



## Ohio Administrative Code

### Rule 3301-32-04 Indoor and outdoor health and safety.

Effective: January 2, 2025

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(A) School buildings will not have to undergo additional building code inspections or to have structural modifications for use as school child care programs.

(B) Programs not conducted in school buildings will not be licensed until it has been ascertained that such use conforms to local codes and ordinances, and until the premises have passed inspection by:

(1) A fire marshal. The premises will have been inspected by the fire marshal holding local jurisdiction and any changes obligated by the fire marshal have been completed before children may occupy the premises. A floor plan of the area used by the program will be submitted electronically to the department; and

(2) A building official. Local building authorities having jurisdiction over the premises will be satisfied with building code compliance and documentation kept on file. Any obligated changes will be made before the program may occupy the space.

(C) Both the scheduled and completed dates of the annual fire inspection will be documented and maintained by the program.

(D) The governing body is responsible for ensuring that the above inspections are carried out and any needed modifications to program facilities are made. Documents verifying these inspections and any changes or reconstruction carried out pursuant to the official's obligations will be available for inspection by the program. If any person has reasonable cause to believe that a potential hazard exists, he/she may request a re-inspection.

(E) Program sites will provide a minimum of thirty-five square feet of indoor primary space per child. When space is used concomitantly with other groups, only the actual portion of space available for the school child program will be classified as primary space that may be used in the calculation of the square footage for primary space.



(F) Additional space used for short periods of time does not have to meet the thirty-five square feet per child obligation.

(G) Upon making application for licensure, site plans for each program will be filed with the department and will specify the location and dimensions of the following:

(1) Primary space;

(2) Additional space; and

(3) Outdoor play space as specified by this rule.

(H) If additional children are to be added at a program site and the result is that more children will be in attendance at the site than the license capacity permits, a new site plan will be submitted to and approved by the department prior to opening the program for that increased number of children.

(I) Safe indoor and outdoor environments free of hazards will be maintained as follows:

(1) Safe handling and storage of hazardous materials and the appropriate disposal of bio-contaminants:

(a) Blood spills are to be treated cautiously and decontaminated promptly. Disposable vinyl gloves are to be worn during contact with blood or bodily fluids which contain blood, such as vomit or feces in which blood can be seen.

(b) Surfaces contaminated with blood or bodily fluids containing blood are to first be cleaned with hot, soapy water, and then sanitized with an appropriate bleach solution which is prepared on a daily basis, according to product guidelines, or other acceptable disinfectant solution which is environmental protection agency (EPA) rated as hospital disinfectant with a label claim for mycobactericidal activity.

(c) Disposal of materials that contain blood are to be kept in a sealable, leakproof plastic bag or



double bagging in plastic bags that are securely tied.

(d) Non-disposable items, such as clothing that contain blood, are to be placed in a sealable, leakproof plastic bag or double bagged in plastic bags that are securely tied and sent home with the child.

(e) Sharp items used for procedures on children with special care needs, such as lancets for finger sticks or syringes, are to be kept in a disposable container called a "sharps container." This is a container made out of durable, rigid material which safely stores the lancets or needles until the parent can take them home for disposal. Sharps containers are to be stored out of the reach of children.

(2) Children may use cleaning supplies with adult supervision.

(3) Furniture, equipment, and supplies will be appropriate to the age and size of the children who use them.

(4) Equipment and furniture will be without sharp corners, splinters, or loose and/or peeling paint containing lead. Corrective action will be issued for any loose and/or peeling paint that may contain lead.

(5) Areas used by children will be free from debris, loose or peeling paint or wallpaper, crumbling plaster, holes in walls, floors, or ceilings, or litter. Rugs will have nonskid backing or be firmly attached to the floor and be free from wrinkles, tears, or edges that interfere with walking.

(6) The program facility will be cleaned daily, including cleaning and sanitizing of toilets and table tops.

(J) Safe outdoor play space totaling not less than sixty square feet for each child using the space at any one time, will be regularly available and scheduled for use, unless the program operates for less than three hours per day.

(1) The surface of the outdoor play space will be well drained and offer protection from falls.



- (2) The play space will be free of hazards such as, but not limited to, broken glass, potholes, garbage, flammable materials and other debris.
- (3) The play area will be well defined to protect children from traffic, animals, or other hazards.
- (4) The program will provide equipment for materials that promote large muscle development in adequate amounts for the group size. Outdoor equipment is to be stable, free of rust, cracks, holes, splinters, sharp points, edges, protruding bolts or tripping hazards. Equipment is to be age appropriate and not include openings that may cause body part entrapment.
- (5) A shaded area is to be available. The shade may be naturally occurring from trees, buildings or overhangs.
- (6) Play areas should be inspected at least once quarterly while the program is in operation and documentation kept on file for one year.
- (7) Sandboxes are to be covered when not in use.
- (K) Swimming pools, wading pools, and other bodies of water two or more feet in depth will be fenced or otherwise made inaccessible to the children when adult supervision is not available.
- (L) First aid supplies and directions for their use will be readily available at all times the program is in operation and taken on all field trips. First-aid kits will:
  - (1) Contain the appropriate supplies and be sufficient in number; and
  - (2) Be reviewed and replaced regularly by a staff member.
- (M) Space for storage of equipment and children's personal belongings will be available.
- (N) Children will have access to toilets, sinks, and drinking water at all times.



(O) A working phone will be within, or immediately accessible to the program's primary space and accessible to staff at all times. Program staff will be available to parents by phone during hours of program operation. Phone numbers for emergency services as may be locally appropriate will be posted in a visible location readily accessible to the appropriate program personnel in the area.

(P) The program will provide a smoke free environment.

(Q) Handwashing is to occur in a handwashing sink which is a permanent fixture with running water, and which conforms to the Ohio plumbing standards of division 4101:3 of the Administrative Code.

(R) Each school child program will have its license granted under section 3301.58 of the Revised Code and most recent compliance report and corrective action plan posted in a conspicuous place.