

# Keys to Compliance Success



Keeping Me Safe When  
I'm Away From Home

**Ohio** | Department of  
Job and Family Services

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The Keys to Compliance Success cards are designed to help child care administrators and staff more clearly understand how to comply with rules to keep children safe from harm. These cards address some common non-compliance issues child care staff may face. For more information about all child care licensing rules and laws, visit [jfs.ohio.gov/cdc/rules\\_forms.stm](http://jfs.ohio.gov/cdc/rules_forms.stm).



A copy of these cards can be made and posted in each classroom. It is especially recommended that the "Medication, Supplements and Medical Foods," "Group Size and Ratios," and "Supervision of Children" cards be readily available to all staff as quick reference guides.

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## Background Check Requirements



- Prior to the first day of employment, all child care staff members and employees must complete and submit the JFS 01175, "Request for a Background Check for Child Care," and electronically submit BCI and FBI fingerprints.
- Background checks must be updated every five years from the date of the BCI check.
- The JFS 01176, "Program Notification of Background Check Results for Child Care," must be on file prior to an individual being left alone with children.
- If an individual changes and/or adds employers, if within the previous five years ODJFS has determined that the individual was eligible to be employed, and if the individual has been employed in a child care program in the previous 180 days, only the JFS 01175 must be submitted.
- You must immediately release any individual who refuses to comply with the background check requirement or who is found to be ineligible for employment.



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- If an individual changes and/or adds employers, if within the previous five years ODJFS has determined that the individual was eligible to be employed, and if the individual has been employed in a child care program in the previous 180 days, only the JFS 01175 must be submitted.
- You must immediately release any individual who refuses to comply with the background check requirement or who is found to be ineligible for employment.



## Medication, Supplements and Medical Foods



- You must have a JFS 01217, "Request for Administration of Medication for Child Care," completed before giving any medications (prescription or nonprescription), food supplements, medical foods, or any topical products or lotions.
- Box 1 – The parent must complete all information in box 1 before you give a child any kind of medications (prescription or nonprescription), food supplements, medical foods, or any topical products or lotions.
- Box 2 – A physician, dentist, advanced practice nurse or physician's assistant must complete box 2 for any prescription medication, nonprescription medication containing codeine or aspirin, nonprescription medication given longer than three consecutive days in a 14-day period, food supplement, or medical food. Topical products and lotions are excluded unless the instructions on the form exceed the manufacturer's guidelines for use. Box 2 does not need to be completed if a medication is stored in the original container and has a prescription label with the child's full name, a dispensing date within the past 12 months, exact dosage and directions for use.
- Box 3 – You must fill in box 3 with all medication given except topical products or lotions such as sunscreen or diaper cream.
- All nonprescription medications, food supplements, medical foods, and topical products and lotions must be stored in the original container with a manufacturer's label containing directions based on the age and/or weight of the child.
- Medication must be stored out of children's reach.



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## Child Record Requirements



- You must have a completed JFS 01236, "Child Medical/Physical Care Plan," for all children with a health condition or diagnosis that requires you to monitor the child for symptoms that require staff to take action or perform a medical procedure that requires training. A JFS 01236 also must be completed and kept on file if a child must avoid specific foods, environmental conditions or activities, or if a school-age child is allowed to carry and administer his or her own emergency medications.
- You must have the parent complete and sign the JFS 01236 for each condition before you can perform any needed procedures. The form must be reviewed annually and updated when information changes.
- You must implement and follow all requirements of the JFS 01236.
- You must have a trained staff member on site (including trips) during all hours the child with the condition is in attendance. Only trained staff members are permitted to perform medical procedures. The trained staff members must sign the health care plan acknowledging that they have been trained. They must be trained by either the parent or a certified professional.
- If the JFS 01236 indicates that the child may need medication as part of a procedure, you also must have the parent complete the prescribed JFS 01217, "Request for Administration of Medication for Child Care."



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## Group Size and Ratios



- You must maintain the required ratios at all times. If a staff member steps out of a room at any time, for any reason, even if another staff member is in the room, the ratios still must be maintained.
- If the program serves school-age children only, a group of school-age children may be left alone with one CCSM while the other CCSM leaves the room to allow access to the program as long as both CCSMs have a working communication device to contact each other. In addition, the CCSM must return to the group after allowing access to the program.
- You may never double the ratio at nap time for any group of children that contains infants.
- At least one other employee or CCSM must be at the center if there are seven or more children in the building.
- The center must not exceed the license capacity at any time. Children on routine trips (other than to and from home) and on field trips count in the center's capacity.
- Programs must have written documentation of each child's arrival and departure times.
- Each group must have a method for tracking children. This tracking method must remain with the group at all times throughout the day and must be updated as children enter or leave the group.
- It is important to ensure that children in each group are tracked during times of transition. This includes, but is not limited to, when going to and from the playground, when entering and exiting vehicles, when arriving and departing from field trips, etc.



