the training on their own device to receive credit.
- Administrator verifies that the course has been completed in the OPR.

Common Non-Compliance(s)

- Staff members do not complete the DCY Child Care Center Staff Orientation training within 30 days of hire.
- Child care staff member is alone with children prior to completion of the DCY Child Care Center Staff Orientation training.
- No documentation is on file for training completion. Documentation includes verification in the OPR or the DCY 1307 training form completed between December 31, 2016 and December 26, 2018.
- Staff member completed Child Care Center Orientation prior to December 31, 2016 and did not update it.

Resources

- Child Care Administrator/Staff Licensing Responsibilities
- Child Care Center Licensing Required Training
- Create OPR Profile Resources | OCCRRA
- Sign In | OCCRRA
    - Search for “DCY Child Care Center Staff Orientation” (ST# 10163195)
- How to Find Training Search | OCCRRA

Assessment/Monitoring Approach

Observations	• The licensing specialist will create an ERC in the OPR and will verify that each child care staff member has completed the orientation in the appropriate time frame.
Interviews	• Not applicable

Documentation Review	• Completed child care center orientation training on the child care staff member's OPR profile • Completed DCY 1307 training form if the training was completed between December 31, 2016 and December 26, 2018.
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The employee's orientation is not completed as required.

5180:2-12-09 | Background checks

Background Checks

Rule 5180-2-12-09 | Background checks
Rule 5180:2-12-09 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Ensure that only individuals who do not pose a risk to the safety and well-being are entrusted with children's care by identifying individuals with a history of criminal behavior, abuse, neglect, or other conduct that could pose a risk to children and preventing them from providing care. Periodic renewal (every five years) helps verify that staff remain suitable over time and that no disqualifying behavior emerges after initial screening.
Guidance for Demonstrating Compliance
• Make sure anyone who is left alone with children or used in ratio has a current background check on file that says they are eligible to work in early care and education. This includes individuals such as itinerants, speech or occupational therapists, extracurricular teachers like dance or sport teachers who are left alone with children or used in ratio. • Individuals who are visitors, volunteers, are not used in ratio, and never left alone with children are not required to have a background check on file. An individual who has assigned duties and is compensated cannot be considered a visitor or volunteer. • When sending staff to a webcheck agency to complete their background checks, encourage them to take the guidance document that lists the information for the webcheck agent to complete in their system. • If the program wants to receive a secondary copy of the Bureau of Criminal Investigations (BCI) and the Federal Bureau of Investigations (FBI) check results, the staff member will need to state this when the webcheck agent is completing the background check request. Results should be directly copied to DCY, and a second set can be mailed to the program. • Make sure employees submit the request for background checks in the OPR and go to a webcheck agency for fingerprint impression submission prior to starting and every five years thereafter for updates. • Be sure to check your OPR dashboard for background check result notifications to ensure eligibility. • Using a tracking system, such as a spreadsheet, will help to ensure timely completion of background checks. You can also conduct periodic audits of results for initial background checks and renewals.

- Track preliminary results to ensure the final results are received. Make sure child care staff members with preliminary approvals on file are not left alone with children at any time.
- Develop a system for handling ineligible results and appeals. Will the individual's employment be terminated? Will the individual request a review of the determination and be placed on leave and not work during the time of the review?
- Verify all DCY 01176s are in the dashboard for record keeping and review.
- Make sure anyone with an ineligible result does not work at the program.

Common Non-Compliance(s)

Lack of Proper Documentation

- Missing or incomplete records of background checks for required individuals
- No evidence that background checks were requested prior to the first day of employment
- Background check approval dated more than six months prior to submission of application
- Absence of documentation showing renewal or rechecks every five years from the date of the most recent BCI check listed on the DCY 01176
- Background check on file is for a different program
- DCY 01177 on file instead of the DCY 01176

Preliminary Approvals

- Child care staff member with only a preliminary approval on file is left alone with children
- The preliminary approval result is on file more than 45 days and the DCY 01176 with final eligibility results is missing
- The preliminary approval ended and a new background check was not requested

Expired Background Checks

- Employing individuals whose background checks have expired or are overdue for renewal

Inadequate Record-Keeping

- Missing or inaccessible files related to background checks

Failure to Remove Disqualified Individuals

- Employing individuals who have a DCY 01176 that says they are ineligible to work in child care
- Not acting promptly upon discovering disqualifying background check results
- Allowing an individual with a DCY 01176 that says they are ineligible to continue working while waiting for the results of a request for review of the background check decision

Resources

- Background Checks | Ohio Department of Children and Youth
- Prohibitive Convictions
- Webcheck Community Listing | Ohio Attorney General

Assessment/Monitoring Approach

Observations	• The licensing specialist will review the staff records in the ERC in the OPR.
Interviews	• The licensing specialist will ask the name of each staff member.
Documentation Review	• DCY01176 • OPR Dashboard/ERC
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this

	rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

5180:2-12-10 | Training

Health Training

Rule 5180-2-12-10 | Training
Rule 5180:2-12-10 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Completed health trainings ensure staff are properly prepared to provide a safe and healthy environment for children.
Guidance for Demonstrating Compliance

• Administrator develops a tracking system to ensure administrators, child care staff members, and substitutes complete the required health trainings in a timely manner. Suggested tracking systems include:
  ○ Checklist from the Administrator/Staff Licensing Responsibilities guidance document kept in the front of each staff file
  ○ Excel spreadsheet
  ○ White board in the administrator's office
  ○ Posted chart of training completion and expiration dates for each staff member
  ○ Calendar reminders for staff to complete or renew training
• When writing the staff schedule, be sure there is always at least one staff member with current training on-site for each of the four health and safety trainings.
• Ensure that health and safety trainings meet course and trainer requirements in appendix A to this rule.
• To be eligible to be an Emergency Medical Services (EMS) instructor, an individual must have held a current and valid EMS provider, Firefighter, and/or Fire Safety Inspector certification(s) for at least five of the last seven years and may only teach in the respective discipline(s) in which a current provider credential is held.
• When scheduling CPR training, verify it includes an in-person skills component and is appropriate for the ages and developmental levels of children in care. Virtual skills assessment is not considered an in-person training component.
• Completed training verified in the OPR is acceptable for any health and safety training. The DCY 01276, training cards, or certificates may be used to document completed training in first aid or CPR.
• If staff have completed a training and it is documented on the DCY 01276, check to make sure all boxes or sections of the form applicable to the training have been completed.
• When scheduling staff for training, it is best practice to verify the topic is a category listed in rule and the trainer meets the trainer qualifications. Consider having documentation on file to verify that a training meets the rule requirements.

- Example: a printout from the training organization's website or a syllabus provided by the trainer. If clear documentation is not on file, the licensing specialist may conduct their own research to verify compliance.

Common Non-Compliance(s)

- Staff do not complete the required health trainings within the required time period.
- No staff on-site with completed health trainings.
- Trainer qualifications are not verified, or the trainer does not meet the qualifications.
- Training is expired.
- Program cannot verify health trainings. Documentation is not on file nor verified in the OPR.
- CPR training has no in-person component.
- CPR training is not appropriate for age group of children in care.

Resources

- Appendix A to Rule 5180:2-12-10 - Health Training Courses and Approved Trainers
- DCY 01276 Health Training Documentation for Child Care
- Child Care Administrator/Staff Licensing Responsibilities
- Child Care Center Licensing Required Training
- How to Find Training Search | OCCRRA
- Communicable Disease Training | Ohio Professional Registry
  - Search for "DCY Management of Communicable Disease Training" (ST# 10136263)
- Child Abuse Training | Ohio Professional Registry
  - Search for "DCY Child Abuse and Neglect Recognition and Mandated Reporting Requirements" (ST# 10157929)

Assessment/Monitoring Approach

Observations	• Not applicable
Interviews	• The licensing specialist may contact the trainer if they have questions or concerns about a training document.
Documentation Review	• OPR and/or required training documentation
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • Staff have not completed health and safety training(s) as required.

Professional Development

Rule 5180-2-12-10 | Training

Rule 5180:2-12-10 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Ongoing training and professional development are vital for early childhood professionals because they directly affect the quality of care, staff satisfaction, and ability to promote a positive learning environment for children and youth. Studies show that continued learning helps staff improve their skills, avoid burning out, and create a more stable environment for young people.

Guidance for Demonstrating Compliance

- Administrator develops a tracking system to ensure administrators, child care staff members and substitutes timely complete the required six hours of professional development each fiscal year. Staff who are hired January 1 or later have a prorated number of hours to complete based on their hire date. Suggested tracking systems include:
    - Checklist from the Administrator/Staff Licensing Responsibilities guidance document kept in the front of each staff file
    - Excel spreadsheet
    - White board in the administrator's office
    - Posted chart of completed training hours per staff member
    - Calendar reminders for staff to schedule and complete
- When scheduling staff for training, it is best practice to verify the training meets course and trainer requirements in appendix B to this rule.
- Document completed training on the DCY 01307, including Continuing Education Units (CEUs), college transcripts, trainings verified in the OPR, and certificates issued by an Ohio child welfare training center.
- If staff have completed training, and it is documented on the DCY 01307, check to make sure all boxes or sections of the form applicable to the training have been completed.
- Track how many days each substitute works to ensure they complete the required professional development training if they work 90 days or more during the fiscal year. Substitute attendance tracking must be on file.
- Remember, hours spent completing health trainings, such as first aid, CPR, Child Abuse and Communicable Disease, are not included in the required hours for professional development.

Common Non-Compliance(s)

- Staff did not complete the required hours of professional development training.
- The DCY 01307 is incomplete, or the trainer qualifications were not met.
- The program is unable to verify professional development. Documentation is not on file nor verified in the OPR.
- Health and safety trainings were included as professional development hours.

Resources

- Appendix B to Rule 5180:2-12-10 - Professional Development Training Topics and Approved Trainers
- Child Care Center Licensing Required Training
- DCY 01307 Professional Development Documentation for Child Care
- How to Find Training Search | OCCRRA
- Early Childhood Health and Safety | Ohio Department of Health

Assessment/Monitoring Approach

Observations	• Not applicable
Interviews	• Not applicable
Documentation Review	• OPR and/or required training documentation
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • Staff did not complete professional development as required.

5180-2-12-11 | Indoor and outdoor space

Indoor Space

Rule 5180-2-12-11 | Indoor and outdoor space	
Rule 5180:2-12-11 - Ohio Administrative Code | Ohio Laws	
Desired Outcome	
Children in licensed programs have enough space within the center to move and explore freely. Child care spaces are approved prior to use for calculation of occupancy, availability and safety.	
Guidance for Demonstrating Compliance	
• Indoor space meets minimum requirements of 35 square feet per child. The licensing specialist will measure the usable floor space in each approved room or area where children will receive care to calculate the square footage. The square footage from each room or area will be totaled to determine the license capacity for the program. • Restrooms used by adults will not be counted in the square footage for license capacity. • If a program operates in a shared space, such as a school cafeteria or gym, or a church fellowship hall, the program may need to assign a back-up space if there are occasions when they may not use the regular space. • If subdividing spaces, consider the dividers to be used. Programs should consider whether the dividers are easy to clean and made of non-porous materials and if the dividers reduce the usable space per child. Programs should check with local entities such as the state fire marshal or local building department to make sure that the dividers meet any requirements that are in place.	
Common Non-Compliance(s)	
• There is not enough usable space for the number of children physically present. • The program does not have exclusive use of the space during operating hours.	
Resources	
• Not applicable	
Assessment/Monitoring Approach	
Observations	• The licensing specialist will count children physically present in each space.
Interviews	• Not applicable
Documentation Review	• COO and/or room measurements • Floorplans
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not have exclusive use of an indoor space as required. • The program was newly using space without prior approval from DCY as required.

Outdoor Space

Rule 5180-2-12-11 | Indoor and outdoor space

Rule 5180:2-12-11 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Children in licensed programs have safe, accessible, and age-appropriate outdoor spaces where they can play, explore, and be active every day. Outdoor areas give children enough room to move around freely, be protected from harm, and have materials and equipment that match their developmental needs.

Guidance for Demonstrating Compliance

- To support compliance and maintain a safe outdoor environment, it's important to establish consistent routines for inspecting and caring for playground spaces. Regular inspections help identify and address potential hazards before they become safety concerns. A daily review of outdoor areas can catch issues like trash, debris, overgrown weeds, or other obstacles that may interfere with safe play. When possible, assigning a specific staff member to handle these checks can ensure accountability and consistency.
- The program needs to consider how they will protect children from sunburn and long-term skin damage. Considerations include:
    - Does the outdoor play space provide shade? It may come naturally from trees, buildings, or built structures like overhangs or awnings.
    - Will children be required to wear protective clothing such as hats and long sleeves when outside or will sunscreen be administered prior to outdoor play?
- Clearly define the outdoor area. Enclosing it via a secure barrier helps to ensure child safety. Examples of acceptable continuous natural barriers are:
    - Space – such as a large field or park that backs up to a backyard
    - Dense hedges
    - Walls
    - Permanently anchored dividers or partitions that ensure children cannot leave the space unsupervised
- Examples of unacceptable continuous natural barriers include
    - Driveways
    - Neighbor's yards
    - Grass
    - Wooded areas
    - Ditches
    - Bodies of water
    - Cones
    - Tree lines with space between trees
    - Sidewalks
    - Parking lots
- When deciding whether to use space as a barrier, consider whether the amount of space is enough:
    - To allow at least 100 feet of open space to prevent children from accessing hazards
    - For staff to react to keep a child safe
    - That a child cannot dart into traffic or an unsafe situation before staff can catch up
    - To allow staff to be aware of and protect children from animals or other hazards entering the space

- Barriers, gates, and latches should be monitored to confirm they remain in good condition and function properly. These features help define safe boundaries and prevent unintended access or exit.
- Train staff on capacity of the playground, so they know how many children may use the space at a time. If the space is not large enough to accommodate an entire group at once, smaller groups of children should take turns using it. Develop a daily schedule to ensure all children are provided with daily outdoor play time.
- Train staff how to give children access to drinking water. For example, take a pitcher of water and disposable cups outside, take individually labeled water bottles outside or have a drinking fountain outside.
- Ensure staff are trained to give children access to restrooms. This may require an additional staff member to be present or a means to communicate with staff inside the building. Note: Some off-site areas, such as parks, may not have accessible bathroom facilities year-round.
- For programs operating more than four hours per day, access to outdoor space is essential.
- When considering an off-site play space, remember the distance and means to access the off-site play space must be safe and developmentally appropriate.
    - For toddlers, one to two blocks are typically considered an appropriate distance.
    - For preschool children, half to one mile is typically considered an appropriate distance.
    - Consider the following:
        - how close the playground or park is to the program,
        - exposure to traffic, driveways, or parking lots,
        - sidewalk availability,
        - physical hazards and crossings,
        - use of strollers and wagons.
- When an off-site space no longer meets the requirements, your program must find a new space that does meet the requirements.
- Outdoor play spaces that are regulated by another state or local agency (such as school playgrounds) will not be assessed by the licensing specialist.

Common Non-Compliance(s)

- Utilizing outdoor space that has not been approved or is unsafe
- Trash on playground or bins not being emptied daily
- Gates not functioning properly
- Gates padlocked while children are present
- Fence or natural barrier not meeting requirement (fence missing panel, barrier not continuous or does not prevent children from leaving the play space, or hazards from entering the space)
- Children not protected from sun exposure
- Route to off-site play space is unsafe or not developmentally appropriate

Resources

- Playground Safety | National Recreation and Park Association
- Playground Safety | National Safety Council
- Consumer Product Safety Commission

Assessment/Monitoring Approach

Observations	• The licensing specialist will measure the outdoor play space during the pre-licensing inspection or when the program adds a new outdoor space. • The licensing specialist will observe the play space and barrier for items or conditions that pose a risk of harm to children. • The licensing specialist will not assess outdoor play spaces on the same property that are regulated by another state or local agency (such as school playgrounds).
Interviews	• The licensing specialist may ask questions regarding daily playground inspections, sun protection, and access to an off-site play space.
Documentation Review	• Not applicable
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

On-Site and Off-Site Outdoor Equipment

Rule 5180-2-12-11 | Indoor and outdoor space
Rule 5180:2-12-11 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Children have access to outdoor play equipment that is safe, in good condition, and appropriate for their age and size. The equipment helps support physical activity, creativity, and healthy development.
Guidance for Demonstrating Compliance
• Use equipment in a way that keeps children safe from injury, with regular checks to make sure everything is working properly. • Select and install equipment according to manufacturer's guidelines to create outdoor gross motor opportunities for children to safely explore their abilities. It is a good idea to save the manufacturer's guidelines, or bookmark an online version, to have them available for future reference. • To help ensure outdoor equipment remains safe and compliant, it's important to build a routine that includes both staff training and ongoing maintenance. Train staff to assess equipment carefully, learning to spot common safety concerns like open 'S' hooks that could allow the chain to slip off or catch children's clothing within the hook, rust that flakes or rubs off, sharp edges, or other signs of wear and tear that weaken the integrity of the structure or pose a risk of harm to children. These visual checks can be part of daily walk-throughs or scheduled inspections. • Alongside regular observation, consistently maintain toys and equipment. That means tightening loose parts, replacing damaged components, and addressing any hazards right away. This proactive approach not only supports compliance but also helps create a safer, more enjoyable play environment for children.

