



Child Care Manual Transmittal Letter No. 153
Child Care Center Manual Transmittal Letter No. 27
Child Care Day Camp Manual Transmittal Letter No. 12
Child Care In-Home Aide Manual Transmittal Letter No. 9
Family Child Care Manual Transmittal Letter No. 17

TO: All Child Care Manual Holders
All Child Care Center Manual Holders
All Child Care Day Camp Manual Holders
All Child Care In-Home Aide Manual Holders
All Family Child Care Manual Holders

FROM: Kimberly Hall, Director

SUBJECT: Transitional Child Care Operations Following the Response to the
Coronavirus (COVID-19) Pandemic

Background:

Effective August 9, 2020, child care programs were permitted to return to ratios and group sizes set forth prior to the COVID-19 pandemic with continued transitional requirements for operating.

New Policy:

In response to the COVID-19 pandemic and resulting need for care during school-age remote learning and hybrid models for education, changes in policy are being implemented to allow the licensing of temporary pandemic school-age child care centers. Amendments to publicly funded child care provider responsibilities, payment rates, and procedures have been made to include temporary pandemic school-age child care centers and clarification of how publicly funded child care can be provided to school-age children participating in remote or a hybrid school model.

The following rules are effective August 25, 2020:

Rule 5101:2-12-02.2 "Transitional Pandemic Requirements for a Licensed Child Care Center" is being emergency filed to clarify transitional pandemic requirements for a licensed child care center:

- Remove face shields from list of acceptable face coverings for adults and school-age children unless the individual meets one of the exemptions outlined in the Ohio Department of Health Public Order and guidance.

Rule 5101:2-12-02.3 "Temporary Pandemic School-Age Child Care Centers" creates a new child care license for programs serving only school-age children. This will allow new programs

to provide care during school hours on days the child is participating in remote learning. Temporary pandemic school-age child care centers shall follow all of the licensing requirements of Chapter 5101:2-12 with the exceptions and additions detailed in new rule:

- Follow all application requirements in rule 5101:2-12-02 of the Administrative Code with a separate timeline for administrator qualifications documentation requirements and food service documentation requirements.
- Exempt temporary pandemic school age child care centers from the registration fee and change of location.
- Include the Ohio School-Age Administrator Professional Endorsement as available qualification for temporary pandemic school-age child care center administrators.
- Clarify inspection requirements for temporary pandemic school-age child care centers.
- The center shall not provide weekend, evening or overnight care.
- Children in care at the temporary pandemic school-age child care center are not permitted to go on field trips or participate in swimming or water activities. Programs without on-site outdoor space are permitted to walk to the approved off-site outdoor play space.
- The temporary pandemic school-age child care center license is valid until the governor of Ohio rescinds the state of emergency or June 30, 2021, whichever occurs first.

Rule 5101:2-13-02.2 "Transitional Pandemic Requirements for a Licensed Family Child Care Provider" is being emergency filed to clarify transitional pandemic requirements for a licensed family child care provider:

- Remove face shields from list of acceptable face coverings for adults and school-age children unless the individual meets one of the exemptions outlined in the Ohio Department of Health Public Order and guidance.

Rule 5101:2-14-02.2 "Transitional Pandemic Requirements for In-Home Aide Certification" is being emergency filed to clarify transitional pandemic requirements for a certified in-home aide:

- Remove face shields from list of acceptable face coverings for in home aides unless the individual meets one of the exemptions outlined in the Ohio Department of Health Public Order and guidance.

Rule 5101:2-16-09 "Provider Responsibilities for Publicly Funded Child Care" has been amended to:

- Allow licensed temporary pandemic school-age child care centers to provide publicly funded child care.
- Clarify that child care programs must deduct hours a school-age child is in school, including the hours a school-age child would be in school if the parent had the option to send the child to in-person learning, including a hybrid school model, and instead opted for only remote learning.

Rule 5101:2-16-10 "Payment Rates and Procedures for Providers of Publicly Funded Child Care Services" has been amended to:

- Clarify that payments for publicly funded child care include time a school-age child is participating in remote learning at a child care center, but not if the parent had the option to send the child to in-person learning, including a hybrid school model, and chose only remote learning.
- Continue twenty absent days per six-month period.

- Continue pandemic days if the program is closed by the local or state health department in response to the COVID-19 pandemic.

Rule 5101:2-18-03.1 "Transitional Pandemic Requirements for Approved Child Day Camps" is being emergency filed to clarify transitional pandemic requirements for an approved child day camp:

- Remove face shields from list of acceptable face coverings for adults and school-age children unless the individual meets one of the exemptions outlined in the Ohio Department of Health Public Order and guidance.

Questions:

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

5101:2-12-02.2**Transitional Pandemic Requirements for a Licensed Child Care Center.**

(A) What are transitional pandemic requirements for a licensed child care center?

Transitional pandemic requirements are licensing requirements that are followed as Ohio transitions out of pandemic child care for the COVID-19 pandemic and back to child care licensing requirements.

(B) When does a licensed child care center follow these requirements?

Licensed child care centers shall follow these requirements when the governor of Ohio declares a state of emergency for the COVID-19 pandemic and or directs ODJFS to issue transition requirements.

(C) What are the licensing requirements for a transitional child care?

The child care center shall follow all of the licensing requirements of this chapter, with the following exceptions and additions:

(1) The center shall follow all guidelines set by the governor of Ohio or the director of the Ohio department of health.

(2) The center shall follow all handwashing procedures pursuant to rule 5101:2-12-13 of the Administrative Code with the following additions:

(a) All administrators, child care staff members and employees shall wash their hands upon entering a classroom and prior to leaving for the day.

(b) All children shall wash their hands prior to leaving for the day.

(3) The center may use non-permanent sinks to meet the handwashing requirements of this chapter.

(4) The center shall ensure that all administrators, employees, child care staff members and children are assessed for the symptoms listed in appendix A to this rule prior to or as soon as they arrive each day.

