



## Ohio Revised Code

### Section 3301.55 Preschool program building requirements and building plan.

Effective: October 3, 2023

Legislation: House Bill 33

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(A) A school district, county board of developmental disabilities, community school, or eligible nonpublic school operating a preschool program shall house the program in buildings that meet the following requirements:

(1) The building is operated by the district, county board of developmental disabilities, community school, or eligible nonpublic school and has been approved by the division of industrial compliance in the department of commerce or a certified municipal, township, or county building department for the purpose of operating a program for preschool children. Any such structure shall be constructed, equipped, repaired, altered, and maintained in accordance with applicable provisions of Chapters 3781. and 3791. and with rules adopted by the board of building standards under Chapter 3781. of the Revised Code for the safety and sanitation of structures erected for this purpose.

(2) The building is in compliance with fire and safety laws and regulations as evidenced by reports of annual school fire and safety inspections as conducted by appropriate local authorities.

(3) The school is in compliance with rules established by the department of education and workforce regarding school food services.

(4) The facility includes not less than thirty-five square feet of indoor space for each child in the program. Safe play space, including both indoor and outdoor play space, totaling not less than sixty square feet for each child using the space at any one time, shall be regularly available and scheduled for use.

(5) First aid facilities and space for temporary placement or isolation of injured or ill children are provided.

(B) Each school district, county board of developmental disabilities, community school, or eligible nonpublic school that operates, or proposes to operate, a preschool program shall submit to the



department a building plan including all information specified by the department not later than the first day of September of the school year in which the program is to be initiated. The department shall determine whether the buildings meet the requirements of this section and section 3301.53 of the Revised Code. If the department determines, on the basis of the building plan or any other information, that the buildings do not meet those requirements, it shall inspect the buildings. The department shall submit a report to the director of education and workforce specifying any aspects of the building that are not in compliance with the requirements of this section and section 3301.53 of the Revised Code and the time period that will be allowed the district, county board of developmental disabilities, or school to meet the requirements.