- Install playground equipment over an appropriate fall surface to minimize injury risk.
- When purchasing playground equipment or prior to using equipment for the first time, check to make sure the equipment is intended for the age of the children in care. Allowing children who are too young to play on the structure could pose a risk of harm if they are not developmentally ready or too small to safely use the equipment. Likewise, children who are too old for the equipment could also cause a risk of harm if their size or weight could jeopardize the integrity of the structure.
- While permanent structures are not required, children do need access to large motor play materials. If you do not use playground equipment, provide items such as balls, hula hoops, bicycles, and chalk to support physical development and outdoor engagement.

Common Non-Compliance(s)

- Unanchored equipment
- 'S' Hooks open enough that the chain can slip out or children's clothing can become stuck
- Broken equipment
- Not following manufacturer guidelines by using equipment in way it was not intended or allowing children too young or too old to use the equipment
- Entrapment hazards

Resources

- Consumer Product Safety Commission
- Safe Playground Resources | Head Start
- US Consumer Product Safety Commission Recalls
- Playground Safety | National Recreation and Park Association
- Playground Safety - National Safety Council

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe the equipment and use the playground kit to measure openings for entrapment hazards.
Interviews	• The licensing specialist may ask questions if newly installed equipment is observed.
Documentation Review	• The licensing specialist may review manufacturer's guidelines if there are concerns or questions about equipment or its use.
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

Fall Zone and Fall Surface

Rule 5180-2-12-11 | Indoor and outdoor space

Rule 5180:2-12-11 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Children are safe from injury when using climbing or elevated play equipment by having enough soft, cushioned space under and around it, called a fall zone. This space helps reduce the chance of

injury if a child falls. The goal is to make outdoor play areas as safe as possible while still allowing children to be active and explore.

Guidance for Demonstrating Compliance

- To keep outdoor space safe and meet compliance standards, it's important to manage fall zones properly. Start by knowing how far equipment like swings or climbing structures can extend during use. Measure the area around these items to make sure there's enough clearance.
- Use safe surfacing materials, like mulch, rubber mats, or sand, and keep them at the right depth (usually 9–12 inches depending on material). Always follow the manufacturer's guidelines for how big the fall zone should be.
- Check the fall surface often, especially after bad weather or heavy play. If it's worn down, thin, or pushed out of place, replace it.
- Make sure equipment is anchored securely so it doesn't tip or move.
- Train staff to recognize safety issues and check fall zone areas daily. Use signs or markers to help everyone stay aware of safe play boundaries. This routine helps create a safer play space and shows you're serious about following safety rules.

Common Non-Compliance(s)

- Inadequate fall zone material, including material that needs to be raked/redistributed
- Moveable equipment placed within fall zone
- Fall zone not meeting depth/distance requirements

Resources

- Resources for Safe Playgrounds | HeadStart.gov
- Playground Safety | National Recreation and Park Association

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe fall surface when assessing the outdoor play space. The licensing specialist will look to see if the ground is exposed or if there are any bare areas under and around equipment. They will also check to see if the fall surface is resilient. • The licensing specialist will measure the distance between pieces of equipment to determine if the fall zone meets requirements.
Interviews	• The licensing specialist may ask the last time the fall surface was raked or redistributed.
Documentation Review	• The licensing specialist may review manufacturer's guidelines for the installed fall surface.
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

5180:2-12-12 | Safe equipment and environment

Safe Equipment

Rule 5180-2-12-12 | Safe equipment and environment
Rule 5180:2-12-12 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Children in programs are kept safe by using equipment, furniture, and toys that are in good condition, age-appropriate, and free from hazards. Everything children use should be clean, sturdy, and safe so they can explore, learn, and play without risk of injury.
Guidance for Demonstrating Compliance
• The first staff member entering a classroom or space should do a quick walk-through and check for any hazards, including damaged or broken equipment. Programs should create a log for staff to initial or sign upon completion of the daily walk-through. The log should include a space for comments to document maintenance requests for damaged or broken equipment. • It's important to follow manufacturer guidelines closely. It is a good idea to save the manufacturer's guidelines, or bookmark an online version, to have them available for future reference. These instructions provide the foundation for proper setup, use, and maintenance of all equipment. One example is ensuring staff use straps to secure children if the equipment comes with straps. • Remove any equipment with missing or broken parts immediately. Training staff to recognize these issues during routine inspections helps catch problems early and prevents accidents. Safety checks could also include the use of choke tubes to identify items that may pose a choking risk to young children. • Properly maintain, repair, or replace equipment. Using adhesive materials to patch or cover damaged areas of equipment is acceptable, so long as the patch/cover is kept clean and sanitary and replaced if it is torn or peeling. • Space heaters may only be used if they've been approved in writing by the building or fire department. This ensures they meet safety regulations and are appropriate for the setting. It's a good idea to ask the fire inspector to evaluate any space heater(s) during the annual fire inspection. • If using fans to help circulate air, make sure to place them out of the reach of children or ensure the fan has a cover that does not allow children to stick their fingers through the cover. • Immediately clean up paint chips or flakes that are accessible to children and could be ingested or rubbed into eyes. Regularly clean and inspect surfaces for early signs of wear, and repair areas that chip or peel. • If you need to stack chairs while cleaning or for some other reason, make sure they are designed to be stacked and are done so in a way that prevents the stack from falling over. • Purses and diaper bags often have items stored in them that pose a risk of harm to children. It is very important to store these items in a place that makes them inaccessible to children. • To avoid injury to children, mount TVs and heavy furniture to the wall or anchor them in a way that prevents items from falling. • Indoor climbing equipment also requires special attention. Place protective surfacing, such as mats or padding, underneath and around climbers to reduce the risk of injury from falls.

- If the program will allow children to use a trampoline, ensure the trampoline is designed for individual use. Large trampolines may not be used at the program.

Common Non-Compliance(s)

- Program doesn't use provided straps to secure children on equipment, such as high chairs and changing tables.
- Children have access to broken equipment.
- Equipment is not age appropriate. (Example: Magnet tiles are for ages three and up and they are observed in a toddler room.)
- Program uses indoor climbers without mats under and around the equipment.

Resources

- Choking Hazards | Infant and Toddler Nutrition | CDC
- Early Years Food Choking Hazards
- US Consumer Product Safety Commission Recalls

Assessment/Monitoring Approach

Observations	• The licensing specialist will look at the materials, furniture, and environment to see if there are items or conditions that pose a risk of harm to children. • If paint is peeling or chipping and flakes observed are accessible to children, the licensing specialist may cite a finding. If small dings or dents are visible in the wall or equipment but the paint isn't flaking and does not pose a risk of harm to children, the licensing specialist will not cite a finding. • If chairs are stacked in a way that is unstable or would fall into the play space or where children are present, the licensing specialist may cite a finding.
Interviews	• The licensing specialist may ask if space heaters are used.
Documentation Review	• Manufacturer's guidelines • Fire approval for space heaters
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

Safe Environment and Pets

Rule 5180-2-12-12 | Safe equipment and environment

Rule 5180:2-12-12 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Programs protect children in child care centers from harm by creating a safe environment that ensures illegal substances are not kept on the premises, weapons are secured in a locked storage area if permitted to be on-site, indoor temperatures are maintained, and there are no items or conditions that could threaten their health, safety, or well-being.

Guidance for Demonstrating Compliance

- To create a safe environment for children in care, it is important to carefully consider items that are in licensed spaces. Weapons, ammunition, and illegal drugs and substances pose increased risk of death or harm to a child. Illegal drugs and substances may not be on the premises. Owners of the program can determine if they will allow weapons on the premises. If no weapons are allowed, a "No Weapons" sign may be posted at the entrance. If weapons will be allowed, they must be kept out of sight of and inaccessible to children in a secured, locked storage area.
- Alcohol and other legal substances that impair a person's ability to supervise children should be kept out of spaces used for the care of children
- Young children can be susceptible to health risks in extreme temperatures. If temperatures fall below 65 degrees or above 85 degrees, heat or ventilation can be provided to bring temperatures back to a safe range. Obtain permission in writing from building and/or fire officials to use space heaters.
- Area rugs can become hazards if they slip across the floor surface or have corners or edges that roll up and could trip children or staff. Monitor rugs to ensure they don't pose any risks.
- There are many items that create safety hazards for children. Programs can create an environment where children can actively explore and learn by implementing systems to eliminate risks in licensed child care spaces. Inspect areas of care for items like:
    - Employee personal belongings
    - Blind cords within reach
    - Exposed electrical cords
    - Uncovered electrical outlets
    - Rugs without non-slip backing
    - Small toys or items that could pose a choking hazard
- Areas of renovation or remodeling as well as machinery will need special considerations to keep children out of danger.
- Rodents and insects can pose a risk of harm to children by exposure to nests or areas of excrement. Examine the premises for these types of dangers on a regular basis and reach out to pest control agencies if needed.
- If pets are present in a licensed program, keep their areas clean and sanitary. Some pets do require a license and vaccinations, please reach out to a local veterinary practice to gather information on local laws and ordinances.
- Clearly label all cleaning equipment and materials, keep them in their original containers and store them out of the reach of children. Consider adding a shelf that is out of reach of children in the classroom to store chemicals if there is no access to a locked cabinet. Read the manufacturers' guidelines to help determine which substances are considered toxic to children. Items such as fish food, hand lotions, dishwashing soap, bleach, gasoline and laundry detergents can be easily stored away from children's reach.
- When considering accessibility of chemicals, ask the following questions:
    - Is the storage area or cabinet secured by a functioning child safety latch or lock? If yes, then the chemicals are not accessible to children. If the safety latch or lock is broken or not in use, the chemicals are considered accessible.
    - Are the chemicals out of reach of children? Out of reach means a child cannot reach the chemical while their feet are on the floor. Exceptions to this would be if there is a stepstool in front of a sink with chemicals on the counter next to the sink, or a shelf

above a toilet that stores chemicals when a child uses the bathroom without direct supervision of a staff member. For example, a bleach spray bottle in an infant room at the back of a counter would be out of reach and inaccessible. However, in a 4-year old classroom, where the children could reach the bleach bottle on the counter, the chemicals would be considered accessible. School-age children may use cleaning supplies with adult supervision and the cleaning supplies may be stored in spaces used only by school-aged children.

- Are the chemicals behind a closed door? If the door is in the same space used for children's activities, then it must be locked. A door of a space not used for children's activities (kitchen, hallway, entry area, administrator's office, etc.) does not need to be locked, but should be closed. If it is an adjoining door to a space used for children, it must be locked.

Common Chemicals		
Products listed are generic. Manufacturer's label will always dictate the toxicity of the product and therefore may raise the level of risk. The chart below indicates if the product being accessible to children would result in a licensing non-compliance, and if the violation would be a moderate or serious risk non-compliance (MRNC/SRNC).		
Chemical	**Guidance for Assessment**	**MRNC / SRNC**
Bleach, bleach water and all general cleaning supplies that state "keep out of reach of children"	Must be kept out of reach of children.	MRNC
Fish Tank Chemicals	Must be kept out of reach of children.	MRNC
Gasoline, pesticides, poison, flammable substances, windshield washer fluid, aerosol can	Must be kept out of reach of children.	MRNC
Hand Lotion	Must be kept out of reach of children. Parent permission is required before applying lotion on children. The lotion must be applied according to manufacturer's instructions.	Non-compliance
Hand Sanitizer	Rule language allows children 24 months or more to use hand sanitizer as a method of handwashing. Therefore, this product may be accessible to this age group. Children under 24 months must have written permission completed prior to use. Therefore, this product must be inaccessible to this age group.	Non-compliance
Laundry Detergent/Starch/ Pods/Powder	Must be kept out of reach of children.	Non-compliance

Dishwashing Soap		
Liquid Soap	Liquid soap, regardless of size of container, does not have to be out of reach of children, however programs are encouraged to keep bulk containers of liquid soap out of the reach of children.	N/A
Paint Cans or Spray Paint Cans	Must be kept out of reach of children.	Non-compliance
Permanent Markers	Unless the label states "toxic" or "keep out of the reach of children" markers may be accessible to children.	N/A if non-toxic Non-compliance if label states “toxic” or “keep out of reach of children”
Shaving Cream	Most labels include the warning "keep out of reach of children" and "avoid contact with eyes". Some common children’s activity calls for shaving cream, but programs must actively supervise its use. Programs are encouraged to substitute another non-irritating substance (i.e. whipped cream) for sensory motor experiences.	N/A if actively supervised Non-compliance if not actively supervised
White-out	Must be kept out of reach of children.	Non-compliance

Common Non-Compliance(s)

- Chemicals are in reach of children.
- Chemicals are not clearly labeled or not in the original container.
- Temperature is not within required guidelines.
- Employee purses, uncovered outlets, hanging electrical cords, or blind cords are accessible to children.
- Outlets are not covered and do not have evidence that they are tamper resistant.
- Air conditioning units are accessible to children.
- Rodents are present without evidence of treatment for infestation.
- Rest areas are unclean.

Resources

- Not applicable

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe each room or space children have access to, assessing if there are items or conditions that pose a risk of harm to children.

Interviews	• The licensing specialist may ask questions based on their observation and the condition of the environment. Examples could include questions about renovations taking place, treatment plans for pest or rodent control, or chemical use and safety.
Documentation Review	• The licensing specialist may review chemical labels, manufacturer guidelines, and other supporting documentation. • The licensing specialist will only look for documentation for pets if there is a complaint.
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • Children are not present in a space used by children when chemicals were observed on a table or low shelf and not kept inaccessible as required. • The program did not ensure applicable outlets were covered as required.

5180:2-12-13 | Sanitary equipment and environment

Sanitary Conditions

Rule 5180-2-12-13 | Sanitary equipment and environment
Rule 5180:2-12-13 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Programs create sanitary conditions that provide a clean environment and ensure that equipment, furniture, and materials are easily maintained, keeping children in child care centers safe.
Guidance for Demonstrating Compliance
• To create a sanitary environment for children in care, it is important to carefully consider items that are in licensed spaces. • Equipment, furnishings, and materials that are easily cleaned help to keep children healthy and safe. Removable cloth covers that can be laundered can help make cleaning furnishings easy. Hard surfaces that can be cleaned and sanitized can also assist in maintaining a clean and sanitary environment. • Consider providing a checklist that an opening or closing staff member can complete each day to make sure bathrooms are fully stocked with toilet tissue, liquid soap, running water, and individually assigned towels, disposable towels, or air dryers. Toilet paper and hand or paper towels should be kept on a dispenser for sanitary storage. They can become wet or contaminated if stored on a counter, floor, or back of the toilet. • Give children reminders and check that toilets are flushed after each use and that they are in good working condition. • Store toilet brushes and plungers out of children's reach such as on a high shelf or in a locked cabinet or closet. • Posting signs with pictures of the steps to follow when using the rest room and washing hands can help children remember hygiene routines.

- All cleaning and sanitizing should take place when children are not present except for general clean up after meals, spills, and activities. When doing light cleaning, such as wiping tables or cleaning up after messy activities, staff should remember their primary focus is supervising the children if they are being used in ratio. Also, ensure the cleaning products you use will not trigger a medical situation, if children with allergies or conditions that cause breathing problems are present when cleaning.
- Prevent the spread of communicable diseases by cleaning and sanitizing some items more frequently than others. Items like changing tables, potty chairs, tables used for meals and snacks, items used for eating such as bottles, plates, and utensils should be cleaned and sanitized between each use.
- Toys mouthed by infants and toddlers should be cleaned and sanitized frequently between uses but toys don't need to be removed from a child when children are sharing the toy in a social setting. Sharing is a skill we want to encourage.
- Creating a cleaning schedule can help ensure that all areas of the program are maintained and kept clean.
- If water is not publicly supplied, such as an on-site well, setting a calendar reminder for getting the water tested can help maintain compliance. Water testing based on the local health department guidelines will let programs know if there are any additional requirements to help maintain the water supply conditions.

Common Non-Compliance(s)

- Child care areas are unclean.
- Furniture is made of a material that cannot be cleaned due to tears in the material that have not been repaired.
- Bathrooms are out of toilet paper, soap, or towels.
- Toilets are not flushed after use.
- Children have access to plungers and toilet brushes.

Resources

- Not applicable

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe the spaces accessible to children for cleanliness and sanitary conditions. • The licensing specialist will observe spaces that are accessible to children to see that the following items are cleaned and sanitized between uses: changing tables, potty chairs, tables used for meals and snacks, and items used for eating such as bottles, plates, and utensils.
Interviews	• The licensing specialist may ask questions about cleaning and sanitizing schedules, if water is publicly supplied, and if steps are being taken to treat pests or rodents if there is evidence of infestation.
Documentation Review	• Results of water testing, if required
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list:

	• The program had equipment or materials or furnishings with material ripped or torn or not easy to clean as required. • The program did not ensure all toilets were flushed after each use as required.

