

**Serious Risk Non-compliances and Point Values for Family Child Care**

<b>All non-compliances not identified as a moderate risk or serious risk below are considered low-risk and are valued as 1 point.</b>
<p><b>5101:2-13-03 Compliance inspection and complaint investigation of a licensed family child care provider</b></p> <p><b>Serious Risk Non-Compliance (6 Points)</b></p> <ul style="list-style-type: none"> <li>• Provider, resident, child care staff member or employee refuses ODJFS or county agency access to program.</li> <li>• Provider falsifies information to ODJFS or county agency.</li> </ul>
<p><b>5101:2-13-04 Building department inspection and fire inspection for a licensed family child care provider</b></p> <p><b>Moderate Risk Non-Compliance (3 Points)</b></p> <ul style="list-style-type: none"> <li>• Home cares for children on unapproved floor.</li> <li>• Home exceeds room/building occupancies. (Type A only)</li> <li>• Home fails to obtain building approval for rooms used. (Type A only)</li> <li>• Home cares for children in room not approved for age group. (Type A only)</li> <li>• Fire Approval – Unable to obtain approval due to violations or update not requested at least 30 days prior to expiration. (Type A only)</li> <li>• Flammable or combustible materials and substances are store neared heaters, furnaces, water heaters or gas appliances. (Type B only).</li> <li>• The home's primary or alternate escape route is blocked or inaccessible. (Type B only).</li> </ul>
<p><b>5101:2-13-07 Provider responsibilities, requirements and qualifications for a licensed family child care provider</b></p> <p><b>Serious Risk Non-Compliance (6 Points)</b></p> <ul style="list-style-type: none"> <li>• Required child abuse and neglect check not completed/updated.</li> <li>• Unsatisfactory child abuse and neglect check and remains in home.</li> <li>• Failure to notify of PCSA investigation.</li> </ul>
<p><b>5101:2-13-08 Employees, child care staff members and substitute responsibilities and qualifications for a licensed family child care provider</b></p> <p><b>Serious Risk Non-Compliance (6 points)</b></p> <ul style="list-style-type: none"> <li>• Required child abuse and neglect check not completed/updated.</li> <li>• Unsatisfactory child abuse and neglect check and remains employed.</li> </ul>
<p><b>5101:2-13-09 Criminal records check requirements for a licensed family child care provider</b></p> <p><b>Moderate Risk Non-Compliance (3 Points)</b></p> <ul style="list-style-type: none"> <li>• BCI or FBI check not requested.</li> <li>• Resident of home turns 18 or moves into home and BCI or FBI check not requested within 10 days.</li> <li>• Child care staff member left alone with children and BCI or FBI results are not on file.</li> <li>• BCI or FBI check expired and not updated.</li> <li>• JFS 01328 not on file for employee or child care staff member.</li> </ul> <p><b>Serious Risk Non-Compliance (6 Points)</b></p> <ul style="list-style-type: none"> <li>• Provider, resident, employee or child care staff member has prohibitive offenses, does not meet rehabilitation standards and remains employed or in the home.</li> <li>• Resident or employee or child care staff member refuses to be fingerprinted and remains employed or in the home.</li> </ul>
<p><b>5101:2-13-11 Indoor and outdoor space requirements for a licensed family child care provider</b></p> <p><b>Moderate Risk Non-Compliance (3 Points)</b></p> <ul style="list-style-type: none"> <li>• "S" hooks not closed appropriately.</li> <li>• Equipment and/or ropes not securely anchored.</li> <li>• Entrapment hazards exist.</li> <li>• Protective surfacing is inadequate or missing under climbing equipment.</li> <li>• Fence or barrier missing or inadequate.</li> <li>• Unsafe route used to off-site space.</li> </ul>

**5101:2-13-12 Safe equipment and environment for a licensed family child care provider**

**Moderate Risk Non-Compliance (3 Points)**

- Chemicals accessible to children.
- Unsafe equipment accessible to children (lawnmowers, power tools accessible, etc.).
- Children not protected from unsafe items, conditions or situations.
- Space heaters used without approval.
- No mats under indoor climbing equipment.
- Home does not have required or working carbon monoxide detector

**Serious Risk Non-Compliance (6 Points)**

- Firearms and weapons are not secured and/or separate from ammunition.
- Illegal drugs on premises or alcohol in area used for child care.

