#### As Introduced

# 136th General Assembly

# **Regular Session**

H. B. No. 561

2025-2026

## Representatives Miller, M., Robb Blasdel

Cosponsors: Representatives Barhorst, Claggett, Click, Creech, Dean, Deeter, Fischer, Gross, Hall, T., King, Lear, Lorenz, Miller, K., Mullins, Newman, Pizzulli, Stephens, Swearingen, Teska, Williams, Ferguson, LaRe

То	amend sections 3301.16, 3301.53, 3313.671,	1
	5104.014, 5104.015, 5104.017, 5104.018, and	2
	5104.019 and to enact section 3301.532 of the	3
	Revised Code to revise the law governing	4
	childhood immunizations and exemptions and to	5
	name this act the Parental Clarity on Health	6
	Options and Information on Conscientious	-
	Exemptions "C.H.O.I.C.E." Act.	8

### BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3301.16, 3301.53, 3313.671,	9
5104.014, 5104.015, 5104.017, 5104.018, and 5104.019 be amended	10
and section 3301.532 of the Revised Code be enacted to read as	11
follows:	12
Sec. 3301.16. Pursuant to standards prescribed by the	13
sec. 3301.10. Fursuant to standards prescribed by the	10
director of education and workforce as provided in division (D)	14
of section 3301.07 of the Revised Code, the director shall	15
classify and charter school districts and individual schools	16
within each district except that no charter shall be granted to	17
a nonnublic school unless the school complies with divisions (K)	1 0

(1) and (L) of section 3301.0711 of the Revised Code, as	19
applicable, divisions (B)(4) and (5) and (F) of section 3313.671	20
of the Revised Code, and sections 3301.164 and 3313.612 of the	21
Revised Code.	22
In the course of considering the charter of a new school	23
district created under section 3311.26 or 3311.38 of the Revised	24
Code, the director shall require the party proposing creation of	25
the district to submit to the board a map, certified by the	26
county auditor of the county in which the proposed new district	27
is located, showing the boundaries of the proposed new district.	28
In the case of a proposed new district located in more than one	29
county, the map shall be certified by the county auditor of each	30
county in which the proposed district is located.	31
The director shall revoke the charter of any school	32
district or school which fails to meet the standards for	33
elementary and high schools as prescribed by the director. The	34
director shall also revoke the charter of any nonpublic school	35
that does not comply with divisions (K)(1) and (L) of section	36
3301.0711 of the Revised Code, if applicable, divisions (B)(4)	37
and (5) and (F) of section 3313.671 of the Revised Code, and	38
sections 3301.164 and 3313.612 of the Revised Code.	39
In the issuance and revocation of school district or	40
	41
school charters, the director shall be governed by the	
provisions of Chapter 119. of the Revised Code.	42
No school district, or individual school operated by a	43
school district, shall operate without a charter issued under	44
this section.	45
In case a school district charter is revoked pursuant to	46

this section, the state board of education may dissolve the

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school district and transfer its territory to one or more	48
adjacent districts. An equitable division of the funds,	49
property, and indebtedness of the school district shall be made	50
by the state board among the receiving districts. The board of	51
education of a receiving district shall accept such territory	52
pursuant to the order of the state board. Prior to dissolving	53
the school district, the state board shall notify the	54
appropriate educational service center governing board and all	55
adjacent school district boards of education of its intention to	56
do so. Boards so notified may make recommendations to the state	57
board regarding the proposed dissolution and subsequent transfer	58
of territory. Except as provided in section 3301.161 of the	59
Revised Code, the transfer ordered by the state board shall	60
become effective on the date specified by the state board, but	61
the date shall be at least thirty days following the date of	62
issuance of the order.	63

A high school is one of higher grade than an elementary school, in which instruction and training are given in accordance with sections 3301.07 and 3313.60 of the Revised Code and which also offers other subjects of study more advanced than those taught in the elementary schools and such other subjects as may be approved by the director.