Handwashing

Rule 5180-2-12-13 | Sanitary equipment and environment
Rule 5180:2-12-13 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Children and staff in licensed child care centers stay healthy by washing their hands properly and at the appropriate times. Handwashing helps stop the spread of germs that can cause illness. The goal is to keep everyone safe and well by making handwashing a regular, simple part of the daily routine. By creating a supportive environment and weaving handwashing into daily routines, programs can promote healthy habits and demonstrate alignment with hygiene standards.
Guidance for Demonstrating Compliance
• To support handwashing compliance, it's helpful to start by making sure staff are familiar with the requirements. Posting signs near sinks or handwashing stations can serve as friendly reminders throughout the day. • Keeping soap and paper towels stocked and within easy reach encourages consistent hygiene practices. • Handwashing is especially important during transition times, such as before eating or serving food, and after diapering, toileting, or helping with bodily fluids. • Children benefit from learning the proper steps through hands-on teaching and by watching adults model good handwashing habits. Visual tools like step-by-step charts or auditory aids, such as timers, can make the process more engaging and easier to follow. • Techniques should match each child's developmental level. For example, if a child can't stand at a sink, using a soaped paper towel followed by a rinse can be a safe and effective alternative.
Common Non-Compliance(s)
• Staff forget when handwashing is required - most commonly arrival, coming in from outdoors, and after nose wiping. • Not using soap and water for infants/toddlers. • Staff are not washing child's hands after diaper changing.
Resources
• Appendix A to Rule 5180:2-12-13 - Handwashing • About Handwashing | Centers for Disease Control and Prevention • Find Local Health Districts | Ohio Department of Health • Handwashing and Cleaning Resources | Food and Nutrition Service • Downloads and Resources | Oral Health Foundation
Assessment/Monitoring Approach

Observations	• The licensing specialist will observe if staff and children wash their hands during the times or situations required in rule.
Interviews	• The licensing specialist may ask questions about handwashing if it is not observed.

Documentation Review	• Not applicable
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • A child under 24 months used hand sanitizer without written parent permission as required.

Smoke Free Environment

Rule 5180-2-12-13 | Sanitary equipment and environment
Rule 5180:2-12-13 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Children and staff in licensed child care centers are protected from the negative health effects related to smoking, tobacco, and their byproducts.
Guidance for Demonstrating Compliance
• Post a "No Smoking" sign in a place easily noticed by parents, staff, and visitors entering the program. • Program staff who smoke or vape do so on their breaks and make sure they are far enough away from the building so that children cannot see or smell the items or smoke. • Products such as cigarettes and vapes are kept out of reach and sight of the children if brought into the building. • Program staff who smoke ensure children are not exposed to the byproducts of smoking and tobacco such as strong odors on their clothing.
Common Non-Compliance(s)
• Children can see or access products such as cigarettes, vapes, cigars or chewing tobacco. • Children are exposed to smoke, vapor, cigarettes butts, ashes or other byproducts. • Provider does not notify parents if they permit smoking in the center outside hours of operation. • Program exposes children are exposed to smoking while being transported.
Resources
• Not applicable
Assessment/Monitoring Approach

Observations	• The licensing specialist will observe to see if children are exposed to smoking, tobacco, and their byproducts.
Interviews	• The licensing specialist may ask questions to determine if smoking occurs on the premises.
Documentation Review	• "No Smoking" sign
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not ensure smoking was not seen by children as required.

	• The program did not post a sign stating no smoking is permitted as required. • The program did not provide notice to families that smoking occurs within permissions as required.

5180:2-12-14 | Transportation and field trip safety for a licensed child care center

Field Trips and Routine Trips

Rule 5180-2-12-14 | Transportation and field trip safety for a licensed child care center
Rule 5180:2-12-14 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Children are safe, healthy, and well during all off-site trips.
Guidance for Demonstrating Compliance
• Routine trips are regular outings away from the center that happen on a set schedule, and parents already know where the children will be going. Examples include daily trips to the park, transporting to/from school, transporting to/from home, daily nature walks, or weekly walks to a nearby library. A routine permission trip could also be used if the program wants to use space in the building that is not approved on the building COO, such as gross motor activities in a fellowship hall that is not listed as an approved space. • A field trip is a special outing that doesn't happen often and isn't on a regular schedule. Examples include things like going to the zoo, a movie theater, museum, science center, and the local splash pad. These are trips that occur on a specific date and time and are not repetitive/routine. • Written and signed permission from parents is required to be completed before any routine trip or field trip is taken away from the program. Permission can be obtained on a paper slip or an electronic form. If permission is obtained electronically, be sure to have a way to show a copy of the form during an inspection. • A staff member trained in First Aid, CPR, and Communicable Disease needs to be present during all trips and on each vehicle used for transportation. • Bring a first aid kit on each center vehicle and make sure it is accessible at the field trip destination, along with enrollment and health information, medical/physical care plans, and any necessary emergency medications. Sample form DCY 01232 "Field Trip Checklist for Child Care" is a great tool to use to ensure compliance is met. The program could utilize a field trip binder to include this form, along with enrollment and health information, medical care plans and attendance tracking methods. • An individual that meets child care staff member requirements may be used in ratio. If the individual only meets employee or volunteer requirements, they may not be used in ratio. For example, if a program has a bus driver with an employee file (OPR profile, immunization record, TB screening, and background check results) they may not be counted in ratio. In order to be counted in ratio, this individual would need a full child care staff member file. • Remember to include an additional adult when transporting children in a vehicle if there are more than 5 infants, more than 7 toddlers or preschoolers, or more than 10 school-age children. The second adult can be the driver, a parent, or a volunteer. If only school-age

children are in the vehicle, providing the driver with a cell phone to use in an emergency can replace the requirement to have an additional adult.

- To provide adequate supervision on trips, you can use the following ideas:
  - Name to face attendance
  - Assigning children to a smaller group
  - Assigning a "buddy" to each child
  - Counting children any time you transition from one area to another
- Ensure there is a working seatbelt for each child available in any vehicle used for a trip.
- To ensure no children are left on vehicles, the following best practices could be implemented:
  - Have a staff member walk the inside of the bus once children have exited the vehicle to check to make sure each seat is empty and no children are hiding.
  - Count the students or do a name to face check as children enter and exit the vehicle.
  - Assign seat partners so the children have a "buddy."
  - Put a 2-sided sign in the back window of the bus (one side says empty, the other says full) so the driver has to walk to the back of the vehicle and flip the sign accordingly.
  - It is important for the administrator to do observations of all trips to ensure the staff members are following all supervision practices that are put in place by the program.
- Remember to use identification on the children on all field trips and on routine trips to places other than the child's home or school. The identification needs to include the program's name, address, and a phone number to contact in the event the child becomes lost. It is best not to include children's names on the identification to protect them from strangers who may use it to call the child by name. Identification types could be things like:
  - Wrist bands
  - Necklaces
  - Stickers
  - T-shirts
  - Stamps
  - Badges.
  - Think about a type appropriate for water for swimming trips.

Common Non-Compliance(s)

- Program did not get written parental permission, or it was incomplete for field trips and/or routine trips off the premises.
- Staff present on the trip were missing current health trainings.
- Provider did not take medical/physical care plans, medication, or supplies needed to implement the plan or a trained staff member was not present on a trip.
- There was not an additional adult to accompany the group of children and the child care staff member on the vehicle used and/or walking during routine and field trips.
- Program did not provide any program identification information for the children, or it was incomplete.
- No first aid kit was in the vehicle or on-site at the destination.
- Program did not keep permissions slips on file for one year.

Resources

• DCY 01225 Routine Trip Permission for Child Care • DCY 01226 Field Trip Permission for Child Care • DCY 01232 Field Trip Checklist for Child Care • DCY 01239 Field Trip Information Record for Child Care • DCY 01583 Your Prescription for Safely Caring for Children with Medication and Health Care Needs on Field Trips • Appendix A to Rule 5180:2-13-14 - Written Permission When Children Are Transported

Assessment/Monitoring Approach	
Observations	• The licensing specialist may observe transportation practices such as loading/unloading vehicles, checking to see if children are wearing identification, verifying a first aid kit and health and enrollment records are taken on the trip.
Interviews	• The licensing specialist may ask questions about the program's last field trip. • The licensing specialist may ask questions about transportation practices if a trip is not taken during the inspection.
Documentation Review	• Field and routine permission slips • Identification for children to wear
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program has not assigned children on a routine or field trip to a staff member as required.

Transportation

Rule 5180-2-12-14 | Transportation and field trip safety for a licensed child care center
Rule 5180:2-12-14 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Drivers are safe, competent, and prepared, and vehicles used for transporting children in licensed child care centers are safe.
Guidance for Demonstrating Compliance
• Keep a copy of a current driver's license for all drivers at the program. This copy may be kept in the employee's file or in the vehicle binder for easy reference. It is recommended to keep a copy in both locations to ensure one is always available. A good practice to ensure a current copy of the driver's license is on file is to set a calendar reminder prior to the expiration date or create a spreadsheet of expiration dates and include the driver's license. • To comply with Ohio's child restraint law, the driver should do a visual check before leaving on a trip to make sure each child is buckled properly. They could give a gentle tug on the seatbelt to make sure it is latched correctly. • When transporting children, drivers should guarantee that boarding and exiting occur from the curb side of the street, away from moving traffic, whenever physically possible. If this is not feasible for your program, the driver could pull the vehicle up to the door where the children exit, at which point a child care staff member can escort the children directly onto the vehicle.

- Children under the age of 12 are not permitted to ride in the front seat of any vehicle.
- Have all drivers complete the child care transportation training through the OPR. This training should be completed prior to transporting children and does not have an expiration date.
- Additionally, drivers should regularly practice emergency exiting procedures with children monthly during months when transportation is provided. These drills should take place in a safe location and should be documented with the dates and participating staff. Sample form DCY01138 is available for programs to use for documenting these drills.
- Ensure documents for weekly vehicle safety inspections are completed and are kept on file. Sample form DCY01138 is available for programs to use for documenting these safety inspections. It is important for the administrator to monitor that these safety inspections are being completed. Set a calendar reminder to spot check them monthly to hold the driver accountable to complete them weekly.
- Annual safety checks must be completed using the DCY 01230 "Vehicle Inspection Report for Child Care Centers & Child Day Camps" before any vehicle is used to transport children. If your program purchases a new vehicle directly from a dealer (not "new to you", but it must be brand new), please keep the bill of sale on file in lieu of the annual safety check. That vehicle must then have an annual inspection within one year of purchase. The results of the annual inspection should be kept on file for review. A vehicle sticker from the Ohio State Highway Patrol indicating a passed inspection may also fulfill this requirement. It is recommended to set yourself an annual calendar reminder to ensure the annual inspection gets completed prior to the expiration date.
- It is recommended to keep a copy of the driver's current license, the emergency exit documentation, weekly safety check document, and annual vehicle inspections in a vehicle binder or in a folder in the administrator's office.
- If your program uses a contracted driving service, the program still must ensure all required items from paragraph A to this rule are available on the trip and that there is a child care staff member with the children to meet the ratio and supervision requirements.
- Programs need to ensure that a child care staff member is with the children prior to loading the bus and after they exit the bus. They may not walk to/from the bus without a child care staff member, unless written permission from the child's parent allowing them to walk alone is on file.
- For programs providing transportation, creating and maintaining a transportation binder can help with easy access to required documentation. It could contain documents such as:
    - Child enrollment and medical forms
    - Vehicle inspection records (annual and weekly)
    - Training documentation in the OPR and driver's license
    - Vehicle drill logs
    - Permission slips
    - Transportation attendance records

Common Non-Compliance(s)

- Current, valid driver's license is not on file.
- DCY Driver Transportation Training is not completed.
- Weekly vehicle inspections and documented monthly evacuation drills are not completed.
- Vehicle inspection is not completed annually.
- Vehicle inspection is missing information.

• Program does not ensure all children board and exit safely from the vehicle. • Program does not properly restrain children in a car seat. • Staff or children are not using seatbelts. • Children required to use a car seat are not being properly restrained.	
Resources	
• DCY 01338 Weekly Vehicle Inspection and Vehicle Evacuation Drills Records for Child Care • DCY 01230 Vehicle Inspection Report for Child Care Centers & Child Day Camps • Appendix B to Rule 5180:2-12-14 - Licensed Center Vehicle Requirements • Sign In | OCCRRA ○ Search for "DCY Child Care Transportation Training" (ST# 10108663) • Rule 3301-83-11 School bus and motor van inspections • School Bus Inspections | State Highway Patrol	
Assessment/Monitoring Approach	
Observations	• The licensing specialist will observe children boarding and exiting vehicles. • The licensing specialist will observe the vehicle for cleanliness and safety.
Interviews	• The licensing specialist may ask questions regarding driver and vehicle requirements not observed.
Documentation Review	• Current, valid driver's license on file • Verified DCY Child Care Transportation Training • Completed weekly vehicle inspections • Completed monthly evacuation drills • Completed and current DCY 01230 Vehicle Inspection Report for Child Care & Child Day Camps or State Highway Patrol sticker
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not perform or document exiting drills as required. • The program used a parent vehicle to transport children more than three times without a vehicle inspection as required. • The program did not prepare the school bus before transporting as required. • The annual vehicle inspection report (DCY 01230) did not contain all the information as required. • The copy of a driver's license on file at the program is expired but the driver is able to provide a copy of their current license during the inspection.

5180:2-12-15 | Child records

Child Records – Enrollment and Immunization Records

Rule 5180-2-12-15 | Child records

Rule 5180:2-12-15 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Completed enrollment forms are important so programs can meet each child's needs, respond quickly in case of illness or emergency, and follow the family's preferences. These forms help programs know who to contact in the case of an emergency. Current immunization records let the program know if children are up-to-date with vaccinations.

Guidance for Demonstrating Compliance

- Using the DCY 01234 "Child Enrollment Form for Early Care and Education Programs" helps ensure the form used by the program to capture enrollment information meets the requirements of the rule.
- If your program creates their own enrollment form, ensure it contains all of the information included on the DCY 01234.
- Enrollment information can be obtained using an electronic form or system. If your program does this, ensure program staff are able to access the forms when needed and the licensing specialist can access the forms during a licensing inspection. It's also important to have current back-up copies or a way to access the forms if there is a power or internet outage.
- Prior to the first day of enrollment, administrators should meet with families to review the child(ren)'s enrollment form(s). It is important for providers and families to have this time to ensure that all sections of the form have been completed and signed. Pay close attention that all boxes have information in them and nothing was inadvertently left blank. Additionally, this gives the program the opportunity to review and understand any health or developmental concerns.
- Families have up to 30 days after the first day of attendance to bring in a copy of the child's immunization record or written statement telling why the child is exempt from the immunization requirement. Immunization records can be obtained from the child's healthcare provider or online patient portal.
- The immunization record needs to include the date the form was provided to the program to verify it was on file within the required time period (within 30 days of first day of attendance and every 13 months thereafter).
- These forms should be reviewed and updated on an annual basis or if there are changes that could affect the safety of the child.
- Another aspect to think about is how you plan to track expiration dates for these forms. The most common systems are tracking on spreadsheets, have auto-reminder alerts set to notify you of expiration dates, or a filing system with colored folders or placed in a particular order. This is all up to you and should be an individual program decision for what will work best

Common Non-Compliance(s)

- The enrollment form used by the program does not contain all of the information required in rule.
- Child is attending without an enrollment form on file.
- Enrollment forms reviewed were incomplete or had missing information.
- Enrollment forms are not updated annually or when changes occurred.
- Immunization record or exemption statement is not on file.

Resources

- DCY 01234 Child Enrollment Form for Early Care and Education Programs
- Child Care Administrator/Staff Licensing Responsibilities

• Appendix A to Rule 5180:2-12-15 - Diseases for Immunizations	
Assessment/Monitoring Approach	
Observations	• Not applicable
Interviews	• The licensing specialist may ask additional questions regarding enrollment or medical forms.
Documentation Review	• Enrollment forms • Immunization records
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The child's enrollment form is not complete or updated annually as required. • The child's immunization record is not on file or updated annually as required. • Child records were not kept on file at the program for one year as required.

