

BBS MEMO

Ohio Board of Building Standards

2323 West Fifth Ave., Box 825, Columbus, Ohio 43216

Approvals for Childcare Facilities Regulated by the Ohio Department of Education

During 1991, Ohio law pertaining to childcare in schools changed to require licensure of these facilities by the Ohio Department of Education (ODE). The process for licensure has several implications for building officials.

Since the type of the facility determines whether or not building department involvement would be required, the attached form: **BUILDING SAFETY INSPECTION** was revised (see attached Form ECEL 3.0) to help both the applicant and building department distinguish the type of facility as well as indicating the conditions or limitations of the building approval to the Ohio Department of Education (ODE).

Existing Pre-school and School-age Childcare in Existing School Buildings & New School-age Childcare in Existing School Buildings

The Law (ORC §5104.011) states that an inspection is not necessary when the child care is for school-aged children and that type facility is to be located in an existing school. For existing pre-school and school-age childcare in existing school buildings and new school-age childcare in existing school buildings, the applicant will complete Part I of the form and no building department involvement would be required. However, for the other types of facilities, at least some level of building department involvement will be necessary and Part II of the form will have to be completed.

Existing Pre-school and School-age Childcare in Existing Non-school Buildings

For programs currently operating, or for new programs intending to open where similar childcare existed in non-school buildings, evidence must be provided to indicate that the facility was approved for such use. If there is a Certificate of Use and Occupancy on file with the applicant or at the building department indicating such use, attach a copy, then complete Part II of the form (inspections would not be applicable).

If the Certificate of Use and Occupancy is not available, the applicant would proceed by having the building owner request a Certificate of Use and Occupancy for the existing building (as provided in OAC §4101:2-1-27{D}). Assuming there are no outstanding orders on the building, the use has existed, and, after inspection, the facility is found to be without serious hazards, a Certificate can be issued and Part II of the form completed. The inspection performed would be indicated on the form as "safe & sanitary".

New Preschool-age Childcare Facilities in Existing Schools or Churches

New E Use Group facilities in existing schools (and churches, see OBBC §304.1.1 note), would not impose the "change of use" requirements. However, those requirements specifically related to child day care (e.g., plumbing facilities) would have to be in place and a determination made by the building official that the building is free of serious hazards. In this case, the owner should also request an updated Certificate of Use and Occupancy (see preceding paragraph).

New Facilities in New Buildings, Alterations or Change of Use in Existing Buildings

Follow the normal submittal and approval procedures under the OBBC. Part II of the form should be completed with a copy of the Certificate of Use and Occupancy attached.

The Ohio Department of Industrial Relations is an equal opportunity employer.

**BUILDING INSPECTION
PRESCHOOL/SCHOOL-AGE CHILD CARE PROGRAM**

Application is for: (check one)

an existing preschool program in an existing school facility (complete Part I)

a new school-age child care program in an existing school facility (complete Part I)

an existing school-age child care program in an existing school facility (complete Part I)

a new preschool program in a school facility (complete Part I and II)

a new preschool program in a non-school facility (complete Part I and II)

an existing preschool program in a non-school facility (complete Part I and II)

a change of Use (complete Part I and II)

a new school-age child care program in a non-school facility (complete Part I and II)

an existing school-age child care program in a non-school facility (complete Part I and II)

Part I		To be completed by the applicant	
Name of School District		County	
Address		City, Zip	
If this application is for an existing preschool or school-age child care program located in an existing school facility, attach a copy of the fire safety inspection dated within the last 12 months. Part II is not required.		Date of last fire safety inspection	

Part II			To be completed by the building official		
Certificate of Use & Occupancy issued:					
<input type="checkbox"/> Existing Use (OAC 4101:2-1-27D)		<input type="checkbox"/> Temporary (OAC 4101:2-1-27E)			
<input type="checkbox"/> New or altered Construction, Change of Use					
Date of Approval:			Use Group:		
Conditions or Limitations of Approval:					
Approved floor	If entire floor is not approved, describe approved location			Age limitations	
Indicate any additional conditions or attach a copy of the Certificate of Use and Occupancy that lists them. Use reverse side, if necessary.					
Inspection(s) Performed: <input type="checkbox"/> Safe and Sanitary (ORC 3781.06) <input type="checkbox"/> OBBC					
Name of Building Department:			Telephone number:		
Signature of Chief Building Official				Date:	