An elementary school is one in which instruction and 70 training are given in accordance with sections 3301.07 and 71 3313.60 of the Revised Code and which offers such other subjects 72 as may be approved by the director. In districts wherein a 73 junior high school is maintained, the elementary schools in that 74 district may be considered to include only the work of the first 75 six school years inclusive, plus the kindergarten year. 76

Sec. 3301.53. (A) The department of children and youth

shall formulate and prescribe by rule adopted under Chapter 119.	78
of the Revised Code minimum standards to be applied to preschool	79
programs operated by school district boards of education, county	80
boards of developmental disabilities, community schools, or	81
eligible nonpublic schools. The rules shall include the	82
following:	83
(1) Standards ensuring that the preschool program is	84
located in a safe and convenient facility that accommodates the	85
enrollment of the program, is of the quality to support the	86
growth and development of the children according to the program	87
objectives, and meets the requirements of section 3301.55 of the	88
Revised Code;	89
(2) Standards ensuring that supervision, discipline, and	90
programs will be administered according to established	91
objectives and procedures;	92
(3) Standards ensuring that preschool staff members and	93
nonteaching employees are recruited, employed, assigned,	94
evaluated, and provided in-service education without	95
discrimination on the basis of age, color, national origin,	96
race, or sex; and that preschool staff members and nonteaching	97
employees are assigned responsibilities in accordance with	98
written position descriptions commensurate with their training	99
and experience;	100
(4) A requirement that boards of education intending to	101
establish a preschool program demonstrate a need for a preschool	102
<pre>program prior to establishing the program;</pre>	103
(5) Requirements Subject to section 3301.532 of the	104
Revised Code, requirements that children participating in	105
preschool programs have been immunized to the extent considered	106

appropriate by the director of children and youth to prevent the	107
spread of communicable disease;	108
(6) Requirements that the parents of preschool children	109
complete the emergency medical authorization form specified in	110
section 3313.712 of the Revised Code;	111
(7) The department of education and workforce's rules or	112
standards for providing special education and related services	113
for children with disabilities under section 3323.02 of the	114
Revised Code incorporated by reference, as appropriate.	115
(B) The department of children and youth shall ensure that	116
the rules adopted under sections 3301.52 to 3301.58 of the	117
Revised Code are consistent with and meet or exceed the	118
requirements of Chapter 5104. of the Revised Code with regard to	119
child care centers that serve preschool children. The department	120
shall review all such rules at least once every five years.	121
(C) The department shall adopt rules for school child	122
programs that are consistent with and meet or exceed the	123
requirements of the rules adopted for child care centers that	124
serve school-age children under Chapter 5104. of the Revised	125
Code.	126
Sec. 3301.532. If the department of children and youth	127
prescribes by rule as described in section 3301.53 of the	128
Revised Code requirements that children participating in	129
preschool programs operated by school district boards of	130
education, county boards of developmental disabilities,	131
community schools, or eligible nonpublic schools be immunized to	132
the extent considered appropriate by the director of children	133
and youth to prevent the spread of communicable disease, all of	134
the following apply:	135

(A) Each preschool program shall honor exemptions for all	136
of the following reasons:	137
(1) Immunization against the disease is medically	138
contraindicated for the child.	139
(2) Immunization against the disease is not medically	140
appropriate for the child's age.	141
(3) The child's parent or guardian has declined to have	142
the child immunized against the disease for reasons of	143
conscience, including religious convictions.	143
(B) When a preschool program notifies a parent or guardian	145
in any writing or other communication, which includes social	146
media, electronic mail, newsletter, flyer, or video, of	147
immunization requirements specified in department rule, the	148
preschool program also shall notify the parent or guardian of	149
the exemptions from immunization described in division (A) of	150
this section. The preschool program shall provide notice of	151
exemptions in the same manner that the program provides notice	152
of requirements. The notice shall describe each exemption and	153
include both the text of division (A) of this section and its	154
statutory citation.	155
(C) If a preschool program maintains a web site that is	156
available to parents and guardians and the web site addresses	157
immunization requirements specified in department rule, the	158
preschool program shall clearly display on the web site a	159
statement indicating that a child enrolled in the preschool	160
program is not required to be immunized if any of the exemptions	161
described in division (A) of this section apply. Such a	162
statement shall describe each exemption and include both the	163
text of division (A) of this section and its statutory citation.	164
COLLO CE GENERALI (11) DE CHIED DOCCEDH GHA EUD DUGUGGOLY CEUGEDH.	

(D)(1) An individual who believes that a preschool program	165
has failed to comply with division (A), (B), or (C) of this	166
section may file a complaint with the director of children and	167
youth. The department shall establish a process under which an	168
individual may submit a complaint under division (D)(1) of this	169
section.	170
(2) Not later than fourteen days after receiving such a	171
complaint, the director shall review and investigate the	172
complaint, determine whether the preschool program has failed to	173
comply with division (A), (B), or (C) of this section, and	174
notify the program of the director's determination.	175
(3) If the director determines that a preschool program	176
has failed to comply with division (A), (B), or (C) of this	177
section, the director shall order the program to become	178
compliant within thirty days. If the preschool program fails to	179
comply with the director's order within those thirty days, the	180
director shall suspend the program's license until the director	181
determines that the program is compliant.	182
Sec. 3313.671. (A)(1) Except as otherwise provided in	183
division (B) of this section, no pupil, at the time of initial	184
entry or at the beginning of each school year, to an elementary	185
or high school for which the director of education and workforce	186
prescribes minimum standards pursuant to division (D) of section	187
3301.07 of the Revised Code, shall be permitted to remain in	188
school for more than fourteen days unless the pupil presents	189
written evidence satisfactory to the person in charge of	190
admission, that the pupil has been immunized by a method of	191
immunization approved by the department of health pursuant to	192
section 3701.13 of the Revised Code against mumps,	193
poliomyelitis, diphtheria, pertussis, tetanus, rubeola, and	194

