



Ohio Administrative Code

Rule 5101:2-12-03 Compliance inspection and complaint investigation of a licensed child care center.

Effective: November 15, 2020

(A) What inspections are required for child care centers?

- (1) At least one inspection prior to the initial issuance of a provisional license.
- (2) At least two inspections during the provisional period.
- (3) At least one inspection each state fiscal year after the issuance of the continuous license.
- (4) Any complaint investigations involving the center.

(B) Will inspections be announced or unannounced?

At least one inspection shall be unannounced and all inspections may be unannounced.

(C) What is required of a licensed center for an inspection and/or complaint investigation?

The licensed child care center shall allow the Ohio department of job and family services (ODJFS) to:

- (1) Complete an inspection of all areas where child care is provided, children have access to and all areas used to verify compliance with Chapter 5101:2-12 of the Administrative Code and Chapter 5104. of the Revised Code.
- (2) Review required records and documentation.
- (3) Interview or take statements from any of the following:
 - (a) Building inspectors, fire department inspectors, sanitarians, public health or other state or local



officials.

(b) Neighbors.

(c) Parents and relatives of children in care.

(d) Staff of the public children services agency (PCSA).

(e) Anyone mentioned by the complainant.

(f) Law enforcement personnel.

(g) Current and past center employees.

(h) Other witnesses.

(4) Document findings in writing or in photographs or by any other means.

(D) What are additional requirements for a licensed center as a result of an inspection and/or complaint investigation?

The center is to:

(1) Provide written materials to ODJFS addressing noncompliances detailed in the inspection report within the time frame requested in the inspection report.

(2) Not misrepresent, falsify or withhold information from ODJFS.

(3) Pursuant to section 5104.043 of the Revised Code, provide a written or electronic notice of the serious risk noncompliance (SRNC) to all parents of enrolled children within fifteen business days of receipt of the noncompliance, if ODJFS determines that an act or omission of a child care center constitutes a SRNC pursuant to appendix A to this rule.



- (a) The notice is to include a statement informing each parent of the web site maintained by ODJFS and the location of further information regarding the determination.
 - (b) If the center requests a review of the finding pursuant to paragraph (F) of this rule, and the finding is upheld, the notice to parents is to be sent within five business days of receipt of the decision by ODJFS.
 - (c) The center will need to provide a copy of the written notice to ODJFS.
 - (d) The requirements of this section do not apply if ODJFS suspends the license of the child care center.
 - (E) Will a licensed center have additional inspections based on noncompliances found?
- Noncompliances, as detailed in appendix A to this rule, may lead to additional inspections or compliance materials required by ODJFS.
- (F) What if the center does not agree with the licensing findings?

The center shall:

- (1) Complete and submit a JFS 01155 "Request for Review for Licensing and Step Up To Quality" (12/2016) with any applicable documentation.
 - (2) The request and documentation shall be submitted within seven business days from the receipt of the inspection report.
- (G) Are licensing inspection records available to the public?
- (1) Inspections may be viewed at <http://childcaresearch.ohio.gov/>.
 - (2) An individual may submit a written request to ODJFS for a copy of the center's licensing record.