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## Sleeping and Napping



- You must put the crib side railings in the highest position and the mattress support in the lowest position, no matter the age or development of the child. Cribs must meet the required dimensions outlined in the Ohio Administrative Code. You may not use stacked cribs or a crib that is unstable.
- You must not place a child in a crib with anything that could pose a strangulation or suffocation risk. This includes bibs, pillows, comforters, bumper pads, diaper bags, clothing stored in the crib, stuffed animals, or any object that strings across the length of the crib.
- Only children 12 months or older may use a loose blanket. Younger infants who are not able to roll over may be placed in a crib wearing a one-piece sleeper or a wearable swaddling blanket.
- You must use a firm mattress at least 1½ inches thick that does not yield to the shape of the child's face if the child turns over face down on it. There must be no space more than 1½ inches between the mattress and the sides of the crib. The space between the bars must not be greater than 2<sup>3</sup>/<sub>8</sub> inches.
- Cribs manufactured before June 28, 2011, must have a certificate of compliance on file. These must be obtained from the manufacturer if one was not provided by the retailer. Cribs manufactured after June 28, 2011, must have the date of manufacture attached to the crib.
- Infants under 12 months old must be placed on their backs to sleep unless the parent provides written authorization on the JFS 01235, "Sleep Position Waiver Statement for Child Care," signed by the child's physician. The JFS 01235 must be maintained on file for review. Infants able to roll from back to front must be placed initially on their backs for sleeping but may sleep in any position they prefer.
- Children must use a crib for sleeping and napping until they are able to climb out, are 35 inches tall, have written permission from a parent to use a cot or mat if they are 12 months or older, or if a crib is considered hazardous for a child.
- You may double the ratios at nap time for up to two hours for any group of children if all of the children are on cots or on mats. When doubling the ratio at nap time, you must have enough staff available in the building to maintain the staff/child ratio.



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## Swimming and Water Safety



- In any activities in bodies of water more than 18 inches deep, you must have one certified lifeguard present for every 35 children. If the lifeguard is a staff member, he or she cannot be used to count in the ratio while acting as the lifeguard.
- You must be able to see all parts of the swimming area when children are swimming, including the bottom.
- You must actively supervise children while they are swimming or participating in water activities. You must be aware of the location of all children and maintain visual contact with them at all times. You should not wear head phones, use a cell phone or read while you are supervising children. You must be near enough to intervene quickly and respond to a child in distress. Children should never have access to a swimming site without supervision.
- Children must not swim in lakes, ponds, creeks or similar bodies of water.



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## Transportation and Field Trip Safety



- You must never leave children unattended in a vehicle or on a field trip.
- If the driver will be counted in the ratio, you must have a complete file for him or her. If parents or volunteers are driving on field trips, you must maintain the appropriate ratios at your destination.
- You may not drive a vehicle if you are under age 18, if you do not have a valid driver's license, or if you are under the influence of any substance that could impair your driving ability.
- All vehicles driven by staff, including personal vehicles used to transport children, must have annual safety checks completed by ASE-certified mechanics. Vehicle inspectors must check brakes and tires and note safety violations. You must correct any violations noted on the inspection before continuing to use the vehicle to transport children.
- You must use seat belts and required car seats for all children. No more than one child may use each seat belt. Children younger than 12 cannot sit in the front seat. Children cannot stand or sit on the floor while the vehicle is moving.
- Children must enter and exit the vehicle from the curb when possible and out of the path of moving vehicles.
- You must have a completed JFS 01236, "Child Medical/Physical Care Plan" (rev. 12/2016), for any child who has a health condition that could require special procedures or precautions during the course of the trip. The center also must take supplies needed to provide such treatment.
- Centers may use only school buses, multi-function school-activity buses, or vehicles designed to carry nine or fewer passengers.
- An additional adult is required in the vehicle when there are five or more children and at least one is an infant, or when there are seven or more children without infants. An additional adult is required when there are 10 school-age children in the vehicle unless the driver has a means of immediate communication to summon an additional adult when required.



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## Supervision of Children



- You must never leave children unsupervised. Child care staff members must have knowledge of each child's needs and be accountable for the care of each child at all times. Staff members also must be aware of the activities of each child and near enough to respond immediately to protect them from harm. You should not leave a child unattended outside a building, during swimming activities or when a child is off site.
- School-age children may run errands inside the building, use the restroom, or engage in short-term activities that pose no physical risk to their safety, alone or in groups of no more than six children, without adult supervision if the provisions outlined in the Ohio Administrative Code are met.
- You must never be under the influence of a substance that could impair your ability to supervise children.
- You must never sleep while you are responsible for supervising children.
- You must be within sight and hearing of all children in care. This means you cannot use a baby monitor, mirror, video camera or other device as the sole means of supervising children.
- If children arrive from school or another location, you must meet them when they are dropped off and supervise them into their classroom. If children leave the center to go to school or another location, you must supervise them until they get in the vehicle.
- You must never abuse, neglect or endanger children. You must never use prohibited disciplinary techniques.
- Children must be protected from harm.
- You must immediately report suspected child abuse, neglect or endangerment to the county public children's services agency.



