

Serious Risk Non-Compliance Caretaker Notification

OAC 5101:2-12-03 and OAC 5101:2-13-03

Beginning November 15, 2020 child care centers and family child care homes are required to notify caretakers when a serious risk non-compliance (SRNC) is cited in an inspection report. The notification requirements are outlined in rule 5101:2-12-03 of the Ohio Administrative Code (OAC) for child care centers and rule 5101:2-13-03 OAC for family child care programs. A SRNC is a rule violation that has the potential to lead to a great risk of harm to, or death of, a child. Serious risk non-compliances are detailed in the appendices to rules [5101:2-12-03](#) OAC and [5101:2-13-03](#) OAC.

What Are the Requirements for the Caretaker Notice?

- Must go to caretakers of all children enrolled.
- Can be electronic or written.
- Should be dated with the date of distribution.
- Should provide an explanation of the SRNC.
- Must include a statement that informs the caretaker of the Ohio Department of Job and Family Services (ODJFS) website where inspection reports are publicly available for review, <http://childcaresearch.ohio.gov/>.
- Must be distributed within 15 business days of receipt of the noncompliance.

Request for Review

Child care programs have the option to request a review of a finding from an inspection by submitting the JFS 01155 “Request for Review for Licensing and Step Up To Quality”. If the program requests a review of the SRNC, and the finding is upheld, the notice to caretakers needs to be sent within five business days of the receipt of the decision from ODJFS. If the SRNC is overturned and removed from the licensing report, the program is not required to notify caretakers.

Notifying ODJFS

The rule also requires the program to provide ODJFS with a copy of the parent notice. When programs submit their corrective action plan, the program will upload a copy of the notice as part of the corrective action submission. The [OCLQS Corrective Action Plan Desk Aid](#) details how to upload a document as part of this process.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.