Child Records – Health Care Plans

Rule 5180-2-12-15 | Child records
Rule 5180:2-12-15 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Completed health care plans ensure a child with a medical condition receives proper care while they are at the licensed center. The plans keep children safe by guiding program staff on how to complete required medical procedures (example: administering an inhaler or giving an EpiPen injection), knowing what symptoms/signs to watch for, and what to do in the case of an emergency. Each child's unique needs are documented so staff can tailor care, routines, diet, and activities to prevent the need for medical intervention.
Guidance for Demonstrating Compliance
• Reviewing DCY 01234 in collaboration with families is essential for determining whether a DCY 01236 "Health Care Plan Documentation & Permission to Administer Medication" or equivalent form is required. • The DCY 01236 or equivalent form must be completed when a child has a health condition that requires monitoring. Partnering with families during this process ensures that all necessary information is provided to guide the program in administering medication and performing any required medical procedures. Even if medication is not administered, the care plan should clearly outline how the child will be supported and what steps staff should follow in response to specific health needs. • If a child has multiple health conditions, be sure the parent completes two separate health care plans.   ○ An example of this would be if a child has been diagnosed with asthma and an allergy. You'll need one form to show how to care for the child's asthma. You'll need a second plan to instruct staff on how to care for the child's allergy. • Make sure to review each health care plan carefully to ensure each box has been completed. Written instructions from the child's medical provider can be attached in place of

completing portions of the form. If instructions are attached to the health care plan, be sure to check the box to indicate this.

- Physicians may be required to sign the DCY 01236 to authorize the administration of medication. Common examples of when this is needed include:
  - A prescription medication does not have a prescription label attached.
  - The instructions for using the medication do not meet or exceed the manufacturer's instructions (dose, child's age, child's weight).
  - A medical food needs to be administered.
  - A medication has expired and the parent wants the program to administer the expired medication.
- A staff member who has been trained to safely administer medication and carry out any medical procedures outlined on the child's health care plan must be on-site and care for the child whenever the child is in attendance, including if the child goes on a routine or field trip. It is important to have multiple staff trained to ensure someone is always present in the event the staff who normally care for the child need time off.
- When enrolling a child with a chronic health condition or a child is newly diagnosed, you can reach out to your licensing specialist and ask them to review the child's health care plan to ensure it is completed correctly before the program's next licensing inspection

Common Non-Compliance(s)

- No health care plan is on file.
- The health care plan form used by the program does not contain all of the items on the DCY 01236 Sample Health Care Plan Documentation & Permission to Administer Medication.
- Health care plan instructions are incomplete.
- Health care plan is not updated annually.
- Trained staff have not signed the care plan.
- No trained staff are present or caring for the child.
- Staff administer a medication or procedure without being trained.
- Dosage administered does not match the health care plan or prescription.
- There is contradicting information regarding the plan and medication.
- Staff are not documenting administered medication.

Resources

- DCY 01236 Health Care Plan Documentation & Permission to Administer Medication
- DCY 01582 Your Prescription for Safely Caring for Children with Special Health Conditions

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe to determine if medication or supplies needed to carry out a health care plan are on site. • The licensing specialist may observe medication administered on-site.
Interviews	• The licensing specialist may ask staff if the program has any children with health conditions and any clarifying questions for special health needs.
Documentation Review	• Health care plans
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this

	rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • Health care plans were not kept on file at the program for one year as required.

5180:2-12-16 | Emergency and health-related plans
Emergency Planning (Postings/Drills)

Rule 5180-2-12-16 | Emergency and health-related plans
Rule 5180:2-12-16 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Maintain a safe and secure environment for children, staff, and visitors. It emphasizes the importance of being prepared for emergencies and making essential safety information readily available to support quick and effective responses.
Guidance for Demonstrating Compliance
• Post emergency phone numbers in a place easily seen by staff and visitors in each classroom and all other spaces used by children. • Post a weather and fire plan that includes evacuation routes in each child care space. Include simple instructions if the diagram doesn't clearly show where to shelter-in -place or evacuation information. Simple instructions could include what staff should take with them when evacuating, what route to follow, and what to do when they reach their evacuation meeting point. It is helpful to post the plans near the exit doors and to review them with children and staff regularly. • Consider putting a system in place to have an administrator or staff regularly check that the postings are correctly displayed to help ensure compliance. • Conduct monthly fire drills, monthly weather drills (between March and September), and quarterly emergency/lockdown drills at varying times and be sure to document completion of the drills. Practicing how to evacuate or shelter-in-place will help staff and children know what to do should an emergency ever happen at your program. Being able to respond quickly and appropriately helps keep staff and children safe. • Include the date, time, and type of drill completed to provide written evidence the drills occurred. To ensure that you do not miss drills, set electronic or paper calendar reminders for each required month and quarter's drills. Holding drills at varying times will ensure that all staff and children can practice the procedures, while this is not a requirement of the rule, it is best practice and helps keep everyone safe if an unexpected event occurs.
Common Non-Compliance(s)
• Emergency numbers are not posted visibly in all spaces used by children. • Drills are not conducted or are not correctly documented. • Emergency plans and diagrams are not posted in every space used for child care.
Resources
• Local emergency management agencies (fire, EMS)
Assessment/Monitoring Approach

Observations	• The licensing specialist will observe emergency postings, documentation of drills, and posted evacuation routes.

Interviews	• The licensing specialist may ask questions to determine how the program conducts drills.
Documentation Review	• Evacuation diagrams • Record of completed emergency drills
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program has not completed or documented monthly fire drills, monthly weather drills during the months of March to September, or quarterly emergency/lockdown drills as required. • Emergency numbers are not posted in all spaces used by children as required.

First Aid Kit

Rule 5180-2-12-16 | Emergency and health-related plans
Rule 5180:2-12-16 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Programs have sufficient first aid supplies available for emergency situations.
Guidance for Demonstrating Compliance

• First aid kits are unlocked, clearly marked, and readily available to staff.
• First aid kits are stored out of reach of children to prevent misuse or accidents.
• Most first aid kits commercially available will meet the requirements in rule. Licensing specialists will assess the program's first aid kit and look to see that the kit contains at a minimum the following:
  ○ Band-aids
  ○ Gauze squares
  ○ Adhesive first aid tape
  ○ Instant ice pack
  ○ Disposable non-latex gloves
  ○ A working digital thermometer.
  ○ Other suggested items include:
  ▪ Gauze rolled bandage
  ▪ Triangular bandage
  ▪ Rounded end scissors
  ▪ Pocket mask or face shield for CPR that is appropriate for all ages of children in care
  ▪ Working flashlight
  ▪ Sealable leak proof plastic bags to store materials soiled with blood or bodily fluids
  ▪ Tooth preservation system or chilled milk for school-age children
  ▪ Tweezers
  ▪ Hand sanitizer
  ▪ Bottled water
• Have a complete first aid kit for every 75 children.

- If the program has multiple floors or multiple buildings, there is a complete first aid kit for each floor or each building.
- A first aid kit is required in each vehicle and at the destination during field and routine trips. It is helpful to have additional first aid kits ready to go if trips are taken.
- Conduct regular inventory checks to maintain complete kits.
- It is a good idea to keep extra supplies available to re-stock the kits. Items such as adhesive bandages may be used quickly and need to be replaced frequently.
- Keep an eye on the expiration dates of items and set up a system to replace items such as tooth saver kits, sanitizer, or bottled water if part of the first aid kit.
- Regularly test any flashlight and thermometer batteries and keep extra fresh batteries available.
- Remember to replace items that are no longer useable such as gauze that has become unwrapped and stained, Band-Aids that are no longer sticky, or tape that is almost empty.

Common Non-Compliance(s)

- First aid kit is missing items.
- First aid kit is within reach of children.
- There is an inadequate number of first aid kits.
- First aid kits are not located on each floor or building used by children.
- First aid kits are not always accessible to staff.

Resources

- Local health department | Ohio Department of Health

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe the location and contents of first aid kit(s) to confirm it meets requirements. • The licensing specialist will assess to confirm there are an adequate number of kits per enrollment.
Interviews	• The licensing specialist may ask questions to determine if the program has a system in place to review kits and replace used or expired items.
Documentation Review	• Not applicable
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not appropriately store the first aid kit as required. • The program's first aid kit did not contain appropriate materials needed as required.

Standard Precautions

Rule 5180-2-12-16 | Emergency and health-related plans

Rule 5180:2-12-16 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Children and staff are safe during medical, dental, or other emergencies.

Guidance for Demonstrating Compliance
• Have available proper cleaning and disposal supplies for the disposal of blood and/or bodily fluids. This includes disposable non-latex gloves, leakproof plastic bags, access to hot soapy water, bleach solution, or an EPA rated hospital grade disinfectant with a label claim for mycobactericidal activity. • Have a "sharps container" available at the center that is out of the reach of children, for proper disposal of lancets for finger sticks, syringes, or other sharp objects. • Check with your local waste removal service or health department for safe disposal programs. • It is best practice to have disposable non-latex gloves available in multiple locations throughout the center, as well as centrally located and well stocked stations for universal precautions. Often these supplies are needed when least expected and having the items readily available ensures that the precautions can be easily followed to ensure the safety of staff and children.
Common Non-Compliance(s)
• Sharp items used for procedures on children with special care needs were not disposed of in a "sharps container". • There are no proper cleaning supplies or there are insufficient cleaning supplies. • Provider does not follow the required precautions for the disposal of blood or bodily fluids. • Disinfectant solution not EPA-rated as hospital disinfectant grade, or no bleach solution is available.
Resources
• Centers for Disease Control and Prevention • Ohio Department of Health

Assessment/Monitoring Approach	
Observations	• The licensing specialist will observe standard precautions and any required equipment or supplies needed. For example, they may look for a sharps container, non-latex gloves, bleach, or sealable bags.
Interviews	• The licensing specialist may ask about the program's procedure for standard precautions and where supplies are kept.
Documentation Review	• Product labels or fact sheets for disinfectants
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

Communicable Disease

Rule 5180-2-12-16 | Emergency and health-related plans
Rule 5180:2-12-16 - Ohio Administrative Code | Ohio Laws
Desired Outcome

Sick children and staff are properly cared for or released, and staff have knowledge of signs/symptoms of illness.

Guidance for Demonstrating Compliance

- Order a DCY 08087 "Communicable Disease Chart" from DCY Forms Central in order to post the large legible version.
- Report communicable diseases to your local health department as directed on the Communicable Disease Chart.
- Report communicable diseases to DCY by submitting a serious incident report in the statewide licensing system after reporting it to your local health department.
- Consider the system your program will use to notify parents when their child has been exposed to a communicable disease. Some commonly observed examples include sending a note home with each child, posting a notice in a visible location for each classroom experiencing the illness, and sending a notification through an electronic system or email.
- Identify a space where children who are showing the signs or symptoms of illness listed in rule can rest comfortably until they can be picked up. The space needs to keep the ill child away from the other children to help prevent spreading the illness. When selecting a space, remember to consider how supervision will be maintained.
- It is important to have substitutes or extra staff members available at the program so staff members displaying signs of illness can be immediately released from duty to protect the health and safety of all individuals within the facility.
- Once an ill child uses any linens, cots, or cribs, they should be appropriately laundered and disinfected.

Common Non-Compliance(s)

- Communicable Disease Chart is not posted or is not legible.
- Location of Communicable Disease Chart is not readily available for review.
- There is no isolated area for sick children.
- Do not report to health department.
- Do not report to DCY in the statewide licensing system.
- Program does not notify parents of exposure to a communicable disease.
- Ill children or staff are not properly released.

Resources

- Appendix A to Rule 5180:2-12-16 - Caring for Sick Children
- DCY 08087 Communicable Disease Chart
- Find Local Health Districts | Ohio Department of Health
- Centers for Disease Control and Prevention | CDC

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe the location of the Communicable Disease Chart. • The licensing specialist may also observe to see if any notifications of exposure to communicable diseases are visible and if the program has an area where ill children can be isolated.
Interviews	• The licensing specialist may ask questions regarding the program's process for releasing an ill child or staff, notifying parents of an exposure to a communicable disease, and how ill

	children are isolated until they are released if unable to observe these requirements.
Documentation Review	• Serious incident reports • Written policies and procedures handbook • Communicable disease exposure notices
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The DCY 08087 "Communicable Disease Chart" is not posted or current as required. • The program did not release an ill staff member as required. • The program did not properly isolate or discharge a child as required. • The program did not notify the parents of an exposure to a communicable disease as required.

Incident Reporting

Rule 5180-2-12-16 | Emergency and health-related plans
Rule 5180:2-12-16 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Families and DCY are notified of reportable incidents/injuries in a timely manner. Incident reports promote a necessary, open exchange of information between families and the provider. Incident reports to the department assist in data collection and provide an organized view of health and safety within programs. The effective maintenance of an incident reporting system is essential to incident/injury prevention and control, ensuring a safer environment for children in care.
Guidance for Demonstrating Compliance

• Ensure copies of completed DCY 01299 "Incident/Injury Report for Child Care" forms, are provided to the parent or the person picking up on the day of the incident.
• Consider the questions below when determining if an incident report needs to be completed. If you answer "yes" to any question, an incident report needs to be completed.
  ○ Did an illness or injury require first aid treatment?
  ○ Was a child transported to a source of emergency assistance?
  ○ Did the child receive a bump or blow to the head?
  ○ Did an unusual or unexpected incident occur which jeopardized the safety of a child or employee of a center, such as a child leaving the center unattended, a vehicle accident with or without injuries or exposure of children to a threatening person or situation?
• Complete and submit serious incident reports in the statewide licensing system.
• The questions below can help determine if the incident qualifies as a serious incident that needs to be reported to DCY in the statewide licensing system. If you answer "yes" to any question, the incident needs reported to DCY by the next business day after the incident.
  ○ Did a child pass away while at the program?
  ○ Did the incident involve a serious risk non-compliance as defined in Appendix A to rule 5180:2-12-03?

- Did the incident/injury/illness result in professional medical consultation or treatment?
  - Examples, including but not limited to trips to the doctor, dentist, and emergency room.
- Did the incident jeopardize the safety of a child or staff at the center?
  - Examples, including but not limited to a vehicle accident while transporting children, an illness that requires reporting to the local health department, and a threat of violence to the program.

- If an incident needs to be reported to DCY, the program can print the form from the system and provide a copy to parents in place of the DCY 01299.
- It's a good idea to give the administrator's designee access to the statewide licensing system so serious incidents can be reported timely when the administrator is on vacation or otherwise unavailable.
- Have a plan for who will accompany a child if they must be transported for emergency treatment, so everyone is prepared if the unthinkable happens. Remember to take a copy of the child's health and medical records with the child, so first responders have access to information to help safely treat the child.

Common Non-Compliance(s)

- Program does not complete the DCY 01299 for an incident, injury, or illness that requires one.
- Staff fail to complete information on the DCY 01299.
- Provider does not give a copy of the DCY 01299 to the person picking the child up on the day of the incident.
- Provider did not submit a serious incident report in the statewide licensing system by the next business day after the incident.

Resources

- DCY 01299 Incident-Injury Report for Early Care and Education Programs
- Submit Serious Incident Report Job Aid for OCLQS
- Appendix A to Rule 5180:2-12-03 - Moderate and Serious Risk Non-Compliances and Point Values

Assessment/Monitoring Approach

Observations	• Not applicable
Interviews	• The licensing specialist may ask questions to determine the program's process for completing the DCY 01299 and reporting serious incidents. • The licensing specialist may ask if the program had to have a child transported for emergency treatment, and if so, if a copy of the child's health and medical records accompanied the child, and who stayed with the child.
Documentation Review	• Completed DCY 01299 forms • OCLQS serious incident reports
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list:

	• The program completed the DCY 01299; however did not include supplemental information not related to the incident as required.