(a) If a person has a temperature of 100 degrees or higher:

(i) The center shall immediately send the person home. The individual shall not return to the center until he or she has been fever-free without the use of medication for at least twenty-four hours.

- (ii) If the person had known contact with someone confirmed or probable to have COVID-19, the individual shall not return to the center until isolation or quarantine procedures for COVID-19 are completed in coordination with the local health department.
 - (b) If a person has any of the symptoms listed in appendix A and has had known contact with someone confirmed or probable to have COVID-19:
 - (i) The center shall immediately send the person home.
 - (ii) The individual shall not return to the center until isolation or quarantine procedures for COVID-19 are completed in coordination with the local health department.
 - (c) The requirements of this paragraph also apply to anyone whose symptoms are assessed after arrival.
- (5) The center shall ensure that all administrators, child care center staff members and employees wear a face covering while indoors, unless not medically appropriate. Face coverings shall cover the individual's nose and mouth.
- (6) In accordance with the recommendations of the Ohio children's hospital association which is consistent with the Ohio chapter, American academy of pediatrics (Ohio AAP) and United States centers for disease control and prevention (CDC) guidelines (which is available at https://content.govdelivery.com/attachments/OHOOD/2020/08/04/file_attachments/1511083) the center shall ensure that all school-age children wear a face covering while indoors, unless not medically or developmentally appropriate. "School-age child" means a child who is enrolled in and attending a grade of kindergarten or above but is less than fifteen years old or, in the case of a child who is receiving special needs child care, is less than eighteen years old. Face coverings shall cover the child's nose and mouth. Per guidance from the CDC, no child two years old and under shall wear a face covering.
- (7) If an administrator, employee, or child care staff member employed by the center or a child enrolled in the center tests positive for COVID-19, the program shall:
 - (a) Notify ODJFS by the next business day in the Ohio child licensing and quality system as a serious incident pursuant to rule 5101:2-12-16 of the Administrative Code.
 - (b) Notify the local health department by the next business day.

(c) Ensure that the person completes isolation or quarantine procedures for COVID-19 in coordination with the local health department prior to being permitted to return to the program.

(8) If the center wants to divide a room into smaller spaces to serve additional groups of children, dividers may be used if they meet the following requirements:

(a) The dividers are at least six feet in height.

(b) The dividers are made from a nonporous material or other material that can be sanitized.

(c) The dividers meet any requirements set by the department of commerce, local building department, state fire marshal or local fire safety inspector.

(D) How long is the transitional pandemic rule effective?

The transitional pandemic rule is valid until the governor of Ohio rescinds the state of emergency and or directs ODJFS to return to full child care licensing requirements.

Effective: 8/25/2020

CERTIFIED ELECTRONICALLY

Certification

08/25/2020

Date

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Rule Amplifies: 5104.015, 5104.032, 5104.05

Appendix A
Rule 5101:2-12-02.2

List of COVID-19 Symptoms

- A temperature of one hundred degrees Fahrenheit or higher
- Fever
- Chills
- Cough
- Shortness of breath
- Difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- Loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

5101:2-12-02.3**Temporary Pandemic School-Age Child Care Centers.**

(A) What is a temporary pandemic school-age child care center license?

A temporary pandemic school-age child care center license is a short-term license to provide child care services to children enrolled in and attending a grade of kindergarten or above but is less than fifteen years old or, in the case of a child who is receiving special needs child care, is less than eighteen years old. The care may be provided during school hours on days the child is participating in remote learning.

(B) When may the Ohio department of job and family services issue a temporary pandemic school-age child care license?

ODJFS may issue a temporary pandemic school-age child care license if the governor of Ohio declares a state of emergency and directs ODJFS to issue this license type.

(C) What are the licensing requirements for temporary pandemic school-age child care centers?

The temporary pandemic school-age child care center shall follow all of the licensing requirements of this chapter, including requirements outlined in rule 5101:2-12-02.2 of the Administrative Code until this rule is rescinded by ODJFS, with the following exceptions and additions:

(1) The center shall follow all application requirements in rule 5101:2-12-02 of the Administrative Code, except the following do not have to be submitted with the application:

(a) Documentation of an administrator meeting the qualifications as outlined in rule 5101:2-12-07 of the Administrative Code.

(i) In addition to the qualifications listed in rule 5101:2-12-07 of the Administrative Code, the administrator may also qualify if the person has an Ohio school-age administrator professional endorsement.

(ii) Documentation shall be submitted within sixty days of becoming licensed.

(b) Documentation of a valid food service operation license, permitting the preparation and serving of food, or exemption status, from the local health department having jurisdiction or from the Ohio department of health. Documentation shall be submitted within sixty days of becoming licensed.

- (c) Licensing fee. Temporary pandemic school-age child care centers are not subject to a licensing fee nor change of location fee.
- (2) The center shall be subject to at least one inspection during the provisional period and at least one inspection each state fiscal year if a continuous license is issued.
- (3) The administrator is not required to complete the rules review course required pursuant to rule 5101:2-12-07 of the Administrative Code.
- (4) All administrators, employees, and child care staff members shall have a completed medical statement on file, pursuant to appendix A to rule 5101:2-12-08, within thirty days of their first day of employment.
- (5) Children in care at the temporary pandemic school-age child care center are not permitted to leave the licensed location to go on field trips or routine walking trips pursuant to rule 5101:2-12-14 of the Administrative Code. If the program does not have an on-site outdoor space pursuant to rule 5101:2-12-11 of the Administrative Code, the center may take the children on routine walking trips to the approved off-site location.
- (6) The center may provide transportation to and from the children's homes, the children's school, or to and from another licensed child care program. This includes walking with the children.
- (7) The temporary pandemic school-age child care center shall not provide weekend, evening or overnight care. Evening or overnight care is defined as when children are in attendance anytime between the hours of seven p.m. and six a.m.
- (8) The center shall provide a quiet space for children who want to rest, nap, or sleep. Scheduled nap times are not required.
- (9) Children in care at the temporary pandemic school-age child care center are not permitted to participate in swimming or water activities pursuant to rule 5101:2-12-24 of the Administrative Code.

