



Ohio Administrative Code

Rule 5180:2-12-01 Definitions for licensed child care centers.

Effective: July 1, 2026

As used in this chapter:

- (A) "Administrator" means the person responsible for the daily operation of the center. The administrator and the owner may be the same person. The administrator is also a child care staff member.
- (B) "Adult" means an individual who is at least eighteen years of age.
- (C) "Advanced practice registered nurse (APRN)" means a certified registered nurse anesthetist, clinical nurse specialist, certified nurse midwife or certified nurse practitioner under Chapter 4723. of the Revised Code.
- (D) "Authorized representative" means an individual employed by a center that is owned by a person other than an individual and who is authorized by the owner to do all of the following:
 - (1) Communicate on the owner's behalf.
 - (2) Submit on the owner's behalf applications for licensure or approval.
 - (3) Enter into on the owner's behalf provider agreements for publicly funded child care.
- (E) "Career pathways model" means an alternative pathway to meeting the requirements for a child care staff member or administrator that uses an approved framework to document formal education, training, experience, specialized credentials and certifications. This allows the child care staff member or administrator to achieve a designation as an early childhood professional level one, two, three, four, five, or six.
- (F) "Child" means an infant, toddler, preschool child or school-age child.
- (G) "Child care" per section 5104.01 of the Revised Code means all of the following:
 - (1) Administering to the needs of infants, toddlers, preschool-age children and school-age children outside of school hours.
 - (2) By persons other than their parents, guardians, or custodians.
 - (3) For part of the twenty-four-hour day.
 - (4) In a place other than a child's own home, except that an in-home aide provides child care in the child's own home.



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- (5) By a provider required by Chapter 5104. of the Revised Code to be licensed or approved by the department of children and youth (DCY), certified by a county department of job and family services, or under contract with the department to provide publicly funded child care as described in section 5104.32 of the Revised Code.
- (H) "Child care staff member" means an employee of a licensed child care center whose primary responsibility is to provide care and supervision of children. Only a child care staff member may be part of the staff-to-child ratio. A substitute child care staff member may replace a child care staff member on a temporary basis. For the purposes of this chapter, child care staff members include substitute child care staff members and high school students and graduates under eighteen years of age working as child care staff members.
- (I) "Corrective action plan" describes the action taken by the program to correct a licensing non-compliance. This plan does not confirm whether the program is in compliance with the rule or negate the non-compliance finding. Corrective action plans are submitted in the Ohio statewide licensing system and are to be completed in their entirety to be approved.
- (J) "Dentist" means a person issued a certificate to practice in accordance with Chapter 4715. of the Revised Code and rules adopted by the state dental board or a comparable body in another state.
- (K) "Developmentally appropriate" means curriculum, instruction, environments, and age-appropriate activities that reflect the cognitive, social, and emotional level of the learner and includes the unique abilities or characteristics of a learner or group of learners including learners with disabilities, unique ethnic and/or cultural characteristics, and unique life experiences.
- (L) "Drop-in center," as defined in Chapter 5104. of the Revised Code, means a center that provides child care for children on a temporary, irregular basis. "Temporary and irregular" means no more than thirty days a year for any child enrolled. Drop-in centers shall comply with all rules in Chapter 5180:2-12 of the Administrative Code except:
- (1) In reference to rule 5180:2-12-25 of the Administrative Code, the drop-in center shall not administer any medical food or medication.
 - (2) In reference to rule 5180:2-12-20 of the Administrative Code, the drop-in center is exempt from providing a cot for each child the center is licensed to serve.



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- (3) In reference to rule 5180:2-12-04 of the Administrative Code, the drop-in center which does not prepare and serve food is exempt from obtaining a health department approval.
- (4) In reference to rule 5180:2-12-11 of the Administrative Code, the drop-in center is exempt from meeting the provisions of paragraphs (B) and (C) of that rule, but if these provisions are not met, the drop-in center has a specific plan to provide for gross motor activity for children in care. If a drop-in center chooses to include outdoor play, the drop-in center meets the requirements of paragraph (A)(5) of rule 5180:2-12-17 of the Administrative Code.
- (M) "Employee" means an individual who receives compensation for duties performed in a licensed child care center; or who is assigned specific working hours or duties in a licensed child care center. This includes contracted employees or self-employed individuals who are compensated by the program and who have unsupervised access to children in care.
- (N) "Field trips" means infrequent or irregularly scheduled excursions from the center.
- (O) "Infant" means a child who is under eighteen months of age.
- (P) "License capacity" is the maximum number of children who may be cared for in a child care center at any one time. License capacity is indicated on the license. License capacity is not the same as the total number of children enrolled in the center or attending the center on any given day. Children away from the center on a field trip or a special outing, and under the supervision of a child care staff member, are included in the count for license capacity.
- (Q) "Medical food" means food that is formulated to be consumed under the supervision of a physician, physician assistant (PA), or advanced practice registered nurse (APRN) and which is intended for the specific dietary management of a disease or condition.
- (R) "Medication" means any substance or preparation which is used to prevent or treat a wound, injury, infection, infirmity, or disease. This includes medication that is over the counter, or prescribed or recommended by a licensed dentist, licensed physician, physician assistant (PA), or advanced practice registered nurse (APRN) certified to prescribe medication, and permitted by the parent for administration or application.
- (S) "Mobile preschool" means a part-time preschool unit operated by a licensed child care center with a movable classroom that uses no permanent building on a regular basis. Mobile preschool is a type of non-traditional care pursuant to rule 5180:2-12-21 of the Administrative Code.