rubella or is in the process of being immunized. 195 (2) Except as provided in division (B) of this section, no 196 pupil who begins kindergarten at an elementary school subject to 197 the director's minimum standards shall be permitted to remain in 198 school for more than fourteen days unless the pupil presents 199 written evidence satisfactory to the person in charge of 200 admission that the pupil has been immunized by a department of 201 health-approved method of immunization or is in the process of 202 being immunized against both of the following: 203 (a) During or after the school year beginning in 1999, 204 hepatitis B; 205 (b) During or after the school year beginning in 2006, 206 chicken pox. 207 (3) Except as provided in division (B) of this section, 208 during and after the school year beginning in 2016, no pupil who 209 is the age or older than the age at which immunization against 210 meningococcal disease is recommended by the state department of 211 health shall be permitted to remain in a school subject to the 212 director's minimum standards for more than fourteen days unless 213 the pupil presents written evidence satisfactory to the person 214 in charge of admission that the pupil has been immunized by a 215 department of health-approved method of immunization, or is in 216 the process of being immunized, against meningococcal disease. 217 (4) As used in divisions (A)(1), (2), and (3) of this 218 section, "in the process of being immunized" means the pupil has 219 been immunized against mumps, rubeola, rubella, and chicken pox, 220 and if the pupil has not been immunized against poliomyelitis, 221 diphtheria, pertussis, tetanus, hepatitis B, and meningococcal 222 disease, the pupil has received at least the first dose of the 223

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immunization sequence, and presents written evidence to the	224
pupil's building principal or chief administrative officer of	225
each subsequent dose required to obtain immunization at the	226
intervals prescribed by the director of health. Any student	227
previously admitted under the "in process of being immunized"	228
provision and who has not complied with the immunization	229
intervals prescribed by the director of health shall be excluded	230
from school on the fifteenth day of the following school year.	231
Any student so excluded shall be readmitted upon showing	232
evidence to the student's building principal or chief	233
administrative officer of progress on the director of health's	234
interval schedule.	235
(B)(1) A pupil who has had natural rubeola, and presents a	236
signed statement from the pupil's parent, guardian, or physician	237
to that effect, is not required to be immunized against rubeola.	238
(2) A pupil who has had natural mumps, and presents a	239
signed statement from the pupil's parent, guardian, or physician	240
to that effect, is not required to be immunized against mumps.	241
(3) A pupil who has had natural chicken pox, and presents	242
a signed statement from the pupil's parent, guardian, or	243
physician to that effect, is not required to be immunized	244
against chicken pox.	245
(4) A pupil who presents a written statement of the	246
pupil's parent or guardian in which the parent or guardian	247
declines to have the pupil immunized for reasons of conscience,	248
including religious convictions, is not required to be	249
immunized. The board of education or governing body of each	250
school subject to this section shall not require additional	251
information beyond the written statement required under this	252
division and shall not require an official exemption form.	253

(5) A child whose physician certifies in writing that such	254
immunization against any disease is medically contraindicated is	255
not required to be immunized against that disease.	256
(C) As used in this division, "chicken pox epidemic" means	257
the occurrence of cases of chicken pox, measles, mumps, or	258
<u>rubella</u> in numbers greater than expected in the school's	259
population or for a particular period of time.	260
If the director of the department of health notifies the	261
school's principal or chief administrative officer that an	262
epidemic exists in the school's population, a school may notify	263
each pupil's parent or guardian.	264
Notwithstanding division (B) of this section, a school may	265
deny admission to a pupil-otherwise exempted from the chicken-	266
pox immunization requirement if the director of the state-	267
department of health notifies the school's principal or chief-	268
administrative officer that a chicken pox epidemic exists in the	269
school's population who has contracted chicken pox, measles,	270
mumps, or rubella. The denial of admission shall cease when the	271
director notifies the principal or officer that the	272
epidemicpupil is no longer existscontagious. A school shall not	273
deny admission to an uninfected pupil, including a pupil who is	274
otherwise exempted from the immunization requirements under	275
division (B)(4) or (5) of this section.	276
The board of education or governing body of each school	277
subject to this section shall adopt a policy that prescribes	278
methods whereby the academic standing of a pupil who is denied	279
admission during a chicken pox an epidemic may be preserved.	280
When a board of education or governing body of a school	281
subject to this section notifies parents or guardians that an	282