(D) How long is the temporary pandemic school-age child care center license valid?

The temporary pandemic school-age child care center license is valid until the governor of Ohio rescinds the state of emergency or June 30, 2021, whichever occurs first.

(E) What happens if the executive order is rescinded by the governor of Ohio before June 30, 2021?

(1) The center shall do one of the following within ten calendar days of the rescinding of the executive order:

(a) Notify ODJFS in writing that the center will voluntarily close not later than ten days after the executive order is rescinded.

(b) Submit an application for a child care center license pursuant to rule 5101:2-12-02 of the Administrative Code.

(2) If the temporary pandemic school-age child care center does not voluntarily close or submit an application within ten calendar days, ODJFS will revoke the temporary license.

(F) A denial of an application for a license for a pandemic school-age child care center and the revocation of a temporary license for a pandemic school-age child care center are not subject to appeal rights pursuant to Chapter 119. of the Revised Code.

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Rule Amplifies: 5104.015, 5104.03, 5104.05

5101:2-13-02.2**Transitional Pandemic Requirements for a Licensed Family Child Care Provider.**

(A) What are transitional pandemic requirements for a licensed family child care provider?

Transitional pandemic requirements are licensing requirements that are followed as Ohio transitions out of pandemic child care for the COVID-19 pandemic and back to family child care licensing requirements.

(B) When does a licensed family child care provider follow these requirements?

Licensed family child care providers shall follow these requirements when the governor of Ohio declares a state of emergency for the COVID-19 pandemic and or directs ODJFS to issue transition requirements.

(C) What are the licensing requirements for a transitional family child care provider?

The family child care provider shall follow all of the licensing requirements of this chapter, with the following exceptions and additions:

(1) The family child care provider shall follow all guidelines set by the governor of Ohio or the director of the Ohio department of health.

(2) The family child care provider shall follow all handwashing procedures pursuant to rule 5101:2-13-13 of the Administrative Code with the following additions:

(a) The provider and all family child care staff members and employees shall wash their hands upon entering the family child care home and prior to leaving for the day.

(b) All children shall wash their hands prior to leaving for the day.

(3) The family child care provider may use non-permanent sinks to meet the handwashing requirements of this chapter.

(4) The family child care provider shall ensure that all employees, child care staff members and children are assessed for the symptoms listed in appendix A to this rule prior to or as soon as they arrive each day. The family child care provider and all residents shall be assessed for the symptoms listed in appendix A to this rule prior to the start of the day.

(a) If a family child care employee, child care staff member or child has a temperature of 100 degrees or higher:

- (i) The provider shall immediately send the person home. The individual shall not return to the program until he or she has been fever-free without the use of medication for at least twenty-four hours.
 - (ii) If the person had known contact with someone confirmed or probable to have COVID-19, he or she shall not return to the program until isolation or quarantine procedures for COVID-19 are completed in coordination with the local health department.
 - (b) If an employee, child care staff member, or child has any of the symptoms listed in appendix A and has had known contact with someone confirmed or probable to have COVID-19:
 - (i) The provider shall immediately send the person home.
 - (ii) The individual shall not return to the program until isolation or quarantine procedures for COVID-19 are completed in coordination with the local health department.
 - (c) If the provider or a resident has a temperature of 100 degrees or higher:
 - (i) The provider shall stop providing care until the individual has been fever-free without the use of medication for at least twenty-four hours.
 - (ii) If the provider or resident has had known contact with someone confirmed or probable to have COVID-19, the provider shall stop providing care until the person completes isolation or quarantine procedures for COVID-19 in coordination with the local health department.
 - (d) If the provider or a resident has any of the symptoms listed in appendix A and has had known contact with someone confirmed or probable to have COVID-19, the provider shall stop providing care until the person completes isolation or quarantine procedures in coordination with the local health department.
 - (e) The requirements of this paragraph also apply to anyone whose symptoms are assessed after arrival.
- (5) The family child care provider shall ensure the provider, all child care staff members, employees, and residents wear a face covering, unless not medically appropriate, while indoors. Face coverings shall cover the individual's nose and mouth.

- (6) In accordance with the recommendations of the Ohio children's hospital association which is consistent with the Ohio chapter, American academy of pediatrics (Ohio AAP) and United States centers for disease control and prevention (CDC) guidelines (which is available at https://content.govdelivery.com/attachments/OHOOD/2020/08/04/file_attachments/1511083/the_family_child_care_provider shall ensure that all school-age children wear a face covering while indoors, unless not medically or developmentally appropriate. "School-age child" means a child who is enrolled in and attending a grade of kindergarten or above but is less than fifteen years old or, in the case of a child who is receiving special needs child care, is less than eighteen years old. Face coverings shall cover the child's nose and mouth. Per guidance from the CDC, no child two years old and under shall wear a face covering.
- (7) The family child care provider shall not provide care to sick children pursuant to appendix B to rule 5101:2-13-16 of the Administrative Code.
- (8) If the provider, a resident of the home, child care staff member or employee of the family child care provider or a child enrolled in the care of the family child care provider tests positive for COVID-19, the program shall:
- (a) Notify ODJFS by the next business day in the Ohio child licensing and quality system as a serious incident pursuant to rule 5101:2-13-16 of the Administrative Code.
 - (b) Notify the local health department by the next business day.
 - (c) Ensure that the person completes isolation or quarantine procedures for COVID-19 in coordination with the local health department prior to being permitted to return to the program. If the provider or a resident of the home tests positive for COVID-19, care may not resume until the isolation or quarantine is complete.
- (D) How long is the transitional pandemic rule effective?
- The transitional pandemic rule is valid until the governor of Ohio rescinds the state of emergency and or directs ODJFS to return to full family child care licensing requirements.