Emergency Preparedness and Response Plan

Rule 5180-2-12-16 | Emergency and health-related plans
Rule 5180:2-12-16 - Ohio Administrative Code | Ohio Laws
Desired Outcome
A written emergency preparedness and response plan helps protect children and staff during any type of disaster or emergency. Emergencies can unfold rapidly. A written plan and training to carry out the plan ensures staff know exactly what to do to safeguard every child, especially those who may need additional support due to age or ability.
Guidance for Demonstrating Compliance
• Think of the emergency preparedness and response plan (EPRP) as a playbook you hope to never use but must always have. • The EPRP should be available to review and utilize if the need arises, but it is best not to be posted or available to parents or other external people who may enter the program. It contains information regarding sheltering in place and evacuation locations. Posting the EPRP could tell someone who is endangering the people in your program where they can be located. • Programs can work with their local law enforcement agencies for assistance when creating the EPRP. • Check and update phone numbers included in the EPRP in the event they have changed. • A template and instructions guide are available to use to assist in ensuring all information is included. • Remember to train staff at least annually on how to carry out the EPRP and to keep documentation of the training on file at the program.
Common Non-Compliance(s)
• The emergency preparedness and response plan is not available on-site. • The EPRP is incomplete and missing items required in rule. • The EPRP is not updated annually. • Staff members are not trained annually on the EPRP. • Documentation of staff training is not kept on-site at the program.
Resources
• Local fire department • Local police department • Emergency Preparedness | Child Care Technical Assistance Network • Emergency Preparedness, Disaster Response, and Recovery | Child Care Technical Assistance Network

Assessment/Monitoring Approach	
Observations	• Not applicable
Interviews	• The licensing specialist may ask questions regarding the plan or ask for clarification.
Documentation Review	• Emergency Preparedness and Response Plan

Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

5180:2-12-17 | Programming and materials for a licensed child care center

Materials and Equipment

Rule 5180-2-12-17 | Programming and materials for a licensed child care center
Rule 5180:2-12-17 - Ohio Administrative Code | Ohio Laws
Desired Outcome
The program creates a safe, engaging, and developmentally appropriate environment that supports the inclusive growth of each child in their care. Children in these settings should experience a nurturing space that fosters physical, emotional, social, and intellectual development through age-appropriate programming, materials, and activities across all domains including cognitive, physical, social, and emotional.
Guidance for Demonstrating Compliance
• Provide child-sized tables, chairs, and shelves to accommodate the needs of all children. • Developmentally appropriate materials are available and accessible to all children. When arranging the classroom space, consider the following: Can children freely select items to play with, or do they have to ask permission for certain materials? Are materials placed where children can reach them by themselves? Are children able to open containers by themselves to access materials? • Appendix A to the rule lists the equipment required for infants, toddlers, and preschool children. Please note school-age children are only required to have materials from five of the nine categories listed in Appendix A. Consider: Are there enough materials across categories for each child to be engaged in an activity? • It's okay for children to have limited access to some materials during part of the day as long as all children have the opportunity to use materials from all of the required categories as some point of each day. • Have a designated area where children can individually store their personal belongings, such as backpacks, coats, and personal items. This could be a cubby, basket, crate, or coat hook. Make sure these items do not block walk ways or emergency exits. • Designate an area where children can spend time alone or participate in quiet activities. Examples of a quiet area may include, but are not limited to, a cozy area next to a bookshelf or a "calming corner". The quiet area could be furnished with couches, comfy chairs, pillows, bean bags, or an area rug.
Common Non-Compliance(s)
• There is an insufficient number of materials for all children to be engaged in an activity. • Materials and/or furnishings in the classroom are not developmentally appropriate.

- There are required categories of equipment missing or not available to children.
- Materials are broken and can't be counted as available to children for that category.
- Materials are not arranged in an organized manner (various types of equipment are mixed together, or pieces are missing making it hard to use the materials as intended).
- There is no designated area for storing children's personal belongings.
- Children do not have easy access to materials.
- Materials are not suited to the age and developmental stages of the children present.

Resources

- Appendix A to Rule 5180:2-12-17 - Categories of Developmentally Appropriate Equipment and Materials
- Early Learning and Development Standards | Department of Children and Youth
- Developmentally Appropriate Practice | NAEYC
- Quality Standards Guide | Ohio Afterschool Network

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe the environment for materials and equipment.
Interviews	• The licensing specialist may ask questions to determine how staff ensure all children have access to all the required categories of materials each day.
Documentation Review	• Not applicable
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not have an adequate amount of materials and/or equipment in each category as required. • The program did not have materials and/or equipment that were appropriate, accessible, orderly, and/or varied in each category as required. • The program did not have appropriate storage space for children's belongings as required. • The program did not have a designated quiet area as required.

Programming

Rule 5180-2-12-17 | Programming and materials for a licensed child care center

Rule 5180:2-12-17 - Ohio Administrative Code | Ohio Laws

Desired Outcome

The program creates a safe, engaging, and developmentally appropriate environment that supports the inclusive growth of each child in their care. Children in these settings should experience a nurturing space that fosters physical, emotional, social, and intellectual development through age-appropriate programming, materials, and activities across all domains including cognitive, physical, social, and emotional.

Guidance for Demonstrating Compliance

- Post a clearly visible and accessible daily schedule in each classroom, outlining the flow of activities throughout the day. It's understood that sometimes the day doesn't always go exactly as outlined on the schedule, but a consistent routine helps children feel safe, secure, and comfortable, allowing them to understand what is happening now and what comes next. This can help reduce anxiety and stress and promote learning.
- Schedules are age-appropriate and include a balance of quiet and active play. This allows children to engage in restful, focused activities as well as energetic, movement-based experiences. Quiet play includes things like reading, puzzles, art, and sensory exploration, while active play involves things like music, movement, and group games.
- Give children chances to choose their own activities. They can play with materials in creative ways, pick what they want to use, and explore different learning areas that are set up to be flexible and fun.
- Provide outdoor play every day when the weather is safe. Outdoor time might include free play, exploring nature, or activities that help build strong muscles and social skills. If the temperature is between 25 and 90 degrees, and there's no bad weather like rain, strong wind, or extreme heat or wind chill, children should get some time outside – even if it's just a short period of time. The program needs to have a clear plan that explains when outdoor play might be limited. It is a great idea to keep extra clothing on hand (such as mittens or hats) for children that may need it to be comfortable outdoors.
- Consider making it a point to check the weather each morning and provide staff with a daily announcement regarding any changes to outdoor play times or if the weather will prevent going outside.
- Don't forget to plan a safe space or option for the older infants to get outside daily. This could be a small, protected portion of the playground, or a daily walk in the approved outdoor space.
- It is not necessary to have playground equipment installed to meet this portion of the rule. Children benefit from outdoor activities such as using sidewalk chalk, playing with hoops and balls, playing group games, or simply running and jumping.
- When the weather makes outdoor play unsafe, remember to include indoor gross motor activities in the daily schedule. This could involve activities such as jumping, dancing, child-friendly yoga, or using riding toys.

Common Non-Compliance(s)

- The daily schedule is not posted.
- The daily schedule does not include all hours of operation or all age groups.
- Program does not provide outdoor play in suitable weather for all children 12 months and over.
- No indoor gross motor activities are offered when outdoor play is unsafe.

Resources

- Early Learning and Development Standards | Department of Children and Youth
- Developmentally Appropriate Practice | NAEYC
- Ohio's Imagination Library

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe groups for a balance of active/quiet play. • The licensing specialist will observe outdoor play.

	• The licensing specialist will observe the posted daily schedule to reflect indoor and outdoor times.
Interviews	• The licensing specialist may ask questions regarding the daily schedule. If the observed activities do not match the daily schedule, the specialist may ask questions to determine if there are special circumstances for not following the posted schedule. Examples of this could include adjusting the schedule due to a special activity taking place that day, changing outdoor times due to weather conditions, or extending an activity based on the children's interest.
Documentation Review	• Posted daily schedule in each group
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not have all daily schedules posted as required. • The program did not provide indoor gross motor play when the weather did not permit outdoor play as required.

5180:2-12-18 | Group size and ratios for a licensed child care center Group Size and Ratio

Rule 5180-2-12-18 | Group size and ratios for a licensed child care center
Rule 5180:2-12-18 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Maintaining proper staff-to-child ratios helps prevent accidents, injuries, and neglect, fostering a safe environment where children are always supervised.
Guidance for Demonstrating Compliance
• Be sure to provide ongoing training on licensing requirements, emphasizing the importance of maintaining ratios and supervision. • You can also create daily schedules that reflect staffing needs and requirements, showing that ratios are always maintained, including coverage during transitions, outdoor activities, and naps. • Keeping attendance logs, sign-in/sign-out records, and staff schedules that clearly document who was present and supervising children during all hours of operation will help staff always maintain staff/child ratios. • Remember that ratio requirements are determined by the age of the youngest child in the group. Be sure to assign enough child care staff members to the group to maintain ratio. • It's also important to remember that the maximum group size is determined by the age of the youngest child in the group. When assigning children to groups, make sure the group is no larger than two times the ratio for the youngest child. • If classrooms are combined, keep an accurate account of the children and their ages, so group sizes and ratios will not be exceeded.

- The administrator should also conduct random checks in each room and ask staff how many children are present and then count the children to confirm.
- If two staff members are present with the group, they should both count the children and confirm with each other.
- If staff need to leave the room to take a child or children, to the restroom or to grab supplies, have other children go along so ratio can be maintained in the classroom.
- Develop call-off procedures and a list of substitutes to cover expected and unexpected staff absences.
- Remember that ratios cannot be doubled at nap time if any child in the group is an infant. This is especially important when infants are transitioning to the toddler room. If the transitioning child is not yet 18 months, ratios cannot be doubled if the infant is present during nap time.
- Ratios can be doubled only for two hours during nap time and only if all children are resting quietly on their cots or mats. Ensure there are enough staff in the building to meet staff/child ratio if an emergency occurs, such as the fire alarm going off.
- Doubling ratio does not apply when any child is not resting quietly on his cot, except if only one child is using a restroom that is inside the classroom.
- Programs serving only school-age children may double ratio if one staff member needs to leave the group to answer the door to allow parents and visitors access to the program. Remember to have a way for the staff to communicate with each other while ratio is doubled. The staff member who left to answer the door needs to return immediately to the group. They can't stop to run errands in the building or pick up items needed by the group.
- If the staff schedule doesn't normally have two staff working at all times, remember a second staff member must be present when there are seven or more children in attendance.

Common Non-Compliance(s)

- Program does not maintain ratio when a child care staff member leaves the room, such as to run an errand, grab lunch items, or answer the door.
- Program does not maintain ratio when additional children arrive, and a second child care staff member is not present.
- Provider doubles ratio, does not complete naptime preparations, and/or at least one or more children are not resting on a cot or mat.
- Provider doubles ratio in a school-age only program and the staff member does not return immediately to the group or does not have a way to communicate with the other staff member.
- There are too many children present in the group.
- A second staff member is not present when seven or more children are in attendance

Resources

- Not applicable

Assessment/Monitoring Approach

Observations	• The licensing specialist will count the number of child care staff members and children in each group and review attendance records to determine the age of the youngest child in the group. • The licensing specialist will determine staff/child ratios multiple times during the inspection to see if ratio is maintained during various parts of the day.

	• The licensing specialist will also review the number of children present in a group to determine if required maximum group sizes are exceeded.
Interviews	• The licensing specialist may ask how many child care staff members and/or children are present in each group and the age of the youngest child present. • The licensing specialist may ask to review the attendance record. • The licensing specialist may ask staff about policies regarding the availability of additional staff or substitutes for times when they are at risk of exceeding ratio or group size.
Documentation Review	• Attendance records • Current staff/schedules in OPR
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not have a child assigned to a permanent group as required. • The program did not have a child's transition agreement on file as required. • The program did not have a child identified with special needs assigned to a developmentally appropriate group as required.

Attendance

Rule 5180-2-12-18 | Group size and ratios for a licensed child care center
Rule 5180:2-12-18 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Programs have a written record of attendance that is compliant with the rule and completed daily.
Guidance for Demonstrating Compliance
• Have a written document for attendance with the children's full name, date of birth, weekly schedule, and assigned groups. Monitor to ensure the attendance is being maintained, daily. • Be sure staff document the time (hour and minutes) of each child's arrival and departure. • You can create your own attendance sheet but be sure it includes all the information required by the rule. You will also want to have a place to file the past attendance records for one year. • If you use an electronic format, make sure it also includes the required information, you have access to it if the power goes out or the device's battery dies, and you have a way to maintain the attendance record for one year. • If groups separate into smaller groups and move to different spaces throughout the day, remember to ensure each staff member has a way to track which children are with them. The tracking method should be flexible so that each staff member knows which specific children they are responsible for and keeps the method with them. • Designate an area on the tracking method that staff can check to indicate they have counted the children when they transition from one area to another. Some common effective

tracking systems could include laminated lists of the children in the group so staff can use a washable marker to indicate the children with them, clothespins, sticky notes, tongue depressors, or any physical one-to-one correspondence item to track each child present with the staff member. • Remember when children are transitioning to a new group to log the child in and out on both groups' attendance records so staff have a way to always know exactly who is present in their group.
Common Non-Compliance(s)
• Program does not maintain attendance records. • Program does not consistently complete attendance records. • Attendance records were missing required information. • The program did not use a tracking method when a group separated into different spaces. • The attendance record or tracking method did not remain with the group at all times. • The provider did not keep the original attendance record at the program for a period of one year.
Resources
• DCY 01208 Weekly Attendance for Child Care

Assessment/Monitoring Approach	
Observations	• The licensing specialist will observe if staff are documenting the arrival and departure time of all children. • The licensing specialist will observe if staff are tracking children as they enter or leave the group.
Interviews	• The licensing specialist may ask staff about daily attendance policies and if tracking methods are used. • The licensing specialist may ask how attendance records are kept on file at the program for one year.
Documentation Review	• Attendance records for each group • Tracking method
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

5180:2-12-19 | Supervision of children and child guidance

Supervision

Rule 5180-2-12-19 | Supervision of children and child guidance
Rule 5180:2-12-19 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Staff always have knowledge of each child's location and activities and ensure children are protected from harm, supported in their development, and provided with a nurturing environment.

Guidance for Demonstrating Compliance

- When arranging classrooms, the furniture, equipment, and room layout should allow staff to see every child without needing to move around or peer over objects as much as possible.
- Consider keeping children's cubbies in the classroom so children can access their belongings and security items without leaving the room. If the classroom doesn't have enough room for cubbies, have a designated space where children can keep these items, so they don't have to go out into the hallway to access them.
- Keep the door to the classroom shut so it's not easy for children to leave the room unnoticed. The same applies on the playground. Make sure any gate is securely latched so children can't leave on their own.
- If a door opens easily, consider installing alarms or place bells at the top of the door jamb. If the door is opened the sound of the alarm or bells will alert staff to see if a child has left the room.
- If a child needs to go into the hallway to get something, a staff member should stand in the doorway of the classroom to observe the child while they are in the hallway.
- Provide a physical reminder, such as a stop sign or red tape adhered to the floor, to remind children not to cross the red line to the door.
- Have staff position themselves in high-traffic areas of the room and by any exterior or interior doors while supervising. Use strategic positioning so they can observe multiple areas simultaneously. Be sure staff are within hearing distance; close enough to hear and respond to a child's voice, cries, or distress sounds.
- Staff look around the room frequently to maintain awareness of each child's activities and determine if they need to step in to guide or redirect a child to make safe choices. Staff assist children with basic needs, such as wiping noses, tying shoes, putting on jackets and clothing, and proper hygiene in the rest room.
- Make time to observe staff to confirm they are engaged and attentive.
- If there are blind spots in classrooms or outdoor areas, staff can use devices such as mirrors or cameras to help them supervise children but using analog or digital technology cannot be the only way staff see or supervise the children. These devices can't always clearly show if a child is in distress, such as choking, having trouble breathing, or suffocating. Consider using two-way radios or intercoms to enable instant communication between staff across different rooms or playgrounds for times when they may need assistance.
- Practice safe sleep practices. Staff remain awake and alert during nap times and evening or overnight care and check on sleeping children frequently.
- Staff must be able to both see and hear infants when they are sleeping or in their cribs. If the crib area is in a separate room or separated from the play space by a partition or half wall, a staff member should be in the crib area even when one child is sleeping. If the crib and play areas are divided by shelving units or low walls that staff can see over, they should position themselves where they can see and hear children both in the play and sleep areas.
- Staff can use zoning maps and staff positioning charts or visual layouts of classrooms or playgrounds showing where staff should be stationed to maintain clear sightlines and quick access to children. These tools help ensure consistent safety practices during transitions, outdoor play, and daily routines.
- Train staff, and post reminders, to do a name-to-face check whenever crossing a threshold such as a doorway, entry to a different space, going outside, or getting on and off a vehicle, etc. Name-to-face count is a method of verifying the presence of all children in the group by

calling out the child's name and listening for them to respond or visually confirming the child's presence to verify the attendance record is accurate.

- Train staff to track children's whereabouts during the following transition times at minimum:
  - When leaving the classroom to go to another area (cafeteria, art room, playground)
  - When leaving the playground to return to the classroom
  - When leaving another room in the building to return to the classroom
  - During transportation and field or routine trips
  - Before leaving the classroom for a trip
  - Upon entering the vehicle before driving away
  - Every five minutes while at the destination of the trip
  - Upon entering the vehicle for the return trip to the program
  - Upon arrival back at the program
  - Upon entry back into the classroom
- Develop a plan and train staff on how to call for assistance so they do not leave children unattended if an emergency arises.
- Ensure music and media you use when children are present are appropriate. Remind staff to keep language appropriate in conversations around children. For situations that arise and expose children to inappropriate language or behavior, train staff to act quickly to remove the children from the area or call for help to guide the individual away from the children.
- Some duties can be carried out while supervising children, such as brief conversations with parents at drop off or pick up, making notes for child assessments or ideas for lesson planning, and light cleaning such as wiping tables before and after meals or cleaning up from a messy art activity, as long as the staff are able to keep their focus on the children. If the activity requires the staff to lose focus of the children, or they are so engrossed in the activity that they fail to respond to children or protect them from harm, then the staff should call for someone to replace them or assist with supervising the children until they are finished.
- If your program allows school-age children to run errands in the building, use a rest room outside the classroom or participate in short-term activities in spaces outside the classroom, ensure the staff check on the children as required, the activity doesn't pose a risk of harm to the children and the staff member is able to hear the children without using technology or a mechanical device. For example, if a staff member is with a group of children in a gym or other noisy environment, they may not be able to hear the children in the other space due to the noise around them.

