

**As Introduced**

**128th General Assembly  
Regular Session  
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**H. B. No. 279**

**Representative Foley**

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**A B I L L**

To amend section 3301.56 of the Revised Code with  
respect to staff member to child ratios and  
maximum group sizes when Montessori preschools  
combine preschool-aged children and  
kindergartners.

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

**Section 1.** That section 3301.56 of the Revised Code be  
amended to read as follows:

**Sec. 3301.56.** (A) The director of each preschool program  
shall be responsible for the following:

(1) Ensuring that the health and safety of the children are  
safeguarded by an organized program of school health services  
designed to identify child health problems and to coordinate  
school and community health resources for children, as evidenced  
by but not limited to:

(a) Requiring immunization and compliance with emergency  
medical authorization requirements in accordance with rules  
adopted by the state board of education under section 3301.53 of  
the Revised Code;

(b) Providing procedures for emergency situations, including

fire drills, rapid dismissals, tornado drills, and school safety	20
drills in accordance with section 3737.73 of the Revised Code, and	21
keeping records of such drills or dismissals;	22
(c) Posting emergency procedures in preschool rooms and	23
making them available to school personnel, children, and parents;	24
(d) Posting emergency numbers by each telephone;	25
(e) Supervising grounds, play areas, and other facilities	26
when scheduled for use by children;	27
(f) Providing first-aid facilities and materials.	28
(2) Maintaining cumulative records for each child;	29
(3) Supervising each child's admission, placement, and	30
withdrawal according to established procedures;	31
(4) Preparing at least once annually for each group of	32
children in the program a roster of names and telephone numbers of	33
parents, guardians, and custodians of children in the group and,	34
on request, furnishing the roster for each group to the parents,	35
guardians, and custodians of children in that group. The director	36
may prepare a similar roster of all children in the program and,	37
on request, make it available to the parents, guardians, and	38
custodians, of children in the program. The director shall not	39
include in either roster the name or telephone number of any	40
parent, guardian, or custodian who requests that the parent's,	41
guardian's, or custodian's name or number not be included, and	42
shall not furnish any roster to any person other than a parent,	43
guardian, or custodian of a child in the program.	44
(5) Ensuring that clerical and custodial services are	45
provided for the program;	46
(6) Supervising the instructional program and the daily	47
operation of the program;	48
(7) Supervising and evaluating preschool staff members	49

according to a planned sequence of observations and evaluation 50  
conferences, and supervising nonteaching employees. 51

(B)(1) In each program the maximum number of children per 52  
preschool staff member and the maximum group size by age category 53  
of children shall be as follows: 54

	Maximum		
Age Group	Group	Staff Member/ Child Ratio	
Birth to less than 12 months	12	1:5, or 2:12 if two preschool staff members are in the room	55 56 57 58 59 60 61
12 months to less than 18 months	12	1:6	62
18 months to less than 30 months	14	1:7	63
30 months to less than 3 years	16	1:8	64
3-year-olds	24	1:12	65
4- and 5-year-olds not in school	28	1:14	66

(2) When age groups are combined, the maximum number of 67  
children per preschool staff member shall be determined by the age 68  
of the youngest child in the group, except that when no more than 69  
one child thirty months of age or older receives child care in a 70  
group in which all the other children are in the next older age 71  
group, the maximum number of children per child-care staff member 72  
and maximum group size requirements of the older age group 73  
established under division (B)(1) of this section shall apply. 74

(3) In a room where children are napping, if all the children 75  
are at least eighteen months of age, the maximum number of 76  
children per preschool staff member shall, for a period not to 77  
exceed one and one-half hours in any twenty-four hour day, be 78  
twice the maximum number of children per preschool staff member 79  
established under division (B)(1) of this section if all the 80  
following criteria are met: 81

(a) At least one preschool staff member is present in the room; (82-83)

(b) Sufficient preschool staff members are present on the preschool program premises to comply with division (B)(1) of this section; (84-86)

(c) Naptime preparations have been completed and the children are resting or napping. (87-88)

(4) Any accredited program that uses the Montessori method endorsed by the American Montessori society or the association Montessori internationale as its primary method of instruction and is licensed as a preschool program under section 3301.58 of the Revised Code may combine preschool children of ages three to five years old with children enrolled in kindergarten. Notwithstanding anything to the contrary in division (B)(2) of this section, when such age groups are combined, the maximum number of children per preschool staff member shall be twelve and the maximum group size shall be ~~twenty-four children~~ consistent with the accreditation standards of the society or association. (89-99)

(C) In each building in which a preschool program is operated there shall be on the premises, and readily available at all times, at least one employee who has completed a course in first aid and in the prevention, recognition, and management of communicable diseases which is approved by the state department of health, and an employee who has completed a course in child abuse recognition and prevention. (100-106)

(D) Any parent, guardian, or custodian of a child enrolled in a preschool program shall be permitted unlimited access to the school during its hours of operation to contact the parent's, guardian's, or custodian's child, evaluate the care provided by the program, or evaluate the premises, or for other purposes approved by the director. Upon entering the premises, the parent, (107-112)

guardian, or custodian shall report to the school office. 113

**Section 2.** That existing section 3301.56 of the Revised Code 114  
is hereby repealed. 115