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Appendix A
Rule 5101:2-13-02.2

List of COVID-19 Symptoms

- A temperature of one hundred degrees Fahrenheit or higher
- Fever
- Chills
- Cough
- Shortness of breath
- Difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- Loss of taste or smell
- Sore Throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

5101:2-14-02.2**Transitional Pandemic Requirements for a Certified In-Home Aide.****(A) What are transitional pandemic requirements for a certified in-home aide?**

Transitional pandemic requirements are requirements that are followed as Ohio transitions out of pandemic child care for the COVID-19 pandemic and back to certified in-home aide requirements.

(B) When does a certified in-home aide follow these requirements?

Certified in-home aides shall follow these requirements when the governor of Ohio declares a state of emergency for the COVID-19 pandemic and or directs ODJFS to issue transition requirements.

(C) What are the requirements for a transitional in-home aide?

The certified in-home aide shall follow all of the requirements of this chapter, with the following exceptions and additions:

- (1) The certified in-home aide shall follow all guidelines set by the governor of Ohio or the director of the Ohio department of health.
- (2) The in-home aide shall wash his or her hands with soap and water or hand-sanitizer at the following times:
 - (a) Upon arrival for the day, after breaks and upon returning from outside, and prior to leaving for the day.
 - (b) After toileting or assisting a child with toileting.
 - (c) After each diaper change or pull-up change.
 - (d) After contact with bodily fluids or cleaning up spills or objects contaminated with bodily fluids.
 - (e) After cleaning or sanitizing or using any chemical products.
 - (f) After handling pets, pet cages or other pet objects that have come in contact with the pet.
 - (g) Before eating, serving or preparing food or bottles or feeding a child.
 - (h) Before and after completing a medical procedure or administering medication.

- (i) When visibly soiled (must use soap and water).
- (3) Children in care shall wash their hands with soap and water or hand-sanitizer (if twenty-four months or older) at the following times:

 - (a) After toileting/diaper change.
 - (b) After contact with bodily fluids.
 - (c) After returning inside after outdoor play.
 - (d) After handling pets, pet cages or other pet objects that have come in contact with the pet before moving on to another activity.
 - (e) Before eating or assisting with food preparation
 - (f) After water activities.
 - (g) When visibly soiled (must use soap and water).
- (4) The in-home aide shall ensure that the children in care and all residents of the home are assessed for the symptoms listed in appendix A to this rule prior to or as soon as the in-home aide arrives each day. The in-home aide shall be assessed for any of the symptoms listed in appendix A to this rule prior to going to the child's home.

 - (a) If the in-home aide, any children in care or any resident of the home in which care is provided has a temperature of 100 degrees or higher:

 - (i) The in-home aide shall stop providing care until the individual has been fever-free without the use of medication for at least twenty-four hours.
 - (ii) If the person had known contact with someone confirmed or probable to have COVID-19, the in-home aide shall stop providing care until the person completes isolation or quarantine procedures are completed in coordination with the local health department.
 - (b) If the in-home aide, any children in care or any resident of the home in which care is provided has any of the symptoms listed in appendix A to this rule and has had known contact with someone confirmed or probable to have COVID-19, the in-home aide shall stop providing care until the person completes isolation or quarantine procedures in coordination with the local health department.

(c) The requirements of this paragraph also apply to anyone whose symptoms are assessed after arrival.

(5) The in-home aide shall wear a face covering while indoors, unless not medically appropriate. Face coverings shall cover the individual's nose and mouth.

(6) If the certified in-home aide or a child in the home tests positive for COVID-19, the in-home aide shall:

(a) Notify ODJFS by the next business day in the Ohio child licensing and quality system as a serious incident pursuant to rule 5101:2-14-05 of the Administrative Code.

(b) Notify the local health department by the next business day.

(c) Ensure that the person completes isolation or quarantine procedures for COVID-19 in coordination with the local health department. Care may not resume until the isolation or quarantine is complete.

(D) How long is the transitional pandemic rule effective?

The transitional pandemic rule is valid until the governor of Ohio rescinds the state of emergency and or directs ODJFS to return to full certified in-home aide requirements.

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Appendix A
Rule 5101:2-14-02.2

List of COVID-19 Symptoms

- A temperature of one hundred degrees Fahrenheit or higher
- Fever
- Chills
- Cough
- Shortness of breath
- Difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- Loss of taste or smell
- Sore Throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

5101:2-16-09

Provider responsibilities for publicly funded child care.

(A) Who is eligible to sign an agreement to provide publicly funded child care?

- (1) A child care provider who operates a licensed child care center, including a temporary pandemic school-age child care center; a licensed type A or type B child care home; an approved Ohio department of education (ODE) licensed program; an approved child day camp; a certified in-home aide; or a regulated border state provider is eligible to sign a provider agreement.
 - (a) A school child or preschool program licensed by the ODE, pursuant to sections 3301.52 to 3301.59 of the Revised Code, will become eligible to sign a provider agreement after requesting approval to provide publicly funded child care services. All requests shall be made by:
 - (i) Submitting the JFS 01140 "Request to Provide Publicly Funded Child Care for Ohio Department of Education Programs" (10/2017) with a copy of the ODE license or the Ohio child licensing and quality system (OCLQS) generated equivalent to ODJFS.
 - (ii) Complying with background check requirements pursuant to rule 5101:2-12-09 of the Administrative Code.
 - (b) A border state provider shall register in OCLQS prior to signing a provider agreement.
- (2) Beginning September 1, 2020, a provider who operates a licensed child care program is eligible to provide publicly funded child care only if the program is rated through the step up to quality program established pursuant to section 5104.29 of the Revised Code.
- (3) A provider is exempt from paragraph (A)(2) of this rule if the provider operates any of the following:
 - (a) A program that operates only during the summer and not for more than fifteen consecutive weeks.
 - (b) A program that operates only during school breaks.
 - (c) A program that operates only on weekday evenings, weekends, or both.
 - (d) A program that holds a provisional license issued under section 5104.03 of the Revised Code.

