



Ohio Administrative Code

Rule 5180:2-12-03 Compliance inspection and complaint investigation of a licensed child care center.

Effective: July 1, 2026

(A) What compliance 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. Compliance inspections completed in the state fiscal year pursuant to paragraph (A)(2) of this rule meet this requirement.
- (4) Any complaint investigations involving the center.
- (5) At least one inspection will be unannounced.

(B) 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 children and youth (DCY) 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 5180:2-12 of the Administrative Code and Chapter 5104. of the Revised Code.
- (2) Review required records and documentation.
- (3) Interview or take statements from anyone pertinent to the investigation which may include any of the following:
 - (a) Building officials, 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.



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

(C) What is a licensing inspection non-compliance?

(1) A licensing inspection non-compliance is a licensure rule violation. Inspections could result in moderate or serious risk findings.

(2) Non-compliance findings differ in level of severity, depending on the potential to lead to a risk of harm to a child, and are observable and/or based on facts. Moderate and serious risk non-compliances are assigned point values and the annual accumulated points may result in DCY licensing or step up to quality (SUTQ) actions pursuant to section 5104.29 of the Revised Code.

(a) Moderate risk non-compliances (MRNC) may lead to an increased risk of harm to children and are worth three points.

(b) Serious risk non-compliances (SRNC) may lead to the greatest risk of harm to children and are worth six points.

(c) MRNC and SRNC are listed in appendix A to this rule.

(D) What actions may DCY take when a serious risk non-compliance occurs?

Any serious risk non-compliance described in, but not necessarily limited to this rule, as reviewed by DCY at its discretion may result in any of the following:

(1) Denial of a license application or approval for a non-expiring or continuous license.

(2) Revocation of a license.

(3) Reduction or removal of a quality rating.

(4) Loss of funding.

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

The center is to:

(1) Complete and submit a corrective action plan in the Ohio statewide licensing system addressing the non-compliances detailed in the inspection report within the time frame requested in the inspection report.

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



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(3) Pursuant to section 5104.043 of the Revised Code, provide a written or electronic notice of the (SRNC) to all parents of enrolled children within fifteen business days of receipt of the non-compliance, if DCY 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 DCY and the location of further information regarding the determination.

(b) If the center requests a review of the finding pursuant to paragraph (G) 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 DCY.

(c) The center will need to provide a copy of the notice to DCY.

(d) The requirements of section 5104.043 of the Revised Code do not apply if DCY suspends the license of the child care center.

(F) Will a licensed center have additional inspections based on non-compliances found?

All non-compliances may lead to additional inspections or compliance materials required by DCY.

(G) What if the center does not agree with the licensing findings?

(1) The center may request a review of a non-compliance finding in the Ohio statewide licensing system within ten business days from the receipt of the inspection report.

(2) The center may elect to participate in an initial review of the request with a DCY representative.

(3) Following an initial review, the center may elect to participate in a committee review of the request with a DCY committee.

(4) The committee's decision will be considered final.

(H) Are licensing inspection records available to the public?

(1) Inspections may be viewed using the child care search tool on the DCY website.

(2) An individual may submit a written request to DCY for a copy of the center's licensing record.