Common Non-Compliance(s)

- Children are left unattended, even briefly, indoors or outdoors.
- Staff fail to maintain awareness of each child's activities, are not near enough to protect a child from harm, or fail to respond to a child in need.
- Program uses electronic monitors or mirrors as a substitute for physical supervision.
- Staff are under the influence of substances that impair their ability to supervise.
- There is inadequate supervision during field trips or transportation, such as children left alone in vehicles.
- There is improper zoning or staff placement, leading to blind spots or gaps in coverage.
- Staff are engaged in other duties (leaning, paperwork) leaving children unsupervised.
- No second adult is present when required by age group or activity.

- Staff are asleep during nap time or overnight care, leaving children unsupervised.
- Staff are not actively supervising infants in sleeping areas.
- Room arrangement does not have unobstructed views, and staff are not circulating to maintain awareness of children.
- Blankets or other items cover heads while sleeping in cribs or on cots and staff do not make an effort to uncover the child's head.
- Room lighting during naptime is too dark to ensure children may be viewed for signs of distress.
- Children are exposed to inappropriate language, media, or behavior and staff do not immediately take steps to remove the individual exhibiting the behavior or language, change the channel or station for media, or remove the children from the exposure
- Staff do not check on school-age children as required when allowing them to participate in activities in another space, are unable to hear the children without the use of electronic equipment, or the activity poses a risk of harm to the children.

Resources

- Keep Children Safe Using Active Supervision | HeadStart.gov
- Active Supervision for Child Safety | Brightwheel
- Safe Environment Strategies - Supervision | Safe Kids Thrive
- Early childhood education networks: Local and national organizations often provide peer support, mentorship, and shared resources for compliance and quality improvement.

Assessment/Monitoring Approach

Observations	• The licensing specialist will spend time in each classroom or space observing staff/child interactions and activities to determine if staff are properly supervising children. • The licensing specialist will observe groups during transition times to see how staff supervise children moving between spaces and activities, such as going to and from the playground, vehicle, or bus stop. • The licensing specialist will observe groups during nap time to ensure staff can adequately see all the children while resting or sleeping.
Interviews	• The licensing specialist may ask questions about supervision practices, how supervision is maintained throughout all operating hours, field/routine trips, and transitions.
Documentation Review	• Policies and procedures
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program's permission for school-age supervision was missing information as required.

Guidance and Management

Rule 5180-2-12-19 | Supervision of children and child guidance

Rule 5180:2-12-19 - Ohio Administrative Code | Ohio Laws

Desired Outcome
Children in licensed child care centers are guided using positive, developmentally appropriate techniques that foster emotional growth, social skills, and self-regulation, while ensuring transparency and collaboration with families.
Guidance for Demonstrating Compliance

• Be sure to conduct orientation and ongoing training on appropriate/allowable discipline techniques, including, but not limited to:
  ○ Child development
  ○ Developmentally appropriate discipline
  ○ Prohibited practices (corporal punishment, humiliation, isolation)
  ○ How to respond in real-time using approved techniques
• During training, you can utilize videos, role-playing or case studies to reinforce best practices.
• Provide staff with resources to understand developmentally appropriate behavior for the age groups they will be caring for.
• Give new staff members an opportunity to work with experienced staff so they can observe and learn techniques that can be used to manage behavior.
• Create a culture where staff know it is acceptable to call for assistance when challenging behavior occurs and feel comfortable doing so.
• Conduct classroom observations regularly. Conduct observations at different times throughout the day, such as early morning, late afternoon, arrival/departure, meal time, nap time, outdoor play, small/large group activities and free choice time.
• Model appropriate guidance and management techniques during observations/classroom visits.
• Stay engaged with staff. Everyone has challenges in their lives that can cause stress or frustration. Poor sleep, anxiety, and other concerns can cause staff to lose their patience and react in ways they normally wouldn't when children misbehave. Keep a pulse on how staff are feeling and offer breaks or step in to assist to allow the staff member to regain control before they use a prohibited guidance and management technique.
• If possible, provide extra staff to assist in groups with challenging behaviors.
• Provide a confidential way for staff to report to administrative personnel if they observe other staff using inappropriate guidance and management techniques.
• Provide opportunities for staff to create environments that minimize "no" and offer opportunities for children to calm themselves and safely explore, investigate, and discover.
• Provide staff training on how to complete running records, anecdotal notes, and incident reports concerning child behavior. The notes should document the behavior observed, child guidance techniques that were used, how the child responded, and any follow-up conversations with the child and parent. Include how to use the notes gathered to promote positive behavior from the child.
• Train staff on appropriate local referral contacts to support children and families' needs. When appropriate, support families by connecting them with referred agencies.
• Use inclusive practices, recognize the importance of parent consultation and follow the steps you outline in your policy, before implementing a behavior plan. That way, all children are treated equally and fairly, when dealing with behavior issues.

- With parental permission, consult with local behavior specialists, coaches or agencies that may offer guidance and assistance to both staff and families, as necessary.
- Maintain updated records that include developmental milestones, behavioral strategies, medical needs, and parental preferences. Document how individualized plans are followed, including accommodations and support strategies.
- Practice responsive engagement. This is when staff interact with children during play and routines, redirecting behavior and offering support as needed.
- Conduct parent meetings and keep good documentation. Schedule a meeting with the parent to discuss the child's behavior and proposed interventions. Use a standardized behavior management plan template that includes:
    - Description of the behavior
    - Intervention strategies
    - Goals and expected outcomes
    - Monitoring and review schedule
- Ensure the parent signs the plan to confirm understanding and consent.
- Keep signed copies of the behavior management plan in the child's file.
- In the event a child is expelled from your program, familiarize yourself and staff with OAC rules, which outline when and how expulsions must be reported. If an expulsion is necessary, report expulsion in the statewide licensing system by the next business day. Be sure to keep a copy of the submitted report in the child's file. Document all prior interventions and communications/attempts with the parent. Include signed behavior management plans and meeting notes. If you are unsure whether an incident qualifies as an expulsion, consult with your licensing specialist or contact the DCY Family and Customer Support Center at 844-234-KIDS (5437) or email at: info@childrenandyouth.ohio.gov .

Common Non-Compliance(s)

- Staff use a prohibited technique when managing a child's behavior.
- There is inappropriate use of separation, such as an infant being put in time-out or an older child being put in time-out for longer than one minute per each year of the child's age.
- Provider does not follow the behavior plan.
- There is no written behavior plan.
- Provider implements a behavior plan without consulting the parent and obtaining their signature.
- The program expels a child for behavioral reasons, but the incident is not reported in the statewide licensing system.

Resources

- Appendix A to Rule 5180:2-12-19 - Allowable and Prohibited Discipline Techniques
- Early Childhood Mental Health (IECMH) | Ohio Department of Children and Youth
- Ohio's Helping Ohio Preschoolers Excel (HOPE) Rapid Response Line | Ohio Department of Children and Youth
- Infant and Early Childhood Mental Health Resources | Ohio Department of Children and Youth
- Childhood Trauma | Ohio Department of Children and Youth
- Shaken Baby | Ohio Department of Children and Youth
- Bullying and Trauma Facts | Ohio Department of Children and Youth

- Ohio Children's Trust Fund Triple P Parenting Program - This free statewide initiative provides online and in-person training for parents and caregivers. It helps build communication skills and encourages collaborative behavior planning between families and providers.
- Early childhood education networks: Local and national organizations often provide peer support, mentorship, and shared resources for compliance and quality improvement.
- Guidance and Challenging Behaviors | National Association for the Education of Young Children. *The National Association for the Education of Young Children offers articles, toolkits, and professional development focused on positive guidance, family engagement, and behavior support strategies.*
- Action for Children – Positive Parenting Workshops. *Based in Central Ohio, this organization offers workshops and coaching for parents and child care professionals. Their programs promote respectful discipline and shared decision-making.*
- 10 Early Childhood Behavior Management Strategies | Procare. *Offers 10 actionable strategies for early childhood educators, including tips on collaborating with parents and documenting behavior plans effectively.*
- Early Childhood Behavior Management Strategies | Child Care Education Institute *Focuses on reducing classroom disruptions and supporting child development through predictable routines, physical organization, clear boundaries and expectations, stress-reducing techniques for educators.*
- Holliston Pediatric Group – Parent Guide for Disruptive Behavior. *A downloadable guide that explains behavioral parent training (BPT), useful for educating families and supporting consistent behavior interventions.*

Assessment/Monitoring Approach	
Observations	• The licensing specialist will spend time in each room or space observing staff/child interactions to determine the guidance and management techniques staff use.
Interviews	• The licensing specialist may ask questions to determine procedures for guidance and management and if any children in the group have a behavior management plan in place.
Documentation Review	• Written behavior management plans • Incident/Injury reports • Serious incident/injury reports submitted in the statewide licensing system for children expelled for behavioral reasons • Written policies/procedure for behavior management • DCY 01234 for information provided by parent
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not report a child's expulsion to DCY as required.

Child Abuse and Neglect Reporting

Rule 5180-2-12-19 | Supervision of children and child guidance
Rule 5180:2-12-19 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Program protects children from abuse, neglect, and exploitation. Staff are trained and empowered to recognize and respond to signs of abuse or neglect and reporting procedures are followed promptly and correctly to safeguard children's well-being.

Guidance for Demonstrating Compliance

- Provide mandatory training for all employees on recognizing and reporting abuse/neglect.
- Develop and distribute written policies. When writing the policies, include topics such as what constitutes abuse or neglect, how and when to report, who is responsible for making the report, and include procedures for documenting the report (date, time, agency contacted, summary of concern).
- Provide training on how to maintain accurate and objective documentation of concerns.
- Provide staff with contact information for local county PCSA and law enforcement. If you serve children who live in multiple counties, include contact info for the PCSA in each county because the county where the child lives would be responsible for determining if an investigation is needed.
- Explain to staff and reiterate that the PCSA is responsible for investigating concerns of abuse and neglect. Although programs are permitted and encouraged to complete their own investigations for internal quality assurance purposes, they are still legally required to report all suspicions of child abuse or neglect to the PCSA or law enforcement.
- Ensure staff understand they are required by law to report suspicions of abuse or neglect, regardless of whether the suspected abuse or neglect happened at the child's home or at the program. They are not required to obtain permission from the program owner or administrator.
- Keep records of all reports made to PCSA or law enforcement, including date and time of report, name of staff member who reported, and summary of concern.

Common Non-Compliance(s)

- Staff do not notify the PCSA or law enforcement immediately when they suspect a child has been abused or neglected.

Resources

- Child Abuse Training | Ohio Professional Registry
  - Search for "DCY Child Abuse and Neglect Recognition and Mandated Reporting Requirements" (ST# 10157929)
- Report Abuse and Neglect | Ohio Department of Children and Youth
- Ohio Child Abuse Reporting Hotline
  - Phone: *855-O-H-CHILD (855-642-4453)*
  - *Connects callers directly to the child welfare or law enforcement office in their county.*
  - *Reports can be made anonymously.*
- Childhelp National Child Abuse Hotline
  - Phone: *1-800-4-A-CHILD (1-800-422-4453)*
  - *Available 24/7 with professional crisis counselors*
  - *Offers support, resources, and guidance nationwide*
- Head Start Mandated Reporter Training
  - *Offers professional development for child care staff on recognizing and reporting abuse*
  - *Includes the iLookOut for Child Abuse interactive course*

○ *CEUs available for completion*	
Assessment/Monitoring Approach	
Observations	• The licensing specialist will spend time in each room or space observing staff/child interactions to determine the guidance and management techniques staff use.
Interviews	• The licensing specialist may ask questions regarding the program's policies and procedures for child abuse and neglect reporting and if any reports have been made.
Documentation Review	• Documentation of any abuse/neglect reports made by program staff
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

5180:2-12-20 | Sleeping and napping

Sleeping and Napping

Rule 5180-2-12-20 | Sleeping and napping
Rule 5180:2-12-20 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Children have a safe, quiet space for rest, nap, or sleep based on their developmental needs, if the program operates for seven hours or more.
Guidance for Demonstrating Compliance
General • Assign cribs, cots, or mats to individual children and label them, or sanitize them daily. • Cribs must be labeled with the child's name. If a crib is assigned to more than one infant due to part time scheduling, the label should indicate which days each infant will use the crib. The crib must be cleaned and sanitized between children. • Some programs label each cot or mat with the child's name. Other programs label them with numbers and have a chart posted that indicates the child assigned to each numbered crib, mat or cot. Some programs choose to clean and sanitize every cot or mat every day and do not label them. • During rest, naps, and sleep, staff are actively supervising children in a well-lit area and making sure evacuation routes are not blocked. • Ratio may be doubled for no more than two hours during nap time and shall only be doubled if all the children in the group are on cots or on mats, the group does not include any infants, and there are enough child care staff members in the building to meet staff/child ratio. • Any child who does not fall asleep during a designated nap time shall have the opportunity to engage in quiet activities. **Cots and Mats**

- Infants 12 months or older may use a cot or mat for sleeping and resting with written permission from the parent.
- Toddlers, preschool, and school-age children may use a cot or mat to rest, nap, or sleep. Children may not sleep on the floor, furniture, or at tables. Train staff to offer a cot or mat to children who may be sleepy when arriving early and may fall back to sleep.
- If the program operates less than seven hours, and does not have a scheduled nap time, cots, and mats are not required for preschool and school-age children. Remember at least one cot or mat is required to be available for a sick child.
- Ensure cots and mats are in good repair. A cot should stand at least 3 inches and not more than 18 inches off the floor. Mats need to be at least one inch thick. Cots and mats need to be as long as the child assigned to the cot or mat. Check to make sure the fabric isn't sagging and doesn't have rips or tears. Ensure the frames on the cots aren't bent.

Cribs

- The play space is divided from the crib by a sturdy barrier that can't be knocked over. Staff can still easily see and hear the infants to keep an eye on them while sleeping.
- When purchasing cribs, especially if the crib is not brand new, check the label that includes the manufacture date. The label is often found on the mattress support or bottom of the crib. All cribs must be manufactured after June 28, 2011, or have a certificate of compliance (COC) on file that meets the United States Safety Commission Safety Standards.
- Train staff and observe to ensure cribs are being used according to manufacturer guidelines. The crib mattress supports need to be in the lowest position and the sides in the highest position when the child is in the crib.
- Check cribs often to ensure they are still sturdy. Over time screws can loosen making the crib wobbly and pose a risk of harm to the child if a piece detaches. Ensure the space between the mattress and the side or end panel of the crib does not exceed one and one-half inches.
- Crib mattresses need to be firm to avoid the risk of suffocation. The mattress should be at least one and one-half inches thick and covered with a waterproof material. Replace mattresses that have rips or tears.
- Over time and with repeated laundering, sheets can shrink and elastic weaken. Train staff to make sure sheets fit properly. Sheets that cause the mattress corners to pull inward or are so loose that you can gather the middle of the sheet in a bunch do not fit properly. Sheets that are too large or too small should be removed and replaced. Change sheets at least weekly, or earlier if they become soiled, and before another child uses the mattress.
- When arranging cribs, be sure to leave at least two feet between cribs on all sides, unless you use a divider to separate cribs. If using dividers, then staff need at least two feet of access on two sides of the crib. If a crib is placed in a corner, ensure staff have access to the infant on at least one side.
- Cribs may be placed in storage on the premises if not currently assigned to an infant. Cribs that are assigned to a child can't be used to store toys, laundry or other items.

Infant Safe Sleep

- Infants under 12 months old are always placed on their back in a crib to rest or sleep, unless the child's physician has signed the DCY 01235 "Sleep Position Waiver Statement for Child Care" and a copy is on file at the center.
- Once a child can roll over by themselves, they can be allowed to sleep in a position they prefer, but they still need to be placed on their back when put in the crib.

- Programs can consider placing a small sign on the end of the crib alerting staff if a child can roll over on their own.
- Train staff that there can't be any extra items in the crib or hung over the side such as stuffed animals, toys, bibs, bumper pads, pacifier strings, pacifiers with items attached, and jewelry. This list is current but not exhaustive. Consumer products are a rapidly evolving industry, and monitoring procedures may need to be updated to accommodate advancements. Practice due diligence to ensure items used in your program are appropriate and not on a recall list.
- If a child has a medical condition that requires them to sleep in something other than a crib, be sure written permission from the child's physician is on file at the program.
- Infants under 12 months old are placed in a sleep sack or wearable blanket, if needed. A sleep sack is a sleeveless garment that resembles a bag designed to keep infants warm while they sleep. They are a safe alternative to blankets, which pose a risk of suffocation if the baby gets tangled in the blanket.
- Some parents and programs prefer to swaddle a baby, wrapping the infant snugly in a blanket to provide a sense of security and comfort. If your program allows children to be swaddled, ensure a wearable swaddling blanket is used, not a regular blanket. Additionally, once the child can roll-over, the practice must stop.
- Once an infant celebrates their first birthday, they may use a small lightweight blanket in a crib, if desired.
- If using a crib poses a risk of harm to an infant, they may sleep on a cot or mat with written permission from the parent.