- (e) A program that had its step up to quality program rating removed by the department of job and family services within the previous twelve months.
 - (f) A program that is the subject of a revocation action initiated by the department, but the license has not yet been revoked.
- (4) Child care providers with a signed provider agreement shall maintain compliance with all requirements of the Child Care and Development Block Grant Act of 2014, P.L. 113-186 (11/19/2014), 128 Stat. 1971 (2014) 42 U.S.C. 9858 (CCDBG Act of 2014).
- (B) What are the provider requirements to sign an agreement for publicly funded child care services?
- (1) Providers are eligible for payment after they complete the provider agreement with the Ohio department of job and family services (ODJFS) and have entered all required information in the automated system.
 - (a) The provider agreement is effective on the date it is signed and submitted by the provider or the date the provider becomes an eligible provider pursuant to paragraph (A) of this rule, whichever is later.
 - (b) The provider agreement as entered into with ODJFS may be terminated if ODJFS determines misuse of publicly funded child care or the automated child care system.
 - (c) The provider agreement as entered into with ODJFS, may be terminated in accordance with the terms contained in the agreement.
 - (d) The provider agreement shall be terminated if the eligible provider fails to maintain approval as an eligible provider.
 - (e) Providers of publicly funded child care with a valid provider agreement shall not be considered employees of ODJFS but shall be considered independent contractors who are responsible for the requirements of self-employment.
 - (2) ODJFS shall pay eligible child care providers for publicly funded child care services provided to eligible caretakers authorized to that provider.
 - (a) An eligible child care provider who provides child care services for a caretaker who is potentially eligible for publicly funded child care benefits shall be paid for child care services if an authorization is created

by the county agency pursuant to rule 5101:2-16-06 of the Administrative Code.

(b) Payment for publicly funded child care services shall be contingent upon the availability and appropriation of state and federal funds.

(C) How shall a provider track attendance for publicly funded child care services?

(1) Child care providers shall utilize the automated child care system to track attendance data for caretakers who have applied or have been determined eligible for publicly funded child care, in accordance with procedures outlined by ODJFS.

(2) Child care providers or a person acting in any capacity for the provider shall not use the personal identification information created by the caretaker or a caretaker's designee/sponsor to track or approve attendance in the automated child care system.

(3) The provider shall be responsible for the cost of replacement or repair of the hardware required for use of the automated child care system. Recoupment may occur through the payment adjustment process.

(D) How are school hours deducted in the automated system for school-age children being cared for by a provider?

(1) The provider shall enter each school-age child's current school schedule in the automated system on or before the first day of the school year as defined in rule 5101:2-16-01 of the Administrative Code or the child's first week of attendance if authorization is after the first day of the school year. Each school schedule shall include all of the school year, but may begin earlier and/or end later.

(2) The schedule set by the provider for each school-age child shall be used to deduct the hours in which that child is in school and not at the child care program. This includes hours the school-age child should be in school if the parent had the option for in-person learning, including a hybrid school model, and instead opted for remote learning.

(E) How shall a provider submit attendance data for child care services provided?

A child care provider shall submit all data for the calculation of payments in accordance with instructions provided by ODJFS.

(1) Attendance data shall be submitted for payment after the close of the service week and no later than four weeks from the last day of the service week or four weeks

from the last day of the week the authorization is provided to the automated system, whichever is later.

- (2) Only complete data (days with both an in and out time for the child receiving care) may be submitted.
 - (3) Each school-age child shall have an associated school schedule set by the provider pursuant to paragraph (D) of this rule before the child's attendance may be submitted for payment.
 - (4) Changes to attendance data shall be submitted with caretaker approval.
 - (5) The provider may track attendance or make changes to attendance data in the automated child care system without caretaker approval if all of the following apply:
 - (a) There has been a loss of contact with the caretaker for five consecutive calendar days from the last day of attendance.
 - (b) The provider has notified the county agency of the loss of contact.
 - (c) The authorization to the provider has been ended.
 - (d) Any new or changed attendance is limited to no more than five consecutive days.
 - (6) Once attendance has been submitted, the provider has until the following Saturday to recall the submitted attendance in order to make a change to the attendance data. Any changes made shall require caretaker approval pursuant to paragraphs (D)(3) and (D)(4) of this rule prior to resubmitting the attendance.
 - (7) ODJFS will begin processing the payment on the Sunday following the submission of the attendance data.
 - (8) If the attendance has not been submitted pursuant to the time line in paragraph (D)(1) of this rule, ODJFS shall automatically process any complete attendance data for payment. No new attendance data may be submitted after this date.
 - (9) ODJFS shall not pay for a child's attendance submitted by more than one provider for the same date and time.
- (F) How does a provider receive payment when a caretaker's application for publicly funded child care has been denied?

- (1) Child care providers shall submit attendance data pursuant to paragraphs (C) and (D) of this rule when notification has been received that a caretaker's application for child care has been denied.
 - (2) The provider may appeal a denial notice of eligibility for payment after denial within fifteen days from the date of denial if either of the following apply:
 - (a) Payment was denied due to a caretaker's incomplete application.
 - (b) Payment was denied because the provider did not have a valid provider agreement when services were provided.
 - (3) Attendance submitted for payment after denial shall not include absent days or professional development days.
- (G) How does a provider request a payment adjustment after a payment has been issued?
- (1) The provider shall submit a request for payment adjustment in the automated child care system within four weeks of the payment date. No new attendance may be submitted for payment adjustments.
 - (2) If the incorrect payment amount is because of a county agency data entry error, the provider shall contact the county agency to request correction of the error before the provider submits the request for payment adjustment. ODJFS shall not process the request for payment adjustment until the error is corrected by the county agency. The request for adjustment may exceed four weeks from the original payment date.
- (H) What are the provider's responsibilities to collect a copayment?
- (1) The provider shall establish a written and signed agreement with the caretaker for payment of the child's assigned copayment.
 - (2) If an assigned copayment is delinquent more than two weeks from the date established in the written copayment agreement, the provider shall submit a record of the delinquent copayment to the county agency no later than three weeks from the date the copayment was due.
 - (3) If a provider fails to inform the county agency of the delinquent copayment, the caretaker shall be responsible for any delinquent copayments reported by the provider for up to the previous three weeks from the date the county agency was notified.

