



Ohio Revised Code Section 5104.033 Staff to child ratios.

Effective: October 3, 2023

Legislation: House Bill 33

(A)(1) A child care center shall have at least two responsible adults available on the premises at all times when seven or more children are in the center. The center shall organize the children in the center in small groups, shall provide child care staff to give continuity of care and supervision to the children on a day-by-day basis, and shall ensure that no child is left alone or unsupervised. Except as otherwise provided in division (B) of this section, the maximum number of children per child care staff member and maximum group size, by age category of children, are as follows:

<cp-base>Age Category of Children</cp-base>	Maximum Number of Children Per <cp-strike:unengrossed>child care</cp-strike:unengrossed> Staff Member	<cp-base>Maximum Group Size</cp-base>
<cp-base>(a) Infants:</cp-base>		
<cp-base>(i) Less than twelve months old</cp-base>	<cp-base>5:1, or 12:2 if two child care staff members are in the room</cp-base>	<cp-base>12</cp-base>
<cp-base>(ii) At least twelve months old, but less than eighteen months old</cp-base>	<cp-base>6:1</cp-base>	<cp-base>12</cp-base>
<cp-base>(b) Toddlers:</cp-base>		
<cp-base>(i) At least eighteen months old, but less than thirty months old</cp-base>	<cp-base>7:1</cp-base>	<cp-base>14</cp-base>
<cp-base>(ii) At least thirty months old, but less than three years old</cp-base>	<cp-base>8:1</cp-base>	<cp-base>16</cp-base>
<cp-base>(c) Preschool-age children:</cp-base>		
<cp-base>(i) Three years old</cp-base>	<cp-base>12:1</cp-base>	<cp-base>24</cp-base>



<cp-base>(ii) Four years old and five years old who are not school children</cp-base>	<cp-base>14:1 </cp-base>	<cp-base>28</cp-base>
<cp-base>(d) School-age children</cp-base>		
<cp-base>(i) A child who is enrolled in or is eligible to be enrolled in a grade of kindergarten or above, but is less than eleven years old</cp-base>	<cp-base>18:1</cp-base>	<cp-base>36</cp-base>
<cp-base>(ii) Eleven through fourteen years old</cp-base>	<cp-base>20:1</cp-base>	<cp-base>40</cp-base>

(2) Except as otherwise provided in division (B) of this section, the maximum number of children per child care staff member and maximum group size requirements of the younger age group shall apply when age groups are combined.

(B)(1) When age groups are combined, the maximum number of children per child care staff member shall be determined by the age of the youngest child in the group, except that when no more than one child thirty months of age or older receives services in a group in which all the other children are in the next older age group, the maximum number of children per child care staff member and maximum group size requirements of the older age group established under division (A) of this section shall apply.

(2) The maximum number of toddlers or preschool-age children per child care staff member in a room where children are napping shall be twice the maximum number of children per child-care staff member established under division (A) of this section if all the following criteria are met:

(a) At least one child care staff member is present in the room.

(b) Sufficient child care staff members are on the child care center premises to meet the maximum number of children per child care staff member requirements established under division (A) of this section.

(c) Naptime preparations are complete and all napping children are resting or sleeping on cots.



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(d) The maximum number established under division (B)(2) of this section is in effect for no more than two hours during a twenty-four-hour day.