



March 12, 2024

**Child Care Center Manual Transmittal Letter No. 37**

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

**FROM:** Matt Damschroder, Director

**SUBJECT:** Revised Minimum Education Requirements for Child Care Center Administrators

**Background:**

Amended Substitute House Bill 33 of the 135<sup>th</sup> Ohio General Assembly revised Section 5104.015 of the Ohio Revised Code (ORC), which lists minimum qualifications for employment as an administrator and child care staff member in an Ohio Department of Job and Family Services (ODJFS) licensed child care center. The revision removed holding or obtaining a bachelor's, master's, or doctoral degree from the qualification and education requirements for administrators and child care staff members.

Rule 5101:2-12-08 of the Ohio Administrative Code (OAC) meets the above criteria for child care staff member employment. ODJFS is revising the minimum education requirements for child care center administrators in rule 5101:2-12-07 of the OAC to align with revised ORC.

**Rule Revisions:**

**Rule 5101:2-12-07 "Administrator Responsibilities, Requirements and Qualifications for a Licensed Child Care Center"** has been revised with the following changes:

- Revised rule language in compliance with Section 121.95 of the Ohio Revised Code requiring the department to remove regulatory restriction language
- Removed paragraph (A)(4)(b) since the December 19, 2021 deadline for grandfathered administrators has expired

**Appendix A to Rule 5101:2-12-07 "Administrator Qualifications"** has been revised with the following changes:

- Clarified language in the first paragraph to change "items listed under education" to "educational options (A through L)"
- Removed "bachelor, master, or doctoral or other post-graduate" and revised educational option A to state "Minimum of an associate degree in child development, early childhood education or related field approved by the Ohio department of job and family services (ODJFS). Must be from an accredited college, university or technical college"
- Clarified language in educational option B to state "A minimum of a current prekindergarten associate license issued by the Ohio department of education (ODE)"
- Revised educational option G to state "Current designation under a minimum of a career pathways level three"

**Questions:**

Please contact the Child Care Policy Help Desk at [childcarepolicy@jfs.ohio.gov](mailto:childcarepolicy@jfs.ohio.gov) or 1-877-302-2347, option 4, if you have any questions.

5101:2-12-07

**Administrator responsibilities, requirements and qualifications for a licensed child care center.**

(A) What are the requirements to be an administrator in a licensed child care center?

- (1) Be named on the child care center license.
- (2) Written documentation verifying the administrator's qualifications ~~shall~~is to be kept on file at the center or verified documentation is available for review in the Ohio professional registry (OPR). Administrators ~~shall~~are to meet the education requirements detailed in appendix A to this rule.
- (3) A person named as administrator, who was promoted from within, and who does not meet the requirements of appendix A to this rule within one year of being named as administrator, ~~may~~is to no longer serve as the administrator. The person also ~~may~~is not to be named administrator at another location until the administrator qualifications have been met.
- (4) The administrator ~~shall~~is to complete a rules review course provided by the Ohio department of job and family services (ODJFS).
  - (a) Administrators ~~shall~~are to complete the rules review course within six months of the date of their appointment and every five years thereafter.
  - ~~(b) Any current administrator who completed the course prior to December 31, 2016 shall complete the training again by December 19, 2021.~~
  - ~~(c)~~(b) Verification of completion of the rules review course ~~shall~~is to be documented in the OPR.
- (5) The administrator is to complete the staff orientation training as prescribed by ODJFS within thirty days of being named administrator at the center or the administrator has documentation of completion of the child care center staff orientation or child care center pre-licensing training after December 31, 2016.

(B) What are the responsibilities of the administrator in a licensed child care center?

The administrator is to:

- (1) Be responsible for the daily operation of the child care center and for maintaining compliance with Chapter 5104. of the Revised Code and Chapter 5101:2-12 of the Administrative Code.
- (2) Be on-site a minimum of one-half of the hours that the child care center is in operation during the week, or forty hours per week, whichever is less. If

there is more than one administrator, at least one administrator is to meet this requirement.

- (3) For child care centers that are in operation on the weekends and/or evenings/overnights, as well as during the week, be on-site at the center at least twenty hours per week during the hours of six a.m. to seven p.m., Monday through Friday. If there is more than one administrator, at least one is to meet this requirement.
  - (4) Post the administrator's scheduled hours of availability to meet with parents in a noticeable location.
  - (5) Be responsible for the creation, maintenance and implementation of the policies and procedures detailed in appendix B to this rule. Nothing in these policies shall conflict with Chapter 5104. of the Revised Code or Chapter 5101:2-12 of the Administrative Code, and if applicable, Chapter 5101:2-16 or 5101:2-17 of the Administrative Code. A copy of these policies and procedures ~~shall~~ is to be available on-site at the center.
  - (6) Provide the parent and all employees with the policies and practices in appendix B to this rule.
  - (7) Provide a copy of appendix C to this rule to the parents of the children enrolled in the center.
  - (8) Make available the current licensing rules in a noticeable area on the premises. The rules may be made available via paper copy or electronically.
  - (9) Upon request, provide a parent with any information necessary for the parent to compile child care related expenses for income tax preparation, including tax identification numbers.
  - (10) Cooperate with other government agencies as necessary to maintain compliance with Chapter 5101:2-12 of the Administrative Code.
  - (11) Ensure that no administrator, employee, licensee or child care staff member discriminates in the enrollment of children upon the basis of race, color, religion, sex, disability, or national origin.
- (C) What are the OPR and documentation responsibilities for administrators in a licensed child care center?