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## Indoor and Outdoor Space



- You must keep the playground and equipment free from any hazards that could seriously injure a child.
- If you are using an off-site space for your outdoor play, you must closely supervise children while traveling to and from the space. You must use a safe route while traveling to the space.
- Climbing ropes must be anchored at both ends.
- There can be no openings on equipment greater than 3½ inches but less than 9 inches.
- You must have a fence or natural barrier around the playground that ensures children cannot leave the play area unsupervised. Gates must have functional latches that cannot be opened easily by young children.
- All equipment that is 36 inches or more off the ground must have a protective barrier on it.
- You must have protective fall coverings under all climbing equipment. Equipment should have a clear fall zone so that if children fall off it, they will not fall onto other equipment.
- All equipment must be anchored or secure and should not wobble or tip when shaken.
- All “S” hooks must be closed to prevent chains from slipping off the hook and to prevent strangulation.



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## Safe Equipment and Environment



- You must not have any guns or ammunition at the center unless the person possessing the weapon belongs to the groups permitted to carry it. Weapons permitted to be carried cannot be accessible to children.
- Lawn mowers, snow blowers, weed trimmers, etc., must not be used or stored where children have access to them.
- You must not use space heaters in the center unless the fire inspector has given you written approval.
- You must keep hazardous cleaning supplies and other chemicals in areas where children do not have access to them. This includes such things as bleach, pesticides, cleaning agents, gas, poisons, etc.
- You must have mats at least 1 ½ inches thick under and around any climbing equipment more than 3 feet tall.
- Children must not have access to knives, power tools, matches, lighters, traffic, wells, window covering pull cords, bodies of water, or other equipment that could severely injure them.
- Children must be protected from any items and conditions that threaten their health, safety and well-being. This includes, but is not limited to, stoves, bodies of water, window covering pull cords, telephone cords, electrical cords, extension cords, lead hazards, asbestos, wells, traffic, employees' personal belongings, and other environmental hazards and dangerous situations.
- Always anchor any televisions and heavy shelving or storage units that children could pull onto themselves.
- You should not allow children to move or play on or around large cafeteria-style folding tables. Do not move these tables when children are near enough that if the tables fell over, they might fall onto a child.
- The center must have working carbon monoxide detectors on each floor where care is provided.
- No illegal drugs are allowed on the premises, and there must be no alcohol in areas used for child care.



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## Evening and Overnight Care



- Even though doubling is permitted during nap time during the day, it is not allowed during any hours of evening or overnight care.
- Children must sleep only on the ground floor of the building, unless the fire inspector has given approval for children to sleep on levels other than the ground floor.
- You must remain awake at all times, even if all the children are sleeping.
- You must supervise children at all times. Even if all the children are sleeping, a staff member must be within sight and hearing at all times. Never leave children unattended, even to let a parent or guardian into the center.



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## **Building, Fire and Food Service Inspections**



- You must have an annual fire inspection. This must be renewed prior to the expiration of the current approval. Any violations noted in the fire inspection must be corrected immediately.
- You can use only rooms in the building that have been approved by the building and fire department for child care. If you want to use rooms that have not been approved, you must get them approved before you use them.
- You can care for children only in rooms approved for each child's age group.
- Any time you remodel or modify any structural part of your building, you must get a new building approval before you care for children in these areas.
- Do not exceed the building and room occupancy limits that are on your certificate of use and occupancy.
- You must have a food service license or exemption. You must not serve food if the health department has revoked your food service license. You must not prepare or serve food in any way that is prohibited by the type of food service license you have.
- Children must be cared for only on floors approved for child care use.



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- Children must be cared for only on floors approved for child care use.



## Infant Care



- You must check the label on all bottles or prepared food to verify that you are giving the bottle to the correct child.
- Containers used for heating bottles must not be accessible to children.
- You must change diapers and clothing immediately when they become wet or soiled.
- Never leave a child unattended on the diaper changing table.



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- Never leave a child unattended on the diaper changing table.



## Administrative Responsibilities



- You must allow licensing staff into the center so they can complete all inspections and investigations.
- You must give licensing staff access to any files or other documents they need to complete inspections and investigations.
- You must always provide truthful and accurate information to licensing staff when they are completing inspections and investigations. This includes any documents you may supply.

For more information about common non-compliance issues and how to maintain compliance, visit [jfs.ohio.gov/cdc/providers.stm](https://jfs.ohio.gov/cdc/providers.stm).

Mike DeWine, Governor  
Matt Damschroder, Director  
JFS 01552 (Rev. 2/2022)

This institution is an equal opportunity provider and employer.



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- You must allow licensing staff into the center so they can complete all inspections and investigations.
- You must give licensing staff access to any files or other documents they need to complete inspections and investigations.
- You must always provide truthful and accurate information to licensing staff when they are completing inspections and investigations. This includes any documents you may supply.

For more information about common non-compliance issues and how to maintain compliance, visit [jfs.ohio.gov/cdc/providers.stm](https://jfs.ohio.gov/cdc/providers.stm).

Mike DeWine, Governor  
Matt Damschroder, Director  
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This institution is an equal opportunity provider and employer.