



Ohio Administrative Code

Rule 3301-37-05 Facility.

Effective: July 1, 2021

(A) The program shall be located in a safe and convenient facility and space that accommodates the enrollment, supports child growth and development according to program objectives, and meets the requirements of section 3301.55 of the Revised Code. The space shall be for the exclusive use of the children enrolled in the preschool program when that program is in session.

(B) The program shall provide written documentation of an annual fire inspection and approval of the facility. Annually means within twelve calendar months of the previous fire inspection.

(C) A phone shall be available while the program is in session.

(D) The indoor space shall include not less than thirty-five square feet of usable, wall-to-wall, floor space for each child.

(1) Such floor space shall not include hallways, kitchens, storage areas, or any other areas not designated for the care of children.

(2) Bathrooms shall be included only if they are used exclusively by children enrolled in the program when the program is in session.

(3) Square footage, as detailed in section 3301.55 of the Revised Code, shall determine the maximum capacity or number of children that may be served in the space. Maximum group size shall not exceed the maximum capacity in any given space.

(4) Spaces meeting the required square footage per child may be defined by barriers to serve more than one class/group of children. Barriers shall be at least thirty-six inches in height, may be permanent or nonpermanent walls, bookcases, partitions or some similar device used to define the area.



(5) Electrical outlets are to be covered when not in use unless documentation is on file that the outlets are tamper resistant.

(6) The center is to be cleaned daily and kept in a sanitary condition at all times. Cleaning and sanitizing is not to take place while rooms are occupied by children, except for general cleanup activities such as sweeping, vacuuming, mopping and wiping off tables which are part of the daily routine.

(7) Smoking is prohibited on the premises.

(8) The public may use areas such as entry ways, hallways, bathrooms, and other areas normally available for public use if such access does not constitute a risk or hazard to the health and safety of the children in care.

(E) 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. Additionally, play spaces comply with the following:

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

(2) The play space, including both indoor and outdoor play space, shall be free of hazards such as, but not limited to, chipped and peeling paint containing lead, mold, peeling plaster, holes in the walls, broken glass, potholes, garbage, flammable materials and other debris. Equipment and furniture must 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.

(3) The play area shall be well defined to protect children from traffic, animals, or other hazards.

(4) Child staff ratios are maintained at all times in accordance with rule 3301-37-04 of the Administrative Code..

(5) Groups of children are supervised during the use of and traveling to and from the play area.



(F) Infants and toddlers shall be provided space apart from their sleeping quarters so that each child is allowed to sit, crawl, toddle or walk, and play safely and comfortably according to his/her stage of development.:

(G) Infants and non-ambulatory children eighteen months of age or older shall receive care in rooms approved for that use by local building, fire officials, and the department prior to use.

(H) Swimming pools, wading pools, and other swimming/wading sites shall be made inaccessible to the children when not in use. Additionally, swimming pools, wading pools, and other swimming/wading sites have the following requirements:

(1) Wading pools are filtered or emptied daily. Portable wading pools are sanitized daily or more often, if needed.

(2) The center supervises children at all times while a wading pool is in use and staff are able to clearly see all parts of the wading area.

(3) There is one lifeguard or water safety instructor certified by the "American Red Cross" or an equivalent water safety program present for every thirty-five children when children are involved in a water activity over eighteen inches in depth. If the lifeguard is a staff member, the lifeguard does not count in the staff/child ratio and additional staff would be needed in this scenario.

(I) Cribs are to be separated from infant play space by a safe and sturdy physical barrier which does not impair the ability to supervise infants by sight and hearing. Sight and hearing is when the preschool staff can see the infants in and out of their cribs and hear their sounds. The barrier provides for safe accessibility.