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epidemic exists in the school's population, it shall include in	283
the notice the citation to this section of the Revised Code and	284
include the policy adopted by the board or governing body that	285
prescribes methods whereby the academic standing of a pupil who	286
is denied admission during an epidemic may be preserved.	287
(D) Boards of health, legislative authorities of municipal	288
corporations, and boards of township trustees on application of	289
the board of education of the district or proper authority of	290
any school affected by this section, shall provide at the public	291
expense, without delay, the means of immunization against mumps,	292
poliomyelitis, rubeola, rubella, diphtheria, pertussis, tetanus,	293
and hepatitis B to pupils who are not so provided by their	294
parents or guardians.	295
(E) The department of health shall specify the age at	296
which immunization against meningococcal disease, as required by	297
division (A)(3) of this section, is recommended, and approve a	298
method of immunization against meningococcal disease.	299
(F) The board of education or governing body of each	300
school subject to this section shall do both of the following:	301
(1) When a board or governing body notifies a pupil or the	302
pupil's parent or guardian of the immunization requirements	303
described in this section, which includes notification through	304
social media, electronic mail, newsletter, flyer, or video,	305
notify the pupil or the pupil's parent or guardian of the	306
exemptions from immunization described under divisions (B) (4)	307
and (5) of this section. The board or governing body shall	308
provide notice of the exemptions and the citation to this	309
section of the Revised Code in the same manner as it provides	310
notice of the immunization requirements.	311

(2) Clearly display on its web site the exemptions from	312
immunization described under divisions (B)(4) and (5) of this	313
section wherever immunization requirements are listed. Each	314
board or governing body shall include the full text of the law	315
under those divisions and the legal citation on its web site.	316
(G) An individual who believes that a board of education	317
or governing body of a school subject to this section has failed	318
to comply with division (B)(4) or (5) or division (F) of this	319
section may submit a complaint to the department of education	320
and workforce.	321
(H)(1) The department shall establish a process under	322
which an individual may submit a complaint under division (G) of	323
this section. Not later than fourteen days after a complaint is	324
submitted, the department shall review and investigate the	325
complaint, determine whether a board of education or governing	326
body of a school subject to this section has failed to comply	327
with division (B)(4) or (5) or division (F) of this section, and	328
notify the board of education or governing body of the	329
<pre>department's determination.</pre>	330
(2) If the department determines that a board of education	331
or governing body of a school subject to this section has failed	332
to comply with division (B)(4) or (5) or (F) of this section,	333
the department shall order the board or governing authority to	334
become compliant not later than thirty days after receiving the	335
department's notification. If a board or governing body of a	336
school that holds a charter under section 3301.16 of the Revised	337
Code fails to become compliant within those thirty days, the	338
department shall revoke the board's or governing body's charter	339
pursuant to that section and shall not restore its charter until	340
the department determines the board or governing body is	341

<pre>compliant.</pre>	342
Sec. 5104.014. (A) As used in this section:	343
(1) "Child" includes both of the following:	344
(a) An infant, toddler, or preschool age child;	345
(b) A school-age child who is not enrolled in a public or	346
nonpublic school but is enrolled in a child care center, type A	347
family child care home, or licensed type B family child care	348
home or receives child care from a certified in-home aide.	349
(2) "In the process of being immunized" means having	350
received at least the first dose of an immunization sequence and	351
complying with the immunization intervals or catch-up schedule	352
prescribed by the director of health.	353
(B) Except as provided in division (C) of this section,	354
not later than thirty days after enrollment in a child care	355
center, type A family child care home, or licensed type B family	356
child care home and every thirteen months thereafter while	357
enrolled in the center or home and not later than thirty days	358
after beginning to receive child care from a certified in-home	359
aide and every thirteen months thereafter while continuing to	360
receive child care from the aide, each child's caretaker parent	361
shall provide to the center, home, or in-home aide a medical	362
statement, as described in division (D) of this section,	363
indicating that the child has been immunized against or is in	364
the process of being immunized against all of the following	365
diseases:	366
(1) Chicken pox;	367
(2) Diphtheria;	368
(3) Haemophilus influenzae type b;	369