All administrators are to:

- (1) Create or update their individual profile in the OPR.
  - (2) Create or update the center's organization dashboard in the OPR for each child care center in which they are employed as administrator.
  - (3) Ensure that all employees and child care staff members complete the following in the OPR:
    - (a) Create or update their individual profile in the OPR.
    - (b) Create an employment record in the OPR for the center on or before their first day of employment, including date of hire.
    - (c) Update changes to positions or roles in the OPR within five calendar days of a change.
  - (4) Update the center's organization dashboard in the OPR within five calendar days of a change for employees and child care staff members of the program, including:
    - (a) Scheduled days and hours.
    - (b) Group assignments, if applicable.
    - (c) The end date of employment.
  - (5) Maintain records for each current employee and child care staff member as required in Chapter 5101:2-12 of the Administrative Code on file in the center, if not yet verified in the OPR.
    - (a) Make employment records available upon request by ODJFS for at least three years after each person's departure, if not verified in the OPR.
    - (b) Keep employment records confidential except when made available to ODJFS for the purpose of administering Chapter 5104. of the Revised Code and Chapter 5101:2-12 of the Administrative Code.
- (D) What if an administrator is not on the premises?
- (1) A child care staff member ~~shall~~ shall to be designated as the person in charge and be on the premises.
  - (2) The designated person in charge does not have to meet the educational requirements of an administrator nor be named on the license.

- (3) The designated person in charge ~~shall~~shall to handle all emergencies and have access to all records required by Chapter 5101:2-12 of the Administrative Code.

Effective: 3/21/2024

Five Year Review (FYR) Dates: 10/29/2026

CERTIFIED ELECTRONICALLY

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Certification

03/11/2024

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Date

Promulgated Under: 119.03  
Statutory Authority: 5104.015, 5104.016  
Rule Amplifies: 5104.015, 5104.09, 5104.039  
Prior Effective Dates: 03/01/1981, 02/08/1982, 09/01/1986, 01/02/1992  
(Emer.), 04/01/1992, 04/01/2003, 09/01/2005,  
01/01/2007, 09/01/2007, 07/01/2010, 09/29/2011,  
11/22/2015, 12/31/2016, 10/29/2017, 12/01/2019,  
10/29/2021

## Appendix A to Rule 5101:2-12-07

**Administrator Qualifications**

A child care administrator is to have completed a high school education and at least one of the following educational options (A through L) combined with experience where noted:

	<b>Education</b>	<b>Experience</b>
A	Minimum of an associate-degree in child development, early childhood education or related field approved by the Ohio department of job and family services (ODJFS). Must be from an accredited college, university or technical college.	No minimum experience.
B	A minimum of a current prekindergarten associate license issued by the Ohio department of education (ODE).	No minimum experience.
C	A current infant and toddler or early childhood credential from a program accredited by the Montessori accreditation council for teacher education.	No minimum experience.
D	Two years of training, including at least four courses in child development or early childhood education from an accredited college, university, or technical college.	No minimum experience.
E	A current Ohio administrator credential as approved by ODJFS.	No minimum experience.
F	A current Ohio school-age administrator professional endorsement (if serving only school-age children).	No minimum experience.
G	Current designation under a minimum of a career pathways level three.	No minimum experience.
H	Current designation under the career pathways level two.	Two years of experience working as a child care staff member in a licensed child care program.
I	Current designation under the career pathways level one, within one year, a current designation under the career pathways level two must be achieved.	Two years of experience working as a child care staff member in a licensed child care program.
J	At least four courses in child development or early childhood education from an accredited college, university, or technical college.	Two years of experience working as a child care staff member in a licensed child care program.
K	A current child development associate credential issued by the council for professional recognition.	Two years of experience working as a child care staff member in a licensed child care program.
L	No minimum education above the high school diploma or GED, but within 1 year of being named administrator, must have completed at least four courses in child development or early childhood education from an accredited college, university, or technical college or achieve and maintain a career pathways level two. Verification of high school education is to meet the requirements in appendix B to rule 5101:2-12-08 of the Administrative Code.	A person who has two years of experience working as a child care staff member in a licensed child day care program and was promoted from within that center.

Two years of training is equal to sixty semester or ninety quarter hours from an accredited college, university or technical college. Four courses is equal to twelve semester hours or eighteen quarter hours from an accredited college, university or technical college.

