



Ohio Revised Code

Section 3301.52 Preschool, school child program definitions.

Effective: October 3, 2023

Legislation: House Bill 33

As used in sections 3301.52 to 3301.59 of the Revised Code:

(A) "Preschool program" means either of the following:

(1) A child care program for preschool children that is operated by a school district board of education or an eligible nonpublic school.

(2) A child care program for preschool children age three or older that is operated by a county board of developmental disabilities or a community school.

(B) "Preschool child" or "child" means a child who has not entered kindergarten and is not of compulsory school age.

(C) "Parent, guardian, or custodian" means the person or government agency that is or will be responsible for a child's school attendance under section 3321.01 of the Revised Code.

(D) "Superintendent" means the superintendent of a school district or the chief administrative officer of a community school or an eligible nonpublic school.

(E) "Director" means the director, head teacher, elementary principal, or site administrator who is the individual on site and responsible for supervision of a preschool program.

(F) "Preschool staff member" means a preschool employee whose primary responsibility is care, teaching, or supervision of preschool children.

(G) "Nonteaching employee" means a preschool program or school child program employee whose primary responsibilities are duties other than care, teaching, and supervision of preschool children or school children.



(H) "Eligible nonpublic school" means a nonpublic school chartered as described in division (B)(7) of section 5104.02 of the Revised Code or chartered by the department of education and workforce for any combination of grades one through twelve, regardless of whether it also offers kindergarten.

(I) "School child program" means either of the following:

(1) A child care program for only school children that is operated by a school district board of education, county board of developmental disabilities, community school, or eligible nonpublic school;

(2) A child care program operated by an authorized private before and after school care program.

(J) "School child" means a child who is enrolled in or is eligible to be enrolled in a grade of kindergarten or above but is less than fifteen years old.

(K) "School child program staff member" means an employee whose primary responsibility is the care, teaching, or supervision of children in a school child program.

(L) "Child care" means administering to the needs of infants, toddlers, preschool children, and school children outside of school hours by persons other than their parents or guardians, custodians, or relatives by blood, marriage, or adoption for any part of the twenty-four-hour day in a place or residence other than a child's own home.

(M) "Child care center" and "publicly funded child care" have the same meanings as in section 5104.01 of the Revised Code.

(N) "Community school" means either of the following:

(1) A community school established under Chapter 3314. of the Revised Code that is sponsored by an entity that is rated "exemplary" under section 3314.016 of the Revised Code.

(2) A community school established under Chapter 3314. of the Revised Code that has received, on



its most recent report card, either of the following:

(a) If the school offers any of grade levels four through twelve, either of the following:

(i) A grade of "C" or better for the overall value-added progress dimension under division (C)(1)(e) of section 3302.03 of the Revised Code and for the performance index score under division (C)(1)(b) of section 3302.03 of the Revised Code;

(ii) A performance rating of three stars or higher for achievement under division (D)(3)(b) of section 3302.03 of the Revised Code and progress under division (D)(3)(c) of that section.

(b) If the school does not offer a grade level higher than three, either of the following:

(i) A grade of "C" or better for making progress in improving literacy in grades kindergarten through three under division (C)(1)(g) of section 3302.03 of the Revised Code;

(ii) A performance rating of three stars or higher for early literacy under division (D)(3)(e) of that section.

(O) "Authorized private before and after school care program" means a child care program operated only for school children that is all of the following:

(1) Operated by a nonprofit or for-profit private entity;

(2) Operated under a contract with a school district board of education, community school, or eligible nonpublic school;

(3) Conducted only outside of school hours and in a building owned or operated by the contracting board or school.