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(4) Hepatitis A;	370
(5) Hepatitis B;	371
<del>(6)</del> _(5)_Influenza;	372
<del>(7)</del> (6) Measles;	373
<del>(8)</del> (7) Mumps;	374
<del>(9)</del> (8) Pertussis;	375
(10)(9) Pneumococcal disease;	376
(11)(10) Poliomyelitis;	377
<del>(12)</del> (11) Rotavirus;	378
<del>(13)</del> (12) Rubella;	379
<del>(14)</del> (13) Tetanus.	380
(C)(1) A child is not required to be immunized against a	381
disease specified in division (B) of this section if $\underline{\text{the child's}}$	382
medical statement indicates that any of the following is the	383
case:	384
(a) Immunization against the disease is medically	385
contraindicated for the child;	386
(b) The child's parent or guardian has declined to have	387
the child immunized against the disease for reasons of	388
conscience, including religious convictions;	389
(c) Immunization against the disease is not medically	390
appropriate for the child's age.	391
(2) In the case of influenza, a child is not required to	392
be immunized against the disease if the seasonal vaccine is not	393
available.	394

(D)(1) The medical statement shall include all of the	395
following information:	396
(a) The dates that a child received immunizations against	397
each of the diseases specified in division (B) of this section;	398
(b) Whether a child is subject to any of the exceptions	399
<u>exemptions</u> specified in division (C) of this section.	400
(2) The medical statement shall include a component where	401
a parent or guardian may indicate that the parent or guardian	402
has declined to have the child immunized.	403
(E) When a parent or guardian declines immunization for a	404
child under this section, a child care center, type A family	405
child care home, licensed type B family child care home, or	406
certified in-home aide shall not require the child's caretaker	407
parent to provide to the center, home, or in-home aide any other	408
information beyond the medical statement.	409
(F) When a child care center, type A family child care	410
home, licensed type B family child care home, or certified in-	411
home aide notifies a caretaker parent of the immunization	412
requirements described in division (B) of this section in any	413
writing or other communication, which includes social media,	414
electronic mail, newsletter, flyer, or video, the center, home,	415
or in-home aide also shall notify the caretaker parent of the	416
exemptions from immunization described in division (C) of this	417
section. The center, home, or in-home aide shall provide notice	418
of the exemptions in the same manner that the center, home, or	419
in-home aide provides notice of the requirements. The notice	420
shall describe the exemptions and include both the text of	421
division (C) of this section and its statutory citation.	422
(G) If a child care center, type A family child care home,	423

licensed type B family child care home, or in-home aide	424
maintains a web site that is available to caretaker parents and	425
addresses the immunization requirements of division (B) of this	426
section, the center, home, or in-home aide shall clearly display	427
on the web site a statement indicating that a child enrolled in	428
the center or home or receiving care from an in-home aide is not	429
required to be immunized against a disease specified in division	430
(B) of this section if any of the exemptions described in	431
divisions (C)(1) and (2) of this section apply. Such a statement	432
shall describe each exemption and include both the text of	433
division (C) of this section and its statutory citation.	434
(H)(1) An individual who believes that a child care	435
center, type A family child care home, licensed type B family	436
child care home, or certified in-home aide has failed to comply	437
with division (C), (E), or (F) of this section may file a	438
complaint with the director of children and youth or, in the	439
case of an in-home aide, with the county department of job and	440
family services. The department and county department shall each	441
establish a process under which an individual may submit a	442
<pre>complaint under division (H)(1) of this section.</pre>	443
(2) Not later than fourteen days after receiving such a	444
complaint, the director or county department shall review and	445
investigate the complaint, determine whether the center, home,	446
or in-home aide has failed to comply with division (C), (E), or	447
(F) of this section, and notify the center, home, or in-home	448
aide of the director or county department's determination.	449
(3) If the director or county department determines that a	450
center, home, or in-home aide has failed to comply with division	451
(C), (E), or (F) of this section, the director or county	452
department shall order the center, home, or in-home aide to	453