(I) What is the process for requesting payment for services provided prior to December 16, 2018?

(1) Child care providers shall submit to ODJFS the JFS 01261 "Publicly Funded Child Care Manual Claim for Attendance" (rev. 9/2014) for attendance not recorded in the Ohio electronic child care (Ohio ECC) system for the following reasons:

(a) Authorization made prior to the back swipe period.

(b) A bureau of state hearings decision.

(c) The point of services (POS) device was not installed when services were provided.

(d) A caretaker is awaiting a swipe card.

(e) A caretaker withdraws without notice.

(2) The child care provider shall submit the JFS 01261 no later than seven weeks from the week of service being submitted unless otherwise determined by ODJFS.

(3) ODJFS shall reject the JFS 01261 for care provided during the back swipe period.

(4) Child care providers shall submit to ODJFS the JFS 01292 "Publicly Funded Child Care Request for Ohio ECC Payment Adjustment" (rev. 7/2017) when a payment has been issued and needs to be corrected no later than seven weeks from the week of service unless otherwise determined by the bureau of state hearings.

(5) Child care providers shall submit to ODJFS the JFS 01211 "Request for Payment of Publicly Funded Child Care Services Provided for a Denial of Application" (rev. 9/2014) when notification has been received that a caretaker's application for child care has been denied.

(J) What is the process for requesting a payment enhancement when a provider must make accommodations to care for a child with special needs?

(1) A child care provider may submit a request for a payment enhancement when accommodations must be made to care for a child who meets the definition of special needs as defined in rule 5101:2-16-01 of the Administrative Code.

(a) To request this payment rate, the provider shall submit a completed JFS 01231 "Request for Payment Rate for Special Needs Child Care" (rev. 10/2019) to ODJFS.

- (b) ODJFS will notify the provider with verification of the approved amount, the effective date of the change in payment rate, or if the request is denied.
 - (c) An approved payment enhancement shall be in effect for twelve months for a child authorized to receive publicly funded child care at the approved provider.
- (2) If state and/or federal funds are not available for the purchase of publicly funded child care services, ODJFS shall reserve the right to deny all requests.
 - (3) The granting of this payment rate by ODJFS shall not be construed as constituting precedence for the granting of any other payment changes or the subsequent renewal of a rate. All requests shall be considered on an individual basis.

Replaces: 5101: 2-16-42, 5101: 2-16-43, 5101:2-16-44

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Certification

08/25/2020

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10/29/2017, 12/16/2018, 10/20/2019, 08/02/2020

5101:2-16-10

Payment rates and procedures for providers of publicly funded child care services.

- (A) How are payment rates established in the publicly funded child care program?
- (1) Payment rates are based on a market rate survey completed by the Ohio department of job and family services (ODJFS) to providers in the state of Ohio.
 - (2) Payment rates shall apply to all providers of publicly funded child care.
- (B) What is the payment rate for a provider not participating in step up to quality (SUTQ)?
- (1) The payment rate for a provider not participating in SUTQ shall be the lower of these two:
 - (a) The rate shown in appendix A to this rule for non-rated programs in the provider's county of location.
 - (b) The provider's customary rate to the public.
 - (2) The rate determined in paragraph (B)(1) of this rule shall be the base rate used to calculate any applicable additional payment amounts pursuant to paragraphs (D), (F) and (G) of this rule.
- (C) What is the payment rate for a provider participating in SUTQ?
- (1) The base payment rate for a provider participating in SUTQ shall be the lower of these two:
 - (a) The rate shown in appendix A to this rule for rated programs in the provider's county of location.
 - (b) The provider's customary rate to the public. If the customary rate is used, an additional four per cent will be added, not to exceed the rated appendix.
 - (2) Once the rate is determined in paragraph (C)(1) of this rule, an additional per cent shall be added, as follows:
 - (a) One-star rated programs shall be paid an additional five per cent.
 - (b) Two-star rated programs shall be paid an additional eighteen per cent.
 - (c) Three-star rated programs shall be paid an additional twenty-one per cent.
 - (d) Four-star rated programs shall be paid an additional twenty-nine per cent.

(e) Five-star rated programs shall be paid an additional thirty-five per cent.

(D) What is the payment rate for accredited providers?

(1) Providers who are accredited by an ODJFS approved accrediting body as listed at <http://jfs.ohio.gov/cdc/childcare.stm> shall be paid an additional ten per cent of the applicable payment rate established in paragraph (B)(1) of this rule or paragraph (C)(1) of this rule. This rate shall apply for all children receiving publicly funded child care services.

(2) Providers who are accredited and also participating in SUTQ shall be paid either the per cent additional payment in paragraph (C)(2) of this rule or the per cent additional payment in paragraph (D)(1) of this rule, whichever is higher.

(E) What is the difference between a school-age rate and a summer school-age rate?

(1) School-age rates shall be in effect during the school year as defined in rule 5101:2-16-01 of the Administrative Code.

(2) Summer school-age rates shall be in effect outside of the school year as defined in rule 5101:2-16-01 of the Administrative Code.

(F) What is the compensation for child care services provided during non-traditional hours?

(1) Providers who care for children during non-traditional hours shall be paid an additional five per cent of the applicable payment rate established in paragraph (B)(1) or (C)(1) of this rule.

(2) This rate shall apply to the child for all hours of care during a week when any non-traditional hours of care are provided.

(3) The payment shall not exceed the provider's customary charge to the public.

(4) Non-traditional hours are the hours between seven p.m. and six a.m. on weekdays, and between twelve a.m. Saturday and six a.m. Monday.

(5) Non-traditional hours include any hours of care provided on New Year's day, Martin Luther King Jr. day, Memorial day, Independence day, Labor day, Thanksgiving day and Christmas day.

(G) How are providers compensated for the care of children with special needs?