**Written Information for Parents and Employees**

Written information is to be developed and provided to parents and employees that include policies and procedures of the center containing, at a minimum, the following:

**General Information**

1. Center name, address, email address and telephone number.
2. Description of the center's program philosophy.
3. Days and hours of operation, scheduled closings and basic daily schedule.
4. Staff/child ratios and group size.
5. Opportunities for parent involvement in center activities.
6. Opportunities for parents to meet with teachers regarding their child.
7. Payment schedule, overtime charges and registration fees as applicable.
8. Programs are to have a policy in place describing supports for onsite breastfeeding or pumping for mothers who wish to do so (if the program serves infants or toddlers).

**Center Policies and Procedures**

1. Enrollment including required enrollment information.
2. Care of children without immunizations.
3. Attendance Policy:
  - Procedures for arrival and departure.
  - Program's absent day policy.
  - Releasing child to people other than the parent.
  - Releasing a child according to a custody agreement.
  - Follow up when a child scheduled to arrive from another program or activity does not arrive.
4. Supervision of children, including a separate supervision policy for school-age children, if applicable.
5. Child guidance.
6. Suspension and expulsion.
7. Ensure compliance with the Americans with Disabilities Act (ADA), including:
  - Administering medication to children with disabilities.
  - Administering care procedures to children with disabilities.
8. Outdoor play, including:
  - Limitations placed on outdoor play due to weather or safety issues.
  - Considerations may include but are not limited to temperature, humidity, wind chill, ozone levels, pollen count, lightning, rain or ice.
9. Food and dietary policy, including:
  - Information regarding meeting one-third of the child's recommended daily dietary allowance.
  - Policy regarding formula, breast milk, meals and snacks.
  - Policy on providing supplemental food.
10. Management of illness policy, including:
  - Isolation precautions.
  - Symptoms for discharge and return.
  - Notification of parent of ill child.
11. Summary of procedures taken in the event of an emergency, serious illness or injury.
12. Administration of medication and topical products policy, including:
  - Medical foods.

- Modified diets.
  - Whether school age children are permitted to carry their own medication and ointments.
13. Transportation policy for:
    - Field trips.
    - Routine walking trips, if applicable.
    - Emergencies, including if the center will provide child care services to children whose parents refuse to grant consent for transportation to the source of emergency treatment.
  14. Water activities/swimming.
  15. Infant care, if applicable, including:
    - Feeding.
    - Frequency of diaper checks.
    - Information about daily activities.
  16. Sleeping, napping and resting.
  17. Evening and overnight care, if applicable.
  18. Policy on hours of operation:
    - Closing due to weather.
    - School delays or closings.
    - Any other factors.
  19. Situations that may require disenrollment of a child, if applicable.
  20. Problem or issue resolution for parents or employees to follow when needing assistance in resolving problems related to the child care center.
  21. Formal screenings and assessments on enrolled children and if the program reports child level data to ODJFS pursuant to Chapter 5101:2-17 of the Administrative Code.

### Center Parent Information

The center is licensed to operate legally by the Ohio Department of Job and Family Services (ODJFS). This license is posted in a noticeable place for review.

A toll-free telephone number is listed on the center's license and may be used to report a suspected violation of the licensing law or administrative rules. The licensing rules governing child care are available for review at the center.

The administrator and each employee of the center is required, under Section 2151.421 of the Ohio Revised Code, to report their suspicions of child abuse or child neglect to the local public children's services agency.

Any parent of a child enrolled in the center shall be permitted unlimited access to the center during all hours of operation for the purpose of contacting their children, evaluating the care provided by the center or evaluating the premises. Upon entering the premises, the parent, or guardian shall notify the Administrator of his/her presence.

The administrator's hours of availability to meet with parents and child/staff ratios are posted in a noticeable place in the center for review.

The licensing record, including licensing inspection reports, complaint investigation reports, and evaluation forms from the building and fire departments, is available for review upon written request from the ODJFS. Inspections are also online at <http://childcaresearch.ohio.gov/>. Parents may search for a specific program and sign up to be notified when the program's latest inspection is posted online.

It is unlawful for the center to discriminate in the enrollment of children upon the basis of race, color, religion, sex, national origin or disability in violation of the Americans with Disabilities Act of 1990, 104 Stat. 32, 42 U.S.C. 12101 et seq. To file a discrimination complaint, write or call Health and Human Services (HHS) or ODJFS. HHS and ODJFS are equal opportunity providers and employers.

Write or Call:  
HHS  
Region V, Office of Civil Rights  
233 N. Michigan Ave, Ste. 240  
Chicago, IL 60601  
(312) 886-2359 (voice)  
(312) 353-5693 (TDD)  
(312) 886-1807 (fax)

Write or Call:  
ODJFS  
Bureau of Civil Rights  
30 E. Broad St., 37<sup>th</sup> Floor  
Columbus, OH 43215-3414  
(614) 644-2703 (voice)  
1-866-277-6353 (toll free)  
(614) 752-6381 (fax)  
1-866-221-6700 (TTY) or (614) 995-9961

For more information about child care licensing requirements as well as how to apply for child care assistance, Medicaid health screenings and early intervention services for your child, please visit <http://jfs.ohio.gov/cdc/families.stm>.