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- (T) "Moderate risk non-compliance" means a licensure rule violation that has the potential to lead to an increased risk of harm to, or death of, a child and is observable and/or based on facts.
- (U) "Ohio professional registry (OPR)" is an online professional development tool for Ohio's child care professionals.
- (V) "Ohio statewide licensing system" is the Ohio department of children and youth system for child care program licensing and "Step Up To Quality" functions and activities.
- (W) "Owner" includes a person, as defined in section 1.59 of the Revised Code, or government entity.
- (X) "Parent" means the father or mother of a child, an adult who has legal custody of a child, an adult who is the guardian of a child, or an adult who stands in loco parentis with respect to a child, and whose presence in the home is needed as the caretaker of the child. Parent has the same meaning as "caretaker parent" as defined in section 5104.01 of the Revised Code.
- (Y) "Parent cooperative child care center", as defined in Chapter 5104. of the Revised Code, means a corporation or association organized for providing educational services only for children of its members without gain to the corporation. Ownership and control of the corporation or association rests solely with its members, and at least one parent member of the corporation is on the premises during the center's hours of operation. Parent cooperatives comply with all rules in Chapter 5180:2-12 of the Administrative Code except:
- (1) In reference to rule 5180:2-12-07 of the Administrative Code, the duties of the administrator of a parent cooperative may be carried out under the supervision and in conjunction with a parent board.
 - (2) In reference to rule 5180:2-12-07 of the Administrative Code, the parent board of a parent cooperative, in cooperation with the administrator, may be responsible for conducting preadmission interviews.
 - (3) In reference to rule 5180:2-12-04 of the Administrative Code, the parent cooperative center which does not prepare and serve food is not required to obtain a health department approval.
- (Z) "Part-time child care center," as defined in Chapter 5104. of the Revised Code, means a center that provides child care for no more than four hours per day for any child or no more than fifteen weeks per summer. Part-time child care centers comply with all rules in Chapter 5180:2-12 of the Administrative Code except:



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- (1) In reference to rule 5180:2-12-20 of the Administrative Code, the part-time center, which does not include a nap as part of their scheduled daily program, provides only one washable cot, mat, or pad for an ill child.
 - (2) In reference to rule 5180:2-12-07 of the Administrative Code, an administrator of a part-time center may have duties as a child care staff member during all hours of operation.
 - (3) In reference to rule 5180:2-12-17 of the Administrative Code, only the part-time center which includes outdoor play as part of their scheduled daily program complies with all stipulations of that rule, except as indicated in paragraph (A) (5) of rule 5180:2-12-17 of the Administrative Code, for a part-time program that provides child care for no more than four hours per day for any child.
- (AA) "Physician" means a person issued a certificate to practice in accordance with Chapter 4731. of the Revised Code and rules adopted by the state medical board or a comparable body in another state.
- (BB) "Physician assistant (PA)" means a person who has obtained a valid certificate to practice in accordance with Chapter 4730. of the Revised Code and rules adopted by the state medical board or a comparable body in another state.
- (CC) "Preschool child" means a child who is three years old or older but is not a school-age child.
- (DD) "Public children services agency (PCSA)" means an entity specified in section 5153.02 of the Revised Code that has assumed the powers and duties of the children services function prescribed by Chapter 5153. of the Revised Code for a county.
- (EE) "Routine trips" means repeated excursions off the center premises which regularly occur on a previously scheduled basis and that parents have been made aware of the destinations of the trip.
- (FF) "School-age child" means a child who is enrolled in or is eligible to be enrolled in a grade of kindergarten or above, but is less than fifteen years old or, in the case of a child who is receiving special needs child care, is less than eighteen years old.
- (GG) "Serious risk non-compliance" means a licensure rule violation that has the potential to lead to a great risk of harm to, or death of, a child and is observable and/or based on facts.
- (HH) "Special needs child care" refers to care provided for a child under the age of eighteen who:



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- (1) Has one or more chronic (ongoing) health conditions; or
 - (2) Requires additional support due to severe developmental differences in one or more of the following areas:
 - (a) Social development.
 - (b) Emotional development.
 - (c) Cognitive development.
 - (d) Communication skills.
 - (e) Perception skills.
 - (f) Perception and sensory processing.
 - (g) Motor skills.
 - (h) Physical health or mobility.
 - (i) Behavioral development.
 - (3) These needs require regular and ongoing adaptations and/or daily specialized support to support their child's development. As a result, the level of care needed is significantly increased and leads to ongoing additional expenses for the child care program.
- (II) "Supervision" means the process of overseeing care of a child or group of children in a licensed child care center and includes the duty to keep children safe from harm.
- (JJ) "Toddler" means a child who is at least eighteen months of age but less than three years of age.
- (KK) "Transitioning child" means any child enrolled in a center who, for easy adjustment, is temporarily being placed with a group prior to being permanently assigned to that group.
- (LL) "Visitor" means an individual who is not considered an employee but may be temporarily present in the program. A visitor does not have assigned duties, is not used in ratio, or left alone with children.
- (MM) "Voluntary temporary closure" means the program requests to stop serving children, but not close the license. A voluntary temporary closure shall not exceed twelve months.



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(NN) "Volunteer" means an individual who is not considered an employee. A volunteer may have duties but is not compensated, not counted in ratio, and is not left alone with children.