(1) Providers who care for a child that the caretaker and the county agency have identified as having special needs pursuant to rule 5101:2-16-02 of the

Administrative Code shall be paid an additional five per cent of the applicable payment rate established in paragraph (B)(1) or (C)(1) of this rule. The payment shall not exceed the provider's customary charge to the public.

- (2) Providers who make special accommodations for the care of a child with special needs may receive twice the amount of the applicable payment rate established in paragraph (B)(1) or (C)(1) of this rule if approved pursuant to rule 5101:2-16-09 of the Administrative Code.
- (3) Payment enhancements or additional percentages shall only apply to the hours of care for the child with special needs.

(H) What time increments are used for the payment of publicly funded child care services?

- (1) Time increments are broken down into weekly categories based on the total number of hours per week that each child is authorized to receive publicly funded child care services, pursuant to rule 5101:2-16-06 of the Administrative Code. The categories of payment are as follows:
 - (a) An hourly payment is for hours of care totaling less than seven hours per week.
 - (b) A part-time payment is for hours of care totaling seven hours to less than twenty-five hours per week.
 - (c) A full-time payment is for hours of care totaling twenty-five hours to sixty hours per week.
 - (d) A full-time plus payment is for hours of care totaling more than sixty hours per week.
 - (e) A week is defined as the seven-day period from twelve a.m. Sunday to fifty-nine minutes after eleven p.m. on Saturday.
- (2) Payment shall be calculated using the total number of child care hours per week, that have been approved by the caretaker, if applicable, and submitted by the provider in the automated child care system.
 - (a) The total number of weekly hours of care received will be matched with the associated category and the provider will receive the payment rate for that category of care, up to the child's category of authorization.
 - (b) Payment shall not be made for hours that exceed the child's category of authorization.

(I) Are providers compensated for registration fees?

Providers may receive registration fees for children receiving publicly funded child care according to the following criteria:

- (1) Annually, a provider with a valid provider agreement as of January first shall receive a twenty-five dollar registration fee for each child who received publicly funded child care from the provider in the previous calendar year. For approved day camps, the camp shall have had a valid provider agreement as of August thirtieth of the previous year.
- (2) The child must have received publicly funded child care from the provider for at least one day during January through December of the previous year.

(J) Is a provider compensated when a child is absent from the program?

- (1) A child is eligible for a maximum of ~~ten~~twenty absent days during each six-month period of January through June and July through December of each state fiscal year.
- (2) Absent days are defined in rule 5101:2-16-01 of the Administrative Code.
- (3) A provider may be paid for an absent day for which a child is eligible. An absent day shall not be paid prior to actual attendance at the authorized program. The attendance shall be documented by a recorded in time and a recorded out time, and shall have occurred on any day in the previous rolling twelve months.
- (4) The value of an absent day is based on the child's authorized hours for care, as follows:
 - (a) For a full-time or a full-time plus authorization, the value of an absent day is eight hours.
 - (b) For a part-time or an hourly authorization, the value of an absent day is five hours.

(K) Are providers compensated for staff professional development days?

- (1) Providers are eligible for two professional development days per state fiscal year. A fiscal year is defined as July first through June thirtieth.
- (2) Professional development days are defined in rule 5101:2-16-01 of the Administrative Code.

- (3) Professional development days cannot be used on two consecutive calendar days or in two consecutive calendar months.
- (4) Professional development days shall not be used on any holiday listed in paragraph (F)(5) of this rule.
- (5) The value of a professional development day is based on a child's authorized hours for care, as follows:
 - (a) For a full-time or a full-time plus authorization, the value of a professional development day is eight hours.
 - (b) For a part-time or an hourly authorization, the value of a professional development day is five hours.

(L) What is not included in the payment for publicly funded child care services?

The provider's publicly funded child care payment shall not include:

- (1) A child's copayment amount pursuant to rule 5101:2-16-05 of the Administrative Code.
- (2) Payment for services provided during the hours that a child is in care in another federal or state funded program (including, but not limited to, head start, early head start, or the early childhood education program).
- (3) Payment for services provided during the hours that a school-age child would typically be in attendance at a primary or secondary school.
 - (a) Payment will include time that a school-age child is participating in remote learning, including the remote portion of a hybrid school model, while in child care.
 - (b) Payment may not include time that the child is participating in instructional services which supplant or duplicate the academic program of any school.
 - (c) Payment may not include care during the school-day if the parent had the option to send the school-age child to in-person learning, including a hybrid school model, and instead opted only for remote learning.

(M) What are the requirements regarding fees that a provider may charge to the caretaker?

- (1) A provider shall make a caretaker aware of fees not covered by publicly funded child care payments for which the caretaker may be responsible.

- (a) A provider shall have a signed agreement with the caretaker for the payment of these fees.
 - (b) Such fees may include:
 - (i) Late fees.
 - (ii) Activity fees.
 - (iii) Transportation fees.
 - (iv) Charges for absent days which exceed those eligible for payment from ODJFS.
 - (v) Charges for hours of care that exceed those authorized.
 - (2) A provider shall not ask a caretaker to pay the difference between the provider's payment rate and the provider's customary charge to the public when the customary charge is higher.
 - (3) A provider shall not ask a caretaker to pay the difference between the registration fee paid for the child by ODJFS and the provider's customary registration fee charge to the public when the customary registration fee is higher.
- (N) What are the payment rates for in-home aides that provide publicly funded child care services?
- An in-home aide is the only provider of publicly funded child care services who may provide child care in the child's own home. Payment rates for in-home aides shall be determined according to the following:
- (1) An in-home aide shall be paid an hourly rate that is equal to the state minimum wage for forty or fewer hours in a week.
 - (2) A rate of one and one-half times the state minimum wage shall be paid for hours in excess of forty in a week.
 - (3) The total payment shall include child care services provided to all of the authorized child(ren) in the caretaker's home.
 - (4) An in-home aide shall not claim absent days or professional development days for children receiving publicly funded child care services.
- (O) Are providers compensated for pandemic days?

