



Ohio Administrative Code

Rule 5180:2-12-08 Employees and child care staff members.

Effective: July 1, 2026

(A) What are the tuberculosis (TB) screening requirements for all employees, including child care staff members, in a licensed child care center?

Prior to the first day of employment, every employee is to provide evidence of tuberculosis (TB) screening in accordance with section 5104.037 of the Revised Code.

(1) For the purpose of TB screening, employees are to notify the child care center through a signed and dated self-attestation statement, to be kept on file at the program, if they have both:

(a) Resided in a country identified by the world health organization (WHO) as having a high burden of TB; and

(b) Arrived in the United States within the five years immediately preceding the date of application for employment.

(2) If the employee meets the screening criteria described in this paragraph, the child care center is to comply with the testing requirements of section 5104.037 of the Revised Code before employment. The TB test is either a two-step mantoux tuberculin skin test or a blood assay for m. tuberculosis.

(a) If the result of the TB test is negative, the child care center may employ the person.

(b) If the result of any TB test performed is positive, the child care center is to follow the requirements outlined in appendix B to this rule.

(B) What are the immunization record requirements for all employees, including child care staff members, in a licensed child care center?

No later than thirty days from the start date of employment, every employee is to, unless otherwise exempt, provide immunization records, including:

(1) Written evidence that the employee is immunized against measles, mumps and rubella (MMR), except that for persons born on or before December 31, 1956, a history of measles or mumps disease may be substituted for the vaccine. A history of rubella disease is not to be substituted for the rubella vaccine. Only a laboratory test demonstrating detectable rubella antibodies will be accepted in lieu of the rubella vaccine.

(2) Written evidence that the employee is immunized against tetanus, diphtheria and pertussis (Tdap) from a licensed physician, as defined in Chapter 4731. of the Revised Code, physician's assistant (PA), advanced practice registered



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nurse (APRN), certified nurse midwife, certified nurse practitioner or licensed pharmacist.

(3) Documentation if the employee is exempt from the immunization requirements for one of the following reasons:

(a) Reasons of conscience, including religious convictions, with written documentation signed by the individual.

(b) Medical reasons with written documentation signed by a licensed physician, PA, or APRN.

(C) What are the Ohio professional registry (OPR) requirements for employees and child care staff members in a child care center?

All employees and child care staff members, including substitute child care staff members, are to:

(1) Create or update their individual profile in the OPR.

(2) Create an employment record for the child care center on or before the first day of employment, including date of hire.

(3) Update their individual profiles or employment records in the OPR within ten business days of a change, including:

(a) Contact information.

(b) Positions or roles, and related dates.

(D) What are the additional requirements for an employee to work as a child care staff member in a licensed child care center?

Child care staff members are to:

(1) Be at least sixteen years of age.

(2) Have completed a high school education or be at least a high school junior (on or after the start of high school junior year) and enrolled in or completed one of the following:

(a) An early childhood education or child development career technical program.



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(b) A child development associate (CDA) training program or achieved a CDA credential for the age group in which the high school student is working.

(c) A college credit program with early childhood education or child development focus.

(3) Follow the limitations on child supervision and safety outlined in appendix C to this rule when the child care staff member is a high school student and high school graduate under the age of eighteen.

(4) Provide verification of education on or before the child care staff member's first day of employment.

(a) Verification is to be kept on file at the center or in the OPR.

(b) High school education is defined in appendix A to this rule.

(c) For high school students, documentation of high school grade level and enrollment in or completion of a technical, training or college credit program as described in paragraph (D)(2) of this rule is to be verified.

(E) What are the orientation training requirements for child care staff members?

(1) Child care staff members, including substitute child care staff members and high school students and graduates, are to complete the child care center staff orientation training as prescribed by the Ohio department of children and youth (DCY) within thirty days of starting employment at the center as a child care staff member unless the child care staff member has documentation of completion of the training after December 31, 2016.

(2) Completion of the training will be documented with verification from the OPR.

(3) The child care staff member may be used in ratio, but is not to be left alone with children until the orientation is completed.

(F) Do employees and child care staff members have whistle blower protection?

Yes, an employer is not to discharge, demote, suspend or threaten to discharge, demote, suspend or in any manner discriminate against any employee or child care staff member based solely on the employee taking any of the following actions:

(1) Making any good faith oral or written complaint to the DCY or other agency responsible for enforcing Chapter 5104. of the Revised Code regarding a



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violation of this chapter or the rules adopted pursuant to Chapter 5104. of the Revised Code;

- (2) Instituting or causing to be instituted any proceeding against the employer under section 5104.04 of the Revised Code;
- (3) Acting as a witness in any proceeding under section 5104.04 of the Revised Code;
- (4) Refusing to perform work that constitutes a violation of Chapter 5104. or the rules adopted pursuant to Chapter 5104. of the Revised Code.