Common Non-Compliance(s)

- Child sleeps on something other than a crib, cot, or mat.
- There is a lack of visual supervision of children during rest, nap, or sleep due to insufficient lighting.
- Provider does not place infant on their back when laying down to rest or sleep, without physician permission.
- Provider places infant in a crib with items such as a bib, toy, stuffed animal, or pacifier string.
- Provider places infant under 12 months in a crib with a blanket.
- Infant is sleeping in a bassinet, swing, car seat, or bouncy seat without physician permission.
- Cribs are not spaced apart appropriately or labeled with child's name.
- Crib sheets, mattresses, or covers are too tight or loose, ripped, or torn.
- A quiet activity is not provided to a non-napping child.
- Nap and rest are not developmentally appropriate. For instance, infant sleep schedules are not individualized, and they are forced to nap at the same time, or older children are forced to rest when they are not exhibiting signs of tiredness.

Resources

- DCY 01235 Sleep Position Waiver Statement
- Infant Safe Sleep
- Help Me Grow | Ohio Department of Children and Youth
- Cribs for Kids | Ohio Department of Children and Youth
- Safe to Sleep | National Institute of Child Health and Human Development

• Providing Care for Babies to Sleep Safely | Centers for Disease Control and Prevention • Safe Sleep | American Academy of Pediatrics • Safe Sleep | Child Care Technical Assistance Network	
Assessment/Monitoring Approach	
Observations	• The licensing specialist will observe placement of cribs, cots, and mats as well as sleeping or resting practices and routines. • The licensing specialist will check cribs for the manufacture date.
Interviews	• The licensing specialist may ask questions about sleeping and napping routines. • They may ask if there are any infants who have permission on file to sleep in something other than a crib or in a position other than on their back.
Documentation Review	• DCY 01235 • Documentation of the system for labeling cots, mats, and cribs
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not provide a quiet place for a child to rest outside of scheduled naptime as required. • The program did not provide quiet activities for a child not sleeping as required. • The program did not separate cribs at least two feet apart as required. • The program did not provide a divider between cribs as required. • The program did not maintain a crib assigned to a child as a non-storage area as required.

5180:2-12-21 | Non-traditional care

Evening and Overnight Care

Rule 5180-2-12-21 | Non-traditional care
Rule 5180:2-12-21 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Programs that provide overnight and evening care can provide healthy and safe environments for children.
Guidance for Demonstrating Compliance
Basic Requirements • Ensure staff always remain awake. • Provide enough indoor lighting so staff can see all children clearly, including in bathrooms, hallways, and sleeping rooms. • Make sure outdoor areas (parking lots, walkways, entrances) are well-lit for safety.

- Develop a written security plan that ensures access to the center is limited to parents and guardians of children in care and authorized persons.

Bedtime and Sleeping Guidelines

- Work with parents to create bedtime routines.
- Keep sleeping children separate from children who are awake.
- Avoid disturbing sleeping children during arrivals and departures.
- Make sure sleeping areas are on the ground floor unless another floor has been approved by the fire department.

Hygiene and Sanitary Practices for Bedtime Routines

- Children who will be sleeping four or more hours need to have clean, comfortable clothes for sleeping. This could be pajamas or a change of clothes that allow a child to sleep comfortably.
- Staff should help children wash and change clothes based on their age and developmental level.
- Give school-age boys and girls privacy and keep them separated during washing and changing.
- Provide access to running water, liquid soap, and toothpaste.
- Be sure each child has their own toothbrush, washcloth, and towel. Label these items or have a system to identify each child's items, such as a different color for each child.

Bathing

- If children will bathe while at your program, make sure the following are in place:
  - Obtain written permission from parents before allowing children to bathe.
  - Bathtubs and showers need to be equipped to prevent slipping.
  - Clean and sanitize bathtubs and showers between each use
  - Bathe children separately, unless they are siblings and parents give written consent for them to bathe together.

Common Non-Compliance(s)

- There is no written security plan.
- There is inadequate lighting.
- Staff are sleeping while responsible for supervising children.
- There are inadequate hygiene supplies.
- Children bathe without permission.
- There are no bedtime routines, or parents are not involved in creating bedtime routines.

Resources

- Not applicable

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe evening and overnight programming during an inspection at least every other fiscal year.
Interviews	• The licensing specialist may ask about evening and overnight procedures, policies, and practices.
Documentation Review	• Written security plan • Written permission if children bathe while at the program

Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not complete a child's bedtime plan as required. • The program did not have a written security plan as required. • The program did not provide appropriate sleeping and non-sleeping arrangements as required. • The program did not provide clean sleeping garments for a child as required. • The program did not provide hygiene items as required. • The program did not provide an opportunity for children to wash and brush their teeth as part of a bedtime routine as required. • The program did not have parental permission to bathe a child as required. • The program did not provide sanitary bathing facilities as required.

Mobile Preschool

Rule 5180-2-12-21 | Non-traditional care
Rule 5180:2-12-21 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Preschool children who wouldn't otherwise have an opportunity are able to participate in a safe and nurturing early learning setting.
Guidance for Demonstrating Compliance
Vehicle Requirements • The Class C RV or motorhome has at least one rest room with a toilet and sink and provides at least 15 square feet per child of usable indoor space. The driver's area can't count in the usable indoor space and needs to be off-limits to children. • The vehicle has to be inspected annually, just like vehicles used to transport children. • DCY must approve the vehicle before children can be served by the mobile preschool. • The vehicle is required to have two emergency exits, heating, and air conditioning. • If the program will serve food, a food service license needs to be obtained. • When selecting a location for the mobile preschool to serve children, make sure the vehicle is parked on a flat level surface and wheel chocks are placed on both sides of one axle. Wheel chocks are small wedges that can be placed against the vehicle's wheels to keep them from moving. **Staffing and Supervision** • Only preschool children and those who were eligible to go to kindergarten but haven't started yet may be enrolled in the mobile preschool. • The group cannot include more than eight children at any time. • At least two child care staff members need to always be present with the children. • Each class session can last up to four hours.

- The mobile preschool is run by a licensed child care center and an administrator is available at the center and responsible for the mobile preschool whenever it is operating,
- The mobile preschool's driver follows all of the driver requirements in 5180:2-12-14.
- Staff need to supervise the children when they are getting on and off the vehicle.

Safety and Emergency Preparedness

- The mobile preschool has a safety and emergency plan that includes the following:
    - The locations where the preschool will operate are shared with parents and DCY, including if a parking location changes. Changes to parking locations are submitted to DCY at least 30 days in advance through the statewide licensing system.
    - Procedures for keeping attendance.
    - How the mobile preschool will maintain enrollment and health records.
    - Staff ensure current health care plans are on file for any child with a chronic condition, along with any medications or supplies required to implement the plan. Staff are trained to carry out the child's plan.
    - The mobile preschool is able to communicate with the licensed child care center at any time during hours of operation.
    - Procedures for handling emergencies like fire, weather, or security threats, as well as evacuating and reuniting children with their parents.
    - How children can be transported to and from the mobile unit in an emergency.
    - What to do if the vehicle breaks down, can't operate, or needs to cancel class.
    - Unexpected issues, like a parent not picking up a child or staff getting sick.
    - Conducting monthly drills for fire, weather, stranger danger, and security threats.

Safe and Sanitary Environment

- The mobile preschools are required to follow the child care center licensing rules at all times.
- The vehicle must not move while children are in attendance.
- Children cannot be exposed to carbon monoxide. It is recommended a carbon monoxide detector is used in the vehicle when children are present.
- The indoor temperature is between 65 and 85 degrees Fahrenheit. Fans that do not pose a risk of harm to children or air conditioning can be used if the indoor temperature goes above 85 degrees.
- Make sure the restroom's toilet and sink meet Ohio Department of Health standards.

Requesting Approval to Operate a Mobile Preschool Unit

- Submit a request to change the center's license capacity in the statewide licensing system.
- Add the vehicle and the address where it will be parked as the name of a new space. Example: Mobile Preschool – 123 Main St., City.
- Upload the vehicle registration or documentation showing it is a Class C RV or motorhome as the building approval and fire inspection document.
- Don't forget to add a new schedule in the statewide licensing system notifying DCY when and where the mobile preschool unit will operate. The schedule name should include the address where the mobile preschool will operate. Example: Mobile Preschool – 123 Main St., City.
- Remember, the mobile preschool unit may not operate until DCY has approved the request.

Common Non-Compliance(s)

- Unapproved vehicle used

- Restroom not available
- Vehicle inspections not completed, or vehicle did not pass inspection
- Vehicle not parked safely
- Group size exceeded
- Two staff not present
- Children younger than pre school-age in attendance
- Children in attendance more than four hours
- Administrator not available or unable to be reached
- Parents or DCY not notified of change of location
- Emergency plan incomplete or not approved
- Vehicle moved while children in attendance
- Indoor temperature not maintained

Resources

- Not applicable

Assessment/Monitoring Approach

Observations	• The licensing specialist will travel to the mobile preschool while it is in session to assess the vehicle and program.
Interviews	• The licensing specialist may ask questions about the mobile preschool's policies, procedures and practices.
Documentation Review	• Vehicle inspection • Safety and emergency preparedness plan
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The rule requirements in this section of the guide do not support technical assistance opportunities in lieu of a non-compliance finding.

5180:2-12-22 | Meal preparation and nutrition

Meals and Snacks

Rule 5180-2-12-22 | Meal preparation and nutrition

Rule 5180:2-12-22 - Ohio Administrative Code | Ohio Laws

Desired Outcome

Program provides safe and healthy meals and snacks that meet nutritional requirements and support children's health, growth, and development.

Guidance for Demonstrating Compliance

- Meals and snacks should be thoughtfully planned and served at regular intervals. No child should go more than four hours without eating, unless they're asleep. The food offered should be varied and nutritious. It's not just about feeding children, it's about nourishing them in a way that supports their growth and development.

- For appropriately timed meals and snacks, if children are in attendance during the entire time span in the chart below, they should be offered a meal. Remember, a child may not go more than four hours without being offered a meal or snack.

Child attendance the entire time span	Meal/Snack Provided
From 5:00 AM to 7:30 AM	Breakfast
From 11:00 AM to 1:30 PM	Meal (Lunch)
From 5:00 Pm to 7:30 PM	Meal (Dinner)
School Age children arriving after school	Snack

- Food safety is equally important. All meals and snacks must be free of choking hazards and tailored to the developmental needs of each child. That means considering texture, size, and quantity. For infants and toddlers, this might involve cutting food into smaller pieces or offering softer textures.
- Menus play a key role in transparency and planning. Each center must post a current weekly menu in a location that's easy for parents to see. These menus should reflect all meals and snacks being served, and any substitutions must be noted at the time they occur. This helps families stay informed and builds trust in the center's food practices.
- When juice is served to meet fruit or vegetable requirements, it must be 100% undiluted. Other juices may be offered as beverages, but they don't count toward nutritional goals. Additionally, centers must have supplemental food available on-site to ensure no child goes hungry, even if a meal is forgotten or a child arrives late.
- Special diets require careful documentation. If a child needs a medical food or has an entire food group eliminated, the center must have written instructions from a physician. For cultural or religious dietary needs, a signed and dated note from the parent is required, unless the diet is part of the center's program. This information could be written on the child's enrollment form since the parent signs and dates the form. If a parent requests an alternate diet outside of these reasons, the center may choose to accommodate it but must ensure the child still receives items from all major food groups: meat or meat alternatives, grains, fruits or vegetables, and dairy.
- Safe storage of food is essential. This includes milk, formula, and breast milk, which must be stored properly at all times. Milk cannot be left out at room temperature for more than two hours, even shorter if it is extremely warm. On field trips, if refrigeration isn't available, milk may be served at snack instead of lunch. Parent-provided food must also be stored safely to prevent spoilage or contamination. It's a good idea to check packed lunches for perishable food to determine if an ice pack or refrigeration is needed. Consider keeping extra ice packs on hand if items can't be placed in a refrigerator.
- Drinking water must be freely available to children throughout the day. If drinking fountains are used, they must have enough pressure to prevent children from touching the spout with their mouths. After meals and snacks, any food or drink that was served but not consumed should be discarded or sent home with the child. Unopened, individually packaged items may be stored or reused.
- When it comes to self-feeding, the center must ensure that food is never served directly on bare tables. For infants, food may be placed on highchair trays only if the trays are removed, washed, and sanitized according to the proper procedures. All eating utensils and dishes should be age-appropriate, helping children feed themselves safely and independently.

- Finally, meal time should be a calm, focused experience. Screens, including televisions, computers, and tablets, should be turned off during meals and snacks to encourage healthy eating habits and social interaction. Appropriate use of screens could include audio only (i.e., YouTube sound with screen saver), smart board for timer, or any other non-interactive visual display.
- When it comes to self-feeding, the center must ensure that food is never served directly on bare tables. For infants, food may be placed on highchair trays only if the trays are removed, washed, and sanitized according to the proper procedures. All eating utensils and dishes should be age-appropriate, helping children feed themselves safely and independently.

Common Non-Compliance(s)

- Program does not give food a timely manner (more than four hours apart).
- Meals do not meet food group requirements.
- Program does not properly cut food to avoid choking hazards, especially in regards to items such as grapes, hot dogs, raw carrots, etc. Most commonly seen in toddler classrooms.
- Program serves the wrong type of juice. Programs often serve juice but it's not 100% and sometimes replace dairy with juice.
- Broken drinking fountains with no other option for water. We often find that drinking water is not freely available. If a child asks for water and they are told to wait for snack or wait for lunch, that does not meet rule requirement
- Program does not post menus with current dates, or menus do not match the meal/snack served.
- Program serves food directly on bare tables.
- Utensils are not appropriately sized or program does not provided to older infants and toddlers.
- Provider does not store food properly or leaves food sitting out.
- There are screens on during meal times.

Resources

- Crediting Handbook for CACFP | Food and Nutrition Service
- Reducing Risk of Choking in Young Children | US Department of Agriculture
- Choking Hazards | Infant and Toddler Nutrition | Centers for Disease Control and Prevention
- Choking Prevention for Babies & Children | HealthyChildren.org
- Early Years Food Choking Hazards

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe a meal during a regular licensing inspection or as needed for monitoring.
Interviews	• The licensing specialist may ask questions about how long items have been sitting out, what time meals/snacks will be served, supplemental food policy and storage, and location of drinking water.
Documentation Review	• Menus, including substitutions • Food labels
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list:

	• The program did not provide a variety of meals and snacks as required. • The program eliminated a food group for a child without written approval as required. • The program provided a child with special diet without written instructions as required. • The program did not discard parent provided food as required. • The program did not place food on an appropriate material other than a bare table as required. • The program did not provide appropriate utensils or dishes as required. • The program did not provide utensils as required. • The program served reconstituted dry milk and did not meet meal or snack components as required.

5180:2-12-23 | Infant care and diaper care for a licensed child care center

Infant Care

Rule 5180-2-12-23 | Infant care and diaper care for a licensed child care center
Rule 5180:2-12-23 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Programs support infant health, safety, nutrition, and development through structured, responsive, and hygienic care practices in early childhood education settings.
Guidance for Demonstrating Compliance
• When it comes to showing the program is compliant with Rule 5180:2-12-23, think of it as proving your infant care is safe and responsive. It is important for staff to be tuned into each infant's individual needs, whether they're hungry, tired, or just need a little comfort. Infants need to be removed from equipment throughout the day to allow for tummy time and individual attention. Giving toys, placing a mirror on the floor in front of the infant, and a teacher interacting with the infant during tummy time helps stimulate the infant's development and build relationships. • Tummy time is when infants are placed on their stomachs for short periods of time (three to five minutes) two to three times per day. As infants grow, the tummy time session can be lengthened. Tummy time helps infants develop strong head, neck and shoulder muscles, promotes motor skills, and helps prevent a flat spot from developing on the back of the infant's head. Putting a developmentally appropriate toy within the infant's reach encourages the infant to learn to play and interact with their surroundings. • Feedings should be done with care. Formula bottles should be labeled with the child's name and date of preparation. Breast milk bottles should be labeled with the child's name, date it is expressed and the date it is prepared. Keeping a roll of tape and a marker near the infant refrigerator makes it easier for staff to label bottles if parents forget. • Store bottles properly and never prop them during feedings. Holding infants during bottle feeding creates a more meaningful experience.

