

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: 09/01/2021

TIME: 10:00 A.M.

LOCATION: Teleconference

Due to COVID-19 precautions this meeting will be held by teleconference. If you would like to submit oral testimony, please call in at the above date and time to 1-614-721-2972. Then enter the meeting I.D. which is 283 843 92#. Written testimony may also be submitted electronically to rules@jfs.ohio.gov.

Pursuant to sections 5104.015, 5104.016 and Chapter 119. of the Ohio Revised Code, the Director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider amendment of the rules as identified below and of a public hearing thereon. These rules are being amended as a result of Amended Substitute House Bill 65 of the 133rd General Assembly.

Proposed amended rules:

5101:2-12-11 "Indoor and outdoor space requirements for a licensed child care center" outlines requirements for indoor and outdoor space in a licensed child care center. This rule is being amended with the following changes: clarified language about outdoor space, natural barriers, outdoor equipment, and fall zones; added that a playground on the premises that is regulated by another state agency is exempt from the on-site outdoor space fence and natural barrier requirements; and added that functionally linked play equipment may be used.

5101:2-12-13 "Sanitary equipment and environment for a licensed child care center" outlines the requirements for a licensed child care center to maintain sanitary equipment and a sanitary environment. This rule is being amended with the following changes: clarified language about storage of accumulated trash, handwashing sinks, and toothbrushing requirements; clarified cleaning and sanitizing descriptions and guidelines; and clarified handwashing procedures enacted during the COVID-19 pandemic for child care staff members, employees, and children.

5101:2-12-16 "Emergency and health-related plans for a licensed child care center" outlines medical, dental, first aid and communicable disease procedures, incidents and injuries and disaster planning for a licensed child care center. This rule is being amended with the following changes: clarified language about posting a weather alert plan, conducting emergency lockdown drills, posting of the JFS 08087 "Communicable Disease Chart," serious incidents and emergency transportation of a child. Also clarified language in appendices; added communicable disease reporting procedure and added annual written disaster plan training and documentation guidelines.

5101:2-12-17 "Programming and materials for a licensed child care center" outlines daily activities and materials for a licensed child care center. This rule is being amended to clarify language about provision of equipment, materials and furnishings.

5101:2-12-18 "Group size and ratios for a licensed child care center" outlines the requirements for staff to child ratios and grouping in a licensed child care center. This rule is being amended with the following changes: clarified language about the attendance record requirement; added guidelines surrounding transition agreement documentation and when preschool children may transition to the school-age group.

5101:2-12-19 "Supervision of children and child guidance for a licensed child care center" outlines the requirements for supervision of children and acceptable and unacceptable discipline for a licensed child care center. This rule is being amended with the following changes: added that child care staff members are to be familiar with the needs of each child and added that when a child is expelled from the center for behavioral reasons, the expulsion is to be submitted in the Ohio Child Licensing and Quality System (OCLQS).

5101:2-12-20 "Sleeping and napping requirements for a licensed child care center" outlines the requirements for the use of cribs, mats, cots and other sleep surfaces for a licensed child care center. This rule is being amended with the following changes: clarified that the JFS 01235 "Sleep Position Waiver Statement for Child Care" is valid for one year and corrected a rule reference.

5101:2-12-21 "Evening and overnight care for a licensed child care center" outlines the evening and overnight care guidelines for a licensed child care center. This rule is being amended to clarify that the center is to ensure that each child has a clean individual washcloth, towel and toothbrush if the child has a bedtime routine occurring at the program.

5101:2-12-23 "Infant care and diaper care for a licensed child care center" outlines requirements when caring for infants in a licensed child care center. This rule is being amended to add that non-latex gloves are to be used if the center uses gloves while diapering.

5101:2-12-24 "Swimming and water safety requirements for a licensed child care center" outlines swimming and water activities requirements for a licensed child care center. This rule is being amended to clarify when the center is to have written permission from the parent.

Copies of the proposed rules are 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 copies 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, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298 or by e-mail at rules@jfs.ohio.gov.