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become compliant within thirty days. If the center, home, or in-	454
home aide fails to comply with the director's or county	455
department's order within those thirty days, the director or	456
county department shall suspend the center's or home's license	457
or in-home aide's certificate until the director or county	458
department determines that the center, home, or in-home aide is	459
<pre>compliant.</pre>	460
Sec. 5104.015. The director of children and youth shall	461
adopt rules in accordance with Chapter 119. of the Revised Code	462
governing the operation of child care centers, including parent	463
cooperative centers, part-time centers, and drop-in centers. The	464
rules shall reflect the various forms of child care and the	465
needs of children receiving child care or publicly funded child	466
care and shall include specific rules for school-age child care	467
centers that are developed in consultation with the department	468
of education and workforce. The rules shall include the	469
following:	470
(A) Submission of a site plan and descriptive plan of	471
operation to demonstrate how the center proposes to meet the	472
requirements of this chapter and rules adopted pursuant to this	473
chapter for the initial license application;	474
(B) Standards for ensuring that the physical surroundings	475
of the center are safe and sanitary including the physical	476
environment, the physical plant, and the equipment of the	477
center;	478
(C) Standards for the supervision, care, and discipline of	479
children receiving child care or publicly funded child care in	480
the center;	481
(D) Standards for a program of activities, and for play	482

equipment, materials, and supplies, to enhance the development	483
of each child; however, any educational curricula, philosophies,	484
and methodologies that are developmentally appropriate and that	485
enhance the social, emotional, intellectual, and physical	486
development of each child shall be permissible. As used in this	487
division, "program" does not include instruction in religious or	488
moral doctrines, beliefs, or values that is conducted at child	489
care centers owned and operated by churches and does include	490
methods of disciplining children at child care centers.	491
(E) Admissions policies and procedures;	492
(F) Health care policies and procedures, including	493
procedures for the isolation of children with communicable	494
diseases;	495
(G) First aid and emergency procedures;	496
(H) Procedures for discipline and supervision of children;	497
(I) Standards for the provision of nutritious meals and	498
snacks;	499
(J) Procedures for screening children that may include any	500
necessary physical examinations and shall include immunizations $\underline{\prime}$	501
exemptions from immunizations, and notifications in accordance	502
with section 5104.014 of the Revised Code;	503
(K) Procedures for screening employees that may include	504
any necessary physical examinations and immunizations;	505
(L) Methods for encouraging parental participation in the	506
center and methods for ensuring that the rights of children,	507
parents, and employees are protected and that responsibilities	508
of parents and employees are met;	509
(M) Procedures for ensuring the safety and adequate	510

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supervision of children traveling off the premises of the center	511
while under the care of a center employee;	512
(N) Procedures for record keeping, organization, and	513
administration;	514
(O) Procedures for issuing, denying, and revoking a	515
license that are not otherwise provided for in Chapter 119. of	516
the Revised Code;	517
(P) Inspection procedures;	518
(Q) Procedures and standards for setting initial license	519
application fees;	520
(R) Procedures for receiving, recording, and responding to	521
complaints about centers;	522
(S) Procedures for enforcing section 5104.04 of the	523
Revised Code;	524
(III) Minimum qualifications for amplement as an	525
(T) Minimum qualifications for employment as an	526
administrator or child care staff member, which shall not	
include requiring an administrator or child care staff member to	527
hold or obtain a bachelor's, master's, or doctoral degree;	528
(U) Requirements for the training of administrators and	529
child care staff members, including training in first aid, in	530
prevention, recognition, and management of communicable	531
diseases, and in child abuse recognition and prevention;	532
(V) Standards providing for the needs of children who have	533
disabilities or who require treatment for health conditions	534
while the child is receiving child care or publicly funded child	535
care in the center;	536
(W) A procedure for reporting of injuries of children that	535

occur at the center;	538
(X) Standards for licensing child care centers for	539
children with short-term illnesses and other temporary medical	540
conditions;	541
(Y) Minimum requirements for instructional time for child	542
care centers rated through the step up to quality program	543
established pursuant to section 5104.29 of the Revised Code;	544
(Z) Any other procedures and standards necessary to carry	545
out the provisions of this chapter regarding child care centers.	546
Sec. 5104.017. The director of children and youth shall	547
adopt rules pursuant to Chapter 119. of the Revised Code	548
governing the operation of type A family child care homes,	549
including parent cooperative type A homes, part-time type A	550
homes, and drop-in type A homes. The rules shall reflect the	551
various forms of child care and the needs of children receiving	552
child care. The rules shall include the following:	553
(A) Submission of a site plan and descriptive plan of	554
operation to demonstrate how the type A home proposes to meet	555
the requirements of this chapter and rules adopted pursuant to	556
this chapter for the initial license application;	557
(B) Standards for ensuring that the physical surroundings	558
of the type A home are safe and sanitary, including the physical	559
environment, the physical plant, and the equipment of the type A	560
home;	561
(C) Standards for the supervision, care, and discipline of	562
children receiving child care or publicly funded child care in	563
the type A home;	564
(D) Standards for a program of activities, and for play	565

