



Ohio Administrative Code

Rule 5180:2-13-01 Definitions for licensed family child care.

Effective: July 1, 2026

As used in this chapter:

- (A) "Administrator" means the person or people responsible for the daily operation of the type A family child care home. The administrator and the owner may be the same person. All administrators are residents of the family child care home.
- (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 (CNP) under Chapter 4723. of the Revised Code.
- (D) "Authorized representative" means an individual employed by a type A home, 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 Ohio 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 the family child care provider 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. The administrator, authorized representative, or owner may be a child care staff member when not involved in other duties.
- (I) "Corrective action plan" describes the action taken by the program to correct a licensing non-compliance. This plan does not confirm 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) "Delinquent child" means the same as in section 2152.02 of the Revised Code.
- (K) "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.
- (L) "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.
- (M) "Employee" means an individual who receives compensation for duties performed in a licensed family child care home; or who is assigned specific working hours or duties in a licensed family child care home. This includes contracted employees or self-employed individuals who are compensated by the provider and who have unsupervised access to children in the home.
- (N) "Family child care provider" is a DCY licensed type A home provider or a DCY licensed type B home provider.



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- (O) "Field trips" means infrequent or irregularly scheduled excursions from the licensed family child care home.
- (P) "Infant" means a child who is under eighteen months of age.
- (Q) "License capacity" is the maximum number of children who may be cared for in a family child care home 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 home or attending the home on any given day. Children away from the home 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.
- (R) "Medical food" means food that is formulated to be consumed under the supervision of a physician, physician assistant (PA), advanced practice registered nurse (APRN), or licensed dentist and which is intended for the specific dietary management of a disease or condition.
- (S) "Medication" means any substance or preparation of a substance 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 physician, physician assistant (PA), or advance practice registered nurse (APRN) certified to prescribe medication, or licensed dentist and permitted by the parent for administration or application.
- (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 DCY system for child care 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.



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- (Y) "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.
- (Z) "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.
- (AA) "Preschool child" means a child who is three years old or older but is not a school-age child.
- (BB) "Provider" means the person responsible for the daily operation of the family child care home. The provider and the owner of the family child care home are the same person and the family child care home is the permanent residence. If the owner of the family child care program is a corporation, the agent(s) of the corporation includes the provider. For a type A home, the provider may also be the named administrator.
- (CC) "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.
- (DD) "Related to the provider" means any of the following persons when determining group size in a family child care home: grandchildren, daughters, sons, step daughters, step sons, sisters, brothers, step sisters, step brothers, nieces, nephews, half brothers, half sisters, or first cousins who are related to the provider by blood, marriage or adoption. Children receiving foster care from the provider are not considered to be related to the provider.
- (EE) "Resident" means a person who lives in the family child care home for more than ten consecutive calendar days and is included in the household composition.
- (FF) "Routine trips" means repeated excursions off the premises of the home which regularly occur on a previously scheduled basis and that parents have been made aware of the destinations of the trip.
- (GG) "School-age child" means a child who is enrolled in or is eligible to be enrolled in a grade of kindergarten or above, but who 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.
- (HH) "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.



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- (II) "Special needs child care" refers to care provided for a child under the age of eighteen who:
- (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.
- (JJ) "Specialized foster home" means a medically fragile foster home or a treatment foster home.
- (KK) "Supervision" means the process of overseeing the care of children in a licensed family child care home and includes the duty to keep children safe from harm.
- (LL) "Toddler" means a child who is at least eighteen months of age but less than three years of age.
- (MM) "Treatment foster care" means foster caregiver-based treatment services for children whose special or exceptional needs cannot be met in their own homes. Treatment foster care focuses on providing rehabilitative services to children with special or exceptional needs and their families with the primary location of treatment being in the treatment foster home.



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- (NN) "Type A home" means the permanent residence of the provider in which child care is provided for eight to fourteen children at one time.
- (OO) "Type B home" means the permanent residence of the provider in which child care is provided for one to seven children at one time.
- (PP) "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.
- (QQ) "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.
- (RR) "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.