**5101:2-13-14 Transportation and field trip safety for a licensed family child care provider**

**Moderate Risk Non-Compliance (3 Points)**

- Driving a vehicle w/o correcting the noted violations.
- Exiting/entering vehicle not from the curb.
- Not using required seat belts and/or car seats.
- More than one child in a seat belt.
- Children sitting on floor or standing in moving vehicle.
- Child under 12 in the front seat.
- Child's JFS 01236 not available on trip.
- Supplies required by child's JFS 01236 not available on trip.
- Vehicle purchased after 2008 or provider licensed after 2008, type not permitted to be used. (Type A only)
- Vehicle purchased after 2016 or provider licensed after 2016, type not permitted to be used. (Type B only)

**Serious Risk Non-Compliance (6 Points)**

- Child left unattended on a field trip or in a vehicle.
- Driver not 18 years old.
- Driver is not appropriately licensed, has a suspended license or has a license that expired more than 6 months ago.
- Driver is under the influence of drugs or alcohol.

**5101:2-13-15 Child record requirements for a licensed family child care provider**

**Moderate Risk Non-Compliance (3 Points)**

- JFS 01236 not on file.
- JFS 01236 missing information and/or signatures.
- No trained staff on-site when child is present or on field trip with child.
- JFS 1236 not implemented or followed.
- Non-trained staff performed procedure on child.

**5101:2-13-18 Group size and ratios for a licensed family child care provider.**

**Moderate Risk Non-Compliance (3 Points)**

- Program is out of ratio.
- Program exceeds license capacity.

**5101:2-13-19 Supervision of children and child guidance for a licensed family child care provider**

**Moderate Risk Non-Compliance (3 Points)**

- Child left unattended.
- Child care staff member uses prohibited disciplinary techniques.
- Staff under the influence of a substance which impairs their ability to supervise.

**Serious Risk Non-Compliance (6 Points)**

- Child unattended off-site or during a swimming activity.
- Child unattended outside (not school-age).
- Provider fails to report suspected abuse/neglect/endangerment.
- Provider uses prohibited disciplinary techniques.
- Physical abuse/neglect/endangerment by any child care staff member, employee, resident or provider.

- Substantiated public children's services agency finding of abuse or neglect by any child care staff member, employee, resident or provider.
- Child(ren) not protected from harm which resulted in a serious incident or injury.

**5101:2-13-20 Sleeping and napping requirements for a licensed family child care provider**

**Moderate Risk Non-Compliance (3 Points)**

- Child placed in crib with object which poses suffocation/strangulation risk (item tied around neck, blankets, pillows, boppies, bumper pads, etc.).
- Stacked cribs are used.
- Cribs do not meet size requirements.
- Cribs are unstable.
- Cribs do not meet the Consumer Product Safety Commission standards.
- JFS 01235 sleep position waiver needed but not on file.

**5101:2-13-21 Evening and overnight care for a licensed family child care provider**

**Moderate Risk Non-Compliance (3 Points)**

- Provider or child care staff member are asleep before all children are asleep.
- Children under 5 are not on the same floor as the provider or child care staff member.
- Children asleep on unapproved floor of building.

**5101:2-13-23 Infant care and diaper care for a licensed family child care provider**

**Moderate Risk Non-Compliance (3 Points)**

- Breast milk given to wrong child.
- Container used for heating bottles was accessible to children.

**5101:2-13-24 Swimming and water safety requirements for a licensed family child care provider**

**Serious Risk Non-Compliance (6 Points)**

- No life guard present during water activity.
- Staff not actively supervising.
- Life guard is used to meet ratio.
- Swimming site accessible to children without staff supervision.
- Children are swimming in lakes, ponds, rivers, etc.

**5101:2-13-25 Medication administration, food supplements and medical foods for a licensed family child care provider**

**Moderate Risk Non-Compliance (3 Points)**

- Medication form not on file or missing information.
- No label on prescription medication.
- Medication not in original container.
- Medication accessible to children.
- Medication instructions not followed.
- The wrong dosage was administered to child.

**Serious Risk Non-Compliance (6 Points)**

- Medication was administered to the wrong child.