equipment, materials, and supplies, to enhance the development	566
of each child; however, any educational curricula, philosophies,	567
and methodologies that are developmentally appropriate and that	568
enhance the social, emotional, intellectual, and physical	569
development of each child shall be permissible;	570
(E) Admissions policies and procedures;	571
(F) Health care policies and procedures, including	572
procedures for the isolation of children with communicable	573
diseases;	574
(G) First aid and emergency procedures;	575
(H) Procedures for discipline and supervision of children;	576
(I) Standards for the provision of nutritious meals and	577
snacks;	578
(J) Procedures for screening children, including any	579
necessary physical examinations and the immunizations,	580
exemptions from immunizations, and notifications required	581
pursuant to section 5104.014 of the Revised Code;	582
(K) Procedures for screening employees, including any	583
necessary physical examinations and immunizations;	584
(L) Methods for encouraging parental participation in the	585
type A home and methods for ensuring that the rights of	586
children, parents, and employees are protected and that the	587
responsibilities of parents and employees are met;	588
(M) Procedures for ensuring the safety and adequate	589
supervision of children traveling off the premises of the type A	590
home while under the care of a type A home employee;	591
(N) Procedures for record keeping, organization, and	592

administration;	593
(O) Procedures for issuing, denying, and revoking a	594
license that are not otherwise provided for in Chapter 119. of	595
the Revised Code;	596
(P) Inspection procedures;	597
(Q) Procedures and standards for setting initial license	598
application fees;	599
(R) Procedures for receiving, recording, and responding to	600
complaints about type A homes;	601
(S) Procedures for enforcing section 5104.04 of the	602
Revised Code;	603
(T) A standard requiring the inclusion of a current	604
department of children and youth toll-free telephone number on	605
each type A home license that any person may use to report a	606
suspected violation by the type A home of this chapter or rules	607
adopted pursuant to this chapter;	608
(U) Requirements for the training of administrators and	609
child care staff members in first aid, in prevention,	610
recognition, and management of communicable diseases, and in	611
child abuse recognition and prevention;	612
(V) Standards providing for the needs of children who have	613
disabilities or who require treatment for health conditions	614
while the child is receiving child care or publicly funded child	615
care in the type A home;	616
(W) Standards for the maximum number of children per child	617
<pre>care staff member;</pre>	618
(X) Requirements for the amount of usable indoor floor	619

space for each child;	620
(Y) Requirements for safe outdoor play space;	621
(Z) Qualifications and training requirements for	622
administrators and for child care staff members, which shall not	623
include requiring an administrator or child care staff member to	624
hold or obtain a bachelor's, master's, or doctoral degree;	625
(AA) Procedures for granting a parent who is the	626
residential parent and legal custodian, or a custodian or	627
guardian access to the type A home during its hours of	628
operation;	629
(BB) Minimum requirements for instructional time for type	630
A homes rated through the step up to quality program established	631
pursuant to section 5104.29 of the Revised Code;	632
(CC) Any other procedures and standards necessary to carry	633
out the provisions of this chapter regarding type A homes.	634
Sec. 5104.018. The director of children and youth shall	635
adopt rules in accordance with Chapter 119. of the Revised Code	636
governing the licensure of type B family child care homes. The	637
rules shall provide for safeguarding the health, safety, and	638
welfare of children receiving child care or publicly funded	639
child care in a licensed type B family child care home and shall	640
include all of the following:	641
(A) Requirements for the type B home to notify parents	642
with children in the type B home that the type B home is	643
certified as a foster home under section 5103.03 of the Revised	644
Code;	645
(B) Standards for ensuring that the type B home and the	646
physical surroundings of the type B home are safe and sanitary,	647

including physical environment, physical plant, and equipment;	648
(C) Standards for the supervision, care, and discipline of	649
children receiving child care or publicly funded child care in	650
the home;	651
(D) Standards for a program of activities, and for play	652
equipment, materials, and supplies to enhance the development of	653
each child; however, any educational curricula, philosophies,	654
and methodologies that are developmentally appropriate and that	655
enhance the social, emotional, intellectual, and physical	656
development of each child shall be permissible;	657
(E) Admission policies and procedures;	658
(F) Health care, first aid and emergency procedures;	659
(G) Procedures for the care of sick children;	660
(H) Procedures for discipline and supervision of children;	661
(I) Nutritional standards;	662
(J) Procedures for screening children, including any	663
necessary physical examinations and the immunizations,	664
exemptions from immunizations, and notifications required	665
pursuant to section 5104.014 of the Revised Code;	666
(K) Procedures for screening administrators and employees,	667
including any necessary physical examinations and immunizations;	668
(L) Methods of encouraging parental participation and	669
ensuring that the rights of children, parents, and	670
administrators are protected and the responsibilities of parents	671
and administrators are met;	672
(M) Standards for the safe transport of children when	673
under the care of administrators;	674

