

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 561

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

To 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	7
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
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 nonpublic school unless the school complies with divisions (K)	18

(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
school charters, the director shall be governed by the 41
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 47

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 64
school, in which instruction and training are given in 65
accordance with sections 3301.07 and 3313.60 of the Revised Code 66
and which also offers other subjects of study more advanced than 67
those taught in the elementary schools and such other subjects 68
as may be approved by the director. 69

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 77

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
program prior to establishing the program; 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. 144

(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

(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

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
rubella 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
~~epidemic~~ pupil is no longer exists contagious. 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

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
department's determination. 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

compliant. 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

(4) Hepatitis A;	370
(5) Hepatitis B;	371
(6) (5) Influenza;	372
(7) (6) Measles;	373
(8) (7) Mumps;	374
(9) (8) Pertussis;	375
(10) (9) Pneumococcal disease;	376
(11) (10) Poliomyelitis;	377
(12) (11) Rotavirus;	378
(13) (12) Rubella;	379
(14) (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 <u>the child's</u>	382
<u>medical statement indicates that</u> 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
exemptions 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
complaint under division (H) (1) of this section. 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

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
compliant. 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, 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

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
(T) Minimum qualifications for employment as an	525
administrator or child care staff member, which shall not	526
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	537

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
care staff member;	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
master's, or doctoral degree;	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