- Update parent feeding preferences as needed. You can use sample form DCY 01218. If the parent isn't able to update the form, a staff member can update the form with the new feeding preference and the date of the change. Keeping a binder of the parent feeding preferences in the infant room will allow for staff to easily access the information and to update the form when needed.
- Work with families to provide a consistent feeding experience for each child, however, the program is responsible for making sure food served does not present a choking hazard to the child. Some foods served uncooked, whole, or in certain shapes or sizes can be choking hazards. Food may need to be cut into bite-size portions or altered through cooking or mashing before being served to a young child.
- If using a crockpot instead of a bottle warmer to warm bottles, make sure to check the temperature throughout the day to ensure the water never goes over 120 degrees. Also, the device used to warm bottles should be kept out of the reach of children, including any cords so it can't be pulled down and possibly cause burns.
- Keep a daily log of feedings, naps, diaper changes, and activities. Sample form DCY 01228 can be used to meet this requirement, or your program may choose to use an app. Best practice is to keep a dry erase board in the room to document feedings, naps, and diaper changes, then fill out the log when time allows.

Common Non-Compliance(s)

- The program does not remove infants from seats throughout the day to provide individual attention.
- The program does not have feeding preferences/instructions from parents or does not update them.
- The infant daily sheet/daily sheet is incomplete.
- Program does not label bottles.
- Program leaves bottles out for too long.
- Program does not label prepared food with infant's name and date of preparation.
- Program does not properly store breast milk or it is stored for too long.
- Program does not clean and sanitize bottle warmer/crock pot daily.

Resources

- DCY 01218 Basic Infant Information
- DCY 01228 Infant Daily Report
- DCY 00301 Infant and Early Childhood Mental Health Consultation Services
- Appendix A to Rule 5180:2-12-23 - Breast Milk Storage
- Developmental Milestones Matter! | Learn the Signs. Act Early. | Centers for Disease Control and Prevention
- Infant Feeding Resources for Parents and Child Care Personnel
- Helpful Resources | Infant and Toddler Nutrition | Centers for Disease Control and Prevention
- Feeding Infants and Meal Pattern Requirements in CACFP - Q&As | Food and Nutrition Service
- Infants | Nutrition.gov
- Reducing Risk of Choking in Young Children
- Choking Hazards | Infant and Toddler Nutrition | Centers for Disease Control and Prevention
- Choking Prevention for Babies & Children | HealthyChildren.org
- Early Years Food Choking Hazards

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe each infant room to assess feeding practices, activities, and interactions.
Interviews	• The licensing specialist will ask questions related to infant care that has not been observed.
Documentation Review	• Infant information sheets • Infant daily sheets • Other documents/apps used by the program to meet these requirements
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not provide an infant daily form for each child as required. • The program did not have written instructions or updated written instructions on file for each child as required.

Diapering

Rule 5180-2-12-23 | Infant care and diaper care for a licensed child care center
Rule 5180:2-12-23 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Provide a clean, safe, and respectful diapering environment that supports children's physical health, emotional well-being, and developmental needs, while upholding high standards of hygiene and infection control in the child care setting.
Guidance for Demonstrating Compliance
• It is suggested to post the DCY 01260 "Diapering Changing Instructions for Child Care" near the diapering table for a visual reminder of steps to use to best ensure the health and safety of children and teachers. • Change children immediately upon becoming wet or soiled. Best practice is to check diapers every two hours. • Prior to placing a child on the changing table, prepare the area with needed items. These may include separation materials, a clean diaper, wipes, a plastic bag for sending soiled items home, non-latex gloves if the program chooses to use them, and if needed diaper creams and clean clothes. Assembling all supplies prior to changing ensures the child's safety, makes changing the child more efficient, and reduces contamination. Diaper changes should be documented on the infant's daily sheet or in an app used to communicate with parents. Some common separation materials would be rolls of medical exam table paper, paper towels, deli sheets, wax paper, parchment paper, and scrap paper. • Clean the area with soap and water when visibly soiled and sanitize with a disinfectant after every diaper change. Remember that handwashing is required for both the child and the staff member after every diaper change. • Place soiled diapering products in a covered waste bin for disposal. There are waste bins that are designed for disposal of diapers, so this is a recommendation for programs looking for options. If soiled items are to be sent home with a parent, they must be stored for no longer than one day in an individual covered container or sealed plastic bag, kept separate

from the child's belongings, and out of reach of children. An example may include having a designated area or bin in the infant room for parents to take the soiled items home when they pick up.

- When changing pads and/or tables have straps, they must be used to secure the child. No child should be left unattended on a changing table. It is best practice to always have one hand on the child during the changing process to ensure the child does not fall from the table. Diapering areas, when positioned within the classroom should allow staff to properly supervise the other children present while performing diaper changes.
- If diapering occurs in a restroom or separate area from the classroom, a system for children waiting should be in place. Stools, chairs, or benches placed within the area for supervision would be the best practice to eliminate the chance of recontamination of their hands after handwashing. Games, songs and transitioning activities should be planned ahead to circumvent long wait times.
- When using one diapering product (cream, lotion) for all children, it is best practice to wear gloves or use a different barrier when applying the cream for each child to avoid cross contamination.
- Talk, laugh, and sing with each child while diapering to help build positive teacher-child relationships with children. These activities help build pre-language skills.
- Conduct toilet training in a way that is developmentally appropriate based on the child's individual readiness, in consultation with the family and never forced. Signs of readiness include the child showing signs of discomfort when wet or soiled, asking to sit on the toilet, following simple instructions, and being able to walk to the toilet and undress themselves.
- Diapers can be changed while the child is standing if using a changing table is unsafe or impractical due to the size or age of the child. If changing the child while they are standing, it is still important to have all supplies ready and within reach before starting. Use a separation barrier if you need can't place soiled items directly in the trash can. Remember to clean and sanitize all surfaces that may have become contaminated during the diaper change.
- Pull ups and cloth training pants should be treated as diapers when checking, changing, and storing or discarding. Best practice would be to set a timer for each child who is toilet training to help the teacher remember to send them to "try" going potty. Another idea is to create a sticker chart or use words of affirmation (ex: Good Try! You did it!) to reward the child for positive toilet training behaviors.
- Programs are not required to rinse or clean soiled clothing before sending it home. It is best practice to not do so because of the risk of contaminating surrounding surfaces while doing so. Soiled clothing should not be rinsed in a handwashing sink.
- Programs can consider creating an infant diapering training for all new staff, reviewing rule requirements and practicing safe and sanitary diapering techniques. Administrators should observe diapering and mentor best practices. Teachers should refill all diapering supplies as needed or at least by the end of the day.

Common Non-Compliance(s)

- Diapers are not changed as required.
- There are inadequate supplies for diapering.
- Program does not prevent cross contamination.
- The program does not use a separation material or the material is reused.
- Program uses a cloth or porous cover on a changing pad.

• Children are sitting on the restroom floor waiting to be changed.	
Resources	
• DCY 01260 Diaper Changing Instructions • DCY 01228 Infant Daily Report • Safe and Healthy Diaper Changing Steps In Childcare Settings | Centers for Disease Control and Prevention	
Assessment/Monitoring Approach	
Observations	• The licensing specialist will observe a complete diaper change.
Interviews	• The licensing specialist may ask questions if there are no diapered children in attendance.
Documentation Review	• Infant daily sheets • Permissions for diaper creams
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not use or discard separation material while diapering as required. • The program did not ensure children were not sitting directly on the floor while the group was in the restroom for toileting as required. • The program did not have adequate diapering supplies as required. • The program did not store or launder cloth diapers or clothing as required. • The program did not use appropriate disposable gloves during diapering as required.

5180:2-12-24 | Swimming and water safety requirements for a licensed child care center

Swimming and Water Safety

Rule 5180-2-12-24 | Swimming and water safety requirements for a licensed child care center
Rule 5180:2-12-24 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Children are safe, healthy, and properly supervised during swimming and water play activities.
Guidance for Demonstrating Compliance
• If your program chooses to offer swimming activities, it is important to remember that swimming sites need to meet all state and local guidelines for environmental health inspections. If there is a pool on-site or a private pool is used, the inspection reports for the pool needs to be on file at the center. It is recommended to keep these inspection reports in a file or binder in the office for review.

- The program is responsible for ensuring a certified lifeguard is present if children will be using pools or bodies of water 18 inches or more in depth. The lifeguard may not be used in the staff to child ratios, even if the lifeguard is an employee of the program.
- It is recommended that programs have a training plan in place for all staff to ensure safety, ratios and supervision are followed. It is recommended staff who supervise swimming or water activities participate in training prior to swimming or summer camp to review rule requirements.
- Have a system in place for actively supervising children in and around water, all parts of a swimming pool, including seeing the bottom and during all water activities. It is best practice for staff to be in the water, as well as on deck actively scanning the children swimming. Staff should not be engaged in other activities such as tablet or cell phone use. Drowning typically happens silently in a few seconds when staff are not actively supervising. Head counts and name-to-face tracking could be done every 15 minutes or more frequently to ensure all children are accounted for. Plan to monitor slippery surfaces and remind children to walk to avoid accidents.
- Ensure the pool or body of water is not accessible to children when not in use. Be reminded that swimming in lakes, rivers, ponds, creeks, or other similar bodies of water and the use of saunas, hot tubs, and spas by children is not permitted for safety and supervision concerns.
- When using wading pools, it is recommended to empty the water and sanitize the pool immediately after use to ensure this step gets completed. Many times, if staff leave a pool filled with water, they don't return to empty it and sanitize it. For example, a storm may roll in, and they don't want to go out in the rain to take care of it, or they may get busy with classroom routines and forget that they were going to go back to take care of it.
- Proper swimming permission needs to be completed for all children engaged in swimming, including the child's swimming ability. The sample form, DCY 01227 "Permission to Participate in Water and Swimming Activities for Child Care", may be used to meet the rule requirements. If the swimming location is off-site and part of a field trip, the program could add this permission slip to the transportation binder, if applicable.

Common Non-Compliance(s)

- The parent permission form is missing or incomplete.
- Program does not keep permission forms on file for one year.
- The program is missing a pool health inspection.
- Wading pools are not emptied and sanitized daily.

Resources

- DCY 01227 Permission to Participate in Water and Swimming Activities
- Longfellow's WHALE Tales Water Safety for Children | American Red Cross
- Safe Swimming and Drowning Prevention | Ohio Department of Health
- Guidelines for Healthy and Safe Swimming | Centers for Disease Control and Prevention
- Drowning Prevention and Water Safety | American Academy of Pediatrics
- Tips for a Safe Swimming Season | Ohio Chapter, American Academy of Pediatrics
- Swim Safety Tips | American Academy of Pediatrics

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe staff supervision of children engaged in swimming or water play.

	• For programs with an on-site pool, the licensing specialist will verify that the water area is not accessible to children while the pool is not in use.
Interviews	• The licensing specialist may ask questions regarding swimming location and staff supervision of children while swimming.
Documentation Review	• Parent permission slips • Pool Health Department Inspection for on-site and private pools, if applicable • Lifeguard certifications
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not have inspection documentation on-site as required. • The program did not empty or sanitize a wading pool as required.

5180:2-12-25 | Medication administration

Medication Administration, Food Supplements, and Medical Foods

Rule 5180-2-12-25 | Medication Administration
Rule 5180:2-12-25 - Ohio Administrative Code | Ohio Laws
Desired Outcome
Safe, appropriate, and compliant administration of medication, medical foods, and topical products, to: • Protect children's health. • Provide clarity on handling medications, storage requirements, and documentation practices. • Facilitate clear communication between staff, parents, and health care providers.
Guidance for Demonstrating Compliance
• The DCY 01236 "Health Care Plan Documentation & Permission to Administer Medication" may be used when administering medications and medical foods. The form documents administration instructions, parent permission, and when necessary, health care provider instructions, making sure that everyone's on the same page and the child's health is protected. This form indicates exactly what medication is being administered, how much should be given, when it should be administered, and who authorized the program to administer it. Any time the medication is administered it should be documented immediately so it isn't forgotten. This documentation will be reviewed onsite during inspections or by parents if questions should arise. • If you do not use the department's sample form, ensure the form used by your program contains all of the information required in rule: o Child's name o Name of medication and dosage o Date and time the medication was administered

    - Signature of the staff member that administered the medication
- Topical creams, such as diaper creams and sunscreen, only require parent permission. You can get permission on the child's enrollment form if desired. Permission is not required for hand sanitizer use by children older than 24 months or for lip balm. When administering non-prescription topical products or lotions, programs are not required to keep a log of times the product was administered.
- If programs choose to create their own forms, ensure all of the information required in rule is included on the form. The exact name of the medication, medical food, or topical product should be listed when obtaining parent permission and programs should be sure to follow manufacturer instructions.
- A commonly observed practice to help keep medication and topical products organized and improve compliance is storing the medication and permission form in a Ziploc bag with a label. The label can include the child's name, the name of the medication, and dates of expiration for the medication, permission to administer, and prescription. This helps easily track when items need to be updated or replaced and keep everything together for each child.
- Consider having a system where parents must drop off medications and completed forms directly to the administrator or office staff. This way the forms and labels can be reviewed for accuracy, and you can ask any clarifying questions before the parent leaves. Having families and staff use the DCY 01580 "Your Prescription for Safely Administering Prescription Medication" and DCY 01581 "Your Prescription for Safely Administering Non-Prescription Medication" can help your program comply with the requirements in the rule. This is also a good time to ensure the item is in its original container.
- Thoroughly review forms before the parent leaves when a new medication is brought to the program. The time to administer the medication should never be "as needed." If medication isn't to be given on a timed schedule, but in response to symptoms, have them list the symptoms staff should look for to signal the medication needs to be given. An example could be "as needed for uncontrolled wheezing, shortness of breath or difficulty breathing" for when an inhaler needs to be administered. Parents' instructions should be clear enough that staff don't have to try to guess or interpret what is meant.
- If you aren't sure about a form, you can always reach out to your licensing specialist for assistance and ask them to review the form.
- It is best practice to have a procedure in place to track both expiration dates on medications and topical creams. Each medication, medical food or topical product to be administered could be entered on a spreadsheet or in a log in a binder. Include information such as the signature date on the permission form, expiration date of the medication, expiration date of the prescription. Check the tracking sheet or log monthly to make note of upcoming expiration dates and work with families to update forms or replace expiring products. Double check that prescriptions have not expired. Set calendar reminders if that is a system that works well for you.
- Consider where medications and topical products will be stored so staff can safely administer them, but they are not accessible to children. It's also important to make sure medications that require refrigeration are stored properly in a separate container immediately upon arrival.
- If the program allows school-age children to carry their own emergency medication, remember the medication needs to be carried on their person. If the child needs to set the

medication down or no longer carry it, the medication must be stored in a place where only that child and child care staff members can access it. The medication can never be accessible to other children.

- Designate a primary and secondary staff member who will be responsible for administering medication. Depending on the size of the center, two or more people may need to be designated as the primary people.
- Prior to administering medication, the designated staff member should address the "Five Rights of Medication Administration"
  - Right Child
  - Right Time (not more than 30 minutes before or after the designated time)
  - Right Dosage
  - Right Route (oral, ear, eye, etc.)
  - Right Medication

Common Non-Compliance(s)

- Parental permission forms are missing or incomplete.
- Physician's instructions, when required, are missing or incomplete.
- The written permission does not provide the name of the actual item to be administered.
- Non-prescription medication or topical products are not labeled with the child's first and last name.
- Children younger than 24 months use hand sanitizer old without parent permission.
- Children use topical products without written parent permission or labeling.
- Program gives medication without prior home dose given first.
- There is a lack of medication administration documentation (log not maintained or incomplete).
- There is only one form used for multiple medications or children.
- Program stores medication in areas that are accessible to children.
- Program does not remove or send home medications that are no longer needed. They continue to use expired medications or topical products that do not have documentation from a physician to continue use.

Resources

- DCY 01236 Health Care Plan Documentation & Permission to Administer Medication
- DCY 01580 Your Prescription for Safely Administering Prescription Medication
- DCY 01581 Your Prescription for Safely Administering Non-Prescription Medication
- Child Care Administrator/Staff Licensing Responsibilities
- Medication Safety | Centers for Disease Control and Prevention
- Administration of Medication | Child Care Technical Assistance Network
- Poison Control Center (24/7) *For immediate support or questions about medication incidents or safety or via phone at 1-800-222-1222*

Assessment/Monitoring Approach

Observations	• The licensing specialist will observe medication, medical foods, and topical products storage, labeling, proper administration, and documentation after administration.
Interviews	• The licensing specialist may inquire about storage, administration, and documentation procedures if children are taking medication.

Documentation Review	• Written permission from parents • Written instructions from an appropriate medical professional • Prescription labels for instructions, expiration dates, dosage • Manufacturers guidelines • Expiration dates on medication/topical products
Compliance Finding	Unless repeated occurrences have been identified, the licensing specialist may provide technical assistance in the following areas of this rule topic if the program has demonstrated at least ninety percent compliance effort. This should not be considered an all-inclusive list: • The program did not ensure there was no medication or product that was not removed, was expired, or had an expired prescription date as required. • The program did not ensure medication was not administered by a child care staff member under 18 years of age as required. • The program did not ensure parent permission was secured for all topical products as required. • The program did not ensure the exact product, generic or name brand, was listed on the appropriate documentation as required. For TA consideration, the program must demonstrate the product named contains the same active ingredients.