- (1) A pandemic day means a day in which the provider would normally provide child care for currently enrolled children, but has been ordered to close by the Ohio department of health or local health department as a result of the COVID-19 pandemic.
- (2) Providers are eligible for twenty-one pandemic days per fiscal year.
- (3) The provider shall provide ODJFS written documentation of the order to close. Failure to provide the documentation will result in the pandemic days not being paid.
- (4) The value of a pandemic day is based on a child's authorized hours for care, as follows:
 - (a) For a full-time or a full-time plus authorization, the value of a pandemic day is eight hours.
 - (b) For a part-time or an hourly authorization, the value of a pandemic day is five hours.

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10/27/2011, 10/01/2013, 07/10/2015, 06/26/2016,
12/31/2016, 12/16/2018, 10/20/2019, 03/13/2020
(Emer.), 05/29/2020 (Emer.)

Category 1 - Non-Rated

Weekly Payment Rates for Providers of Publicly Funded Child Care Not Participating in SUTQ

Center, Day Camps, Type A Homes, ODE Programs			
	Full Time	Part Time	Hourly
Infant	\$143.31	\$94.40	\$6.56
Toddler	\$123.47	\$81.42	\$5.55
Pre-School	\$109.96	\$60.78	\$3.64
School Age	\$61.50	\$43.17	\$3.23
School Age Summer	\$104.96	\$62.50	\$2.90

Licensed Type B Homes			
	Full Time	Part Time	Hourly
Infant	\$134.28	\$77.37	\$4.42
Toddler	\$124.47	\$85.48	\$3.25
Pre-School	\$114.68	\$78.93	\$3.53
School Age	\$100.75	\$71.69	\$3.00
School Age Summer	\$114.31	\$71.74	\$3.45

BROWN

CHAMPAIGN

CRAWFORD

DEFIANCE

FAYETTE

FULTON

GALLIA

GUERNSEY

HOCKING

MERCER

MUSKINGUM

PAULDING

PUTNAM

ROSS

SCIOTO

TUSCARAWAS

VAN WERT

VINTON

WILLIAMS

WYANDOT

BORDER STATE PROVIDERS

Category 1 - Rated

Weekly Payment Rates for Providers of Publicly Funded Child Care Participating in SUTQ

Center and Type A Homes			
	Full Time	Part Time	Hourly
Infant	\$149.04	\$98.18	\$6.82
Toddler	\$128.41	\$84.68	\$5.77
Pre-School	\$114.36	\$63.21	\$3.79
School Age	\$63.96	\$44.90	\$3.36
School Age Summer	\$109.16	\$65.00	\$3.02

Licensed Type B Homes			
	Full Time	Part Week	Hourly
Infant	\$139.65	\$80.46	\$4.60
Toddler	\$129.45	\$88.90	\$3.38
Pre-School	\$119.27	\$82.09	\$3.67
School Age	\$104.78	\$74.56	\$3.12
School Age Summer	\$118.88	\$74.61	\$3.59

BROWN

CHAMPAIGN

CRAWFORD

DEFIANCE

FAYETTE

FULTON

GALLIA

GUERNSEY

HOCKING

MERCER

MUSKINGUM

PAULDING

PUTNAM

ROSS

SCIOTO

TUSCARAWAS

VAN WERT

VINTON

WILLIAMS

WYANDOT

BORDER STATE PROVIDERS

Category 2 - Non-Rated

Weekly Payment Rates for Providers of Publicly Funded Child Care Not Participating in SUTQ

Center, Day Camps, Type A Homes, ODE Programs			
	Full Time	Part Time	Hourly
Infant	\$164.61	\$112.01	\$7.81
Toddler	\$150.51	\$94.44	\$5.89
Pre-School	\$131.57	\$70.04	\$4.33
School Age	\$75.22	\$58.48	\$4.75
School Age Summer	\$120.12	\$83.75	\$5.41

Licensed Type B Homes			
	Full Time	Part Time	Hourly
Infant	\$138.45	\$80.00	\$5.10
Toddler	\$130.00	\$87.74	\$4.60
Pre-School	\$119.50	\$91.31	\$5.23
School Age	\$100.00	\$71.20	\$3.71
School Age Summer	\$118.88	\$79.07	\$5.71

ADAMS

ALLEN

ASHLAND

ASHTABULA

ATHENS

CARROLL

CLARK

CLINTON

COLUMBIANA

COSHOCTON

DARKE

ERIE

HANCOCK

HARDIN

HENRY

HIGHLAND

HOLMES

HURON

JACKSON

LAWRENCE

LICKING

LOGAN

MADISON

MEIGS

MIAMI

MORROW

PERRY

PICKAWAY

PIKE

PREBLE

RICHLAND

SANDUSKY

SENECA

SHELBY

STARK

UNION

WASHINGTON

WAYNE

Category 2 - Rated

Weekly Payment Rates for Providers of Publicly Funded Child Care Participating in SUTQ

Center and Type A Homes			
	Full Time	Part Time	Hourly
Infant	\$171.19	\$116.49	\$8.12
Toddler	\$156.53	\$98.22	\$6.13
Pre-School	\$136.83	\$72.84	\$4.50
School Age	\$78.23	\$60.82	\$4.94
School Age Summer	\$124.92	\$87.10	\$5.63

Licensed Type B Homes			
	Full Time	Part Time	Hourly
Infant	\$143.99	\$83.20	\$5.30
Toddler	\$135.20	\$91.25	\$4.78
Pre-School	\$124.28	\$94.96	\$5.44
School Age	\$104.00	\$74.05	\$3.86
School Age Summer	\$123.64	\$82.23	\$5.94

ADAMS

ALLEN

ASHLAND

ASHTABULA

ATHENS

CARROLL

CLARK

CLINTON

COLUMBIANA

COSHOCTON

DARKE

ERIE

HANCOCK

HARDIN

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HURON

JACKSON

LAWRENCE

LICKING

LOGAN

MADISON

MEIGS

MIAMI

MORROW

PERRY

PICKAWAY

PIKE

PREBLE

RICHLAND

SANDUSKY

SENECA