(N) Procedures for issuing, denying, or revoking licenses;	675
(O) Procedures for the inspection of type B homes that	676
require, at a minimum, that each type B home be inspected prior	677
to licensure to ensure that the home is safe and sanitary;	678
(P) Procedures for record keeping and evaluation;	679
(Q) Procedures for receiving, recording, and responding to	680
complaints;	681
(R) Standards providing for the needs of children who have	682
disabilities or who receive treatment for health conditions	683
while the child is receiving child care or publicly funded child	684
care in the type B home;	685
(S) Requirements for the amount of usable indoor floor	686
space for each child;	687
(T) Requirements for safe outdoor play space;	688
(U) Qualification and training requirements for	689
administrators and employees, which shall not include requiring	690
an administrator or employee to hold or obtain a bachelor's,	691
<pre>master's, or doctoral degree;</pre>	692
(V) Procedures for granting a parent who is the	693
residential parent and legal custodian, or a custodian or	694
guardian access to the type B home during its hours of	695
operation;	696
(W) Requirements for the type B home to notify parents	697
with children in the type B home that the type B home is	698
certified as a foster home under section 5103.03 of the Revised	699
Code;	700
(X) Minimum requirements for instructional time for type B	701

homes rated through the step up to quality program established	702
pursuant to section 5104.29 of the Revised Code;	703
(Y) Any other procedures and standards necessary to carry	704
out the provisions of this chapter regarding licensure of type B	705
homes.	706
Sec. 5104.019. The director of children and youth shall	707
adopt rules in accordance with Chapter 119. of the Revised Code	708
governing the certification of in-home aides. The rules shall	709
provide for safeguarding the health, safety, and welfare of	710
children receiving publicly funded child care in their own home	711
and shall include the following:	712
(A) Standards for ensuring that the child's home and the	713
physical surroundings of the child's home are safe and sanitary,	714
including physical environment, physical plant, and equipment;	715
(B) Standards for the supervision, care, and discipline of	716
children receiving publicly funded child care in their own home;	717
(C) Standards for a program of activities, and for play	718
equipment, materials, and supplies to enhance the development of	719
each child; however, any educational curricula, philosophies,	720
and methodologies that are developmentally appropriate and that	721
enhance the social, emotional, intellectual, and physical	722
development of each child shall be permissible;	723
(D) Health care, first aid, and emergency procedures,	724
procedures for the care of sick children, procedures for	725
discipline and supervision of children, nutritional standards,	726
and procedures for screening children and in-home aides,	727
including any necessary physical examinations and the	728
immunizations, exemptions from immunizations, and notifications	729
required pursuant to section 5104.014 of the Revised Code;	730

(E) Methods of encouraging parental participation and	731
ensuring that the rights of children, parents, and in-home aides	732
are protected and the responsibilities of parents and in-home	733
aides are met;	734
(F) Standards for the safe transport of children when	735
under the care of in-home aides;	736
(G) Procedures for issuing, renewing, denying, refusing to	737
renew, or revoking certificates;	738
(H) Procedures for inspection of homes of children	739
receiving publicly funded child care in their own homes;	740
(I) Procedures for record keeping and evaluation;	741
(J) Procedures for receiving, recording, and responding to	742
complaints;	743
(K) Qualifications and training requirements for in-home	744
aides;	745
(L) Standards providing for the needs of children who have	746
disabilities or who receive treatment for health conditions	747
while the child is receiving publicly funded child care in the	748
child's own home;	749
(M) Any other procedures and standards necessary to carry	750
out the provisions of this chapter regarding certification of	751
in-home aides.	752
Section 2. That existing sections 3301.16, 3301.53,	753
3313.671, 5104.014, 5104.015, 5104.017, 5104.018, and 5104.019	754
of the Revised Code are hereby repealed.	755
Section 3. This act shall be known as the Parental Clarity	756
on Health Options and Information on Conscientious Exemptions or	757

Parental "C.H.O.I.C.E." Act.	758
Section 4. Section 5104.019 of the Revised Code is	759
presented in this act as a composite of the section as amended	760
by H.B. 33 of the 135th General Assembly and H.B. 281 of the	761
134th General Assembly. The General Assembly, applying the	762
principle stated in division (B) of section 1.52 of the Revised	763
Code that amendments are to be harmonized if reasonably capable	764
of simultaneous operation, finds that the composite is the	765
resulting version of the section in effect prior to the	766
effective date of the section as presented in this act.	767