

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

**DATE:** September 6, 2017  
**TIME:** 10:00 A.M.  
**LOCATION:** Room 2921, Rhodes State Office Tower  
30 East Broad St., Columbus, Ohio 43215

Pursuant to sections 5104.01, 5104.013, 5104.015, 5104.042 and Chapter 119. of the Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the adoption, rescission and amendment of the rules as identified below and of a public hearing thereon.

**Proposed new rule:**

5101:2-12-09 "Background check requirements for a licensed child care center" is being replaced as a new rule due to the number of revisions and rearrangement of the paragraphs and to update the appendix to include language regarding sealed records. This rule outlines the new background check requirements that must be completed before working in a child care center. Appendix A to the rule is being enacted and replaces a rescinded appendix. Language was added to clarify that for rehabilitation, three years does not need to elapse for misdemeanors that were sealed.

**Proposed amended rules:**

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

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

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

5101:2-12-05 "Denial, revocation and suspension of a licensed child care center application or license" outlines the parameters for denying an application or revoking or suspending a child

care center license. This rule is being amended to include the updated background check requirements for denying or revoking a license.

A copy of the proposed rules is available, without charge, to any person affected by the rules at the address listed below. The rules are also available on the internet at

<http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rules will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rules or comments on the rules should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal and Acquisition Services, 30 East Broad Street, 31<sup>st</sup> Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at [rules@jfs.ohio.gov](mailto:rules@jfs.ohio.gov).