

## TO BE RESCINDED

5101:2-18-02

**Requirements for registered child day camps.**

- (A) A person shall not operate a child day camp without annually registering with the Ohio department of job and family services (ODJFS) unless the child day camp meets the exemption criteria in section 5104.21 of the Revised Code.
- (B) The person operating a child day camp shall register the camp by completing and submitting a registration and fee online in the Ohio child licensing and quality system (OCLQS) at <https://oclqs.force.com> by March fifteenth annually.
- (1) The fee shall be twenty-five dollars per camp, not to exceed two hundred fifty dollars for all camps, pursuant to section 5104.21 of the Revised Code.
- (2) The fee is nonrefundable and nonreturnable. This registration shall be effective for the period of March fifteenth of the current year through March fourteenth of the following calendar year.
- (3) Registration of a new child day camp after March fifteenth shall be effective from the date of registration through March fourteenth of the following year.
- (C) A child day camp administrator or a designated staff member shall provide the parents of each child who attends or participates in the registered child day camp with the telephone numbers of the county department of health or local health district and the public children services agency of the county in which the day camp is located, and a statement that the parents may use these telephone numbers to make a complaint regarding the child day camp.
- (D) If a child day camp that is required to register under section 5104.21 of the Revised Code fails to register with ODJFS, or if a child day camp that files a registration form knowingly provides false or misleading information, the child day camp shall register correctly and pay a registration fee equal to three times the registration fee.
- (E) An applicant, employee, including an administrator and counselor of a child day camp, shall request a bureau of criminal investigation (BCI) and a federal bureau of investigation (FBI) criminal records check pursuant to section 5104.013 of the Revised Code. The request shall be made at the time of initial application for employment and every five years thereafter.
- (1) A child day camp may employ an applicant or continue to employ an employee until the criminal records check is completed and the camp receives the results of the check. Until the administrator has reviewed the results of the criminal records check and determines that the applicant or employee is eligible

for employment, the camp shall not grant the applicant or employee sole responsibility for the care, custody, or control of a child. If the results indicate that the applicant or employee is ineligible for employment, the camp shall immediately release the applicant or employee from employment.

- (2) The administrator shall determine an applicant or employee ineligible for employment if the person has been convicted of or pleaded guilty to any of the violations described in division (A)(5) of section 109.572 of the Revised Code unless the individual meets the rehabilitation criteria in appendix A of this rule. If the applicant or employee, upon request, fails to provide the information necessary to complete the form or fails to provide impressions of the person's fingerprints, the administrator may consider the failure a reason to determine an applicant or employee ineligible for employment. When the applicant or employee is determined ineligible, the registered child day camp shall not employ the applicant or employee or contract with another entity for the services of the applicant or employee.
  - (3) Each registered child day camp shall pay to BCI and FBI the prescribed fee for each criminal records check conducted. A camp may charge an applicant or employee a fee for the costs it incurs in obtaining a criminal records check. A fee charged shall not exceed the fees the camp pays under this rule. If a fee is charged, the camp shall notify the applicant at the time of the applicant's initial application for employment of the amount of the fee and that, unless the fee is paid, the camp will not consider the applicant for employment.
  - (4) Criminal records check results are confidential and not public records and shall not be made available to any person other than the person who is the subject of the criminal records check or the person's representative, the director of job and family services, the administrator, and any court, hearing officer, or other necessary individual involved in a case dealing with a denial or revocation of registration related to the criminal records check.
- (F) The director of job and family services may periodically conduct a random sampling of registered child day camps pursuant to section 5104.21 of the Revised Code to determine compliance with section 5104.013 of the Revised Code.

Effective: 4/27/2023

Five Year Review (FYR) Dates: 2/9/2023

CERTIFIED ELECTRONICALLY

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Certification

04/17/2023

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Date

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Statutory Authority: 5104.21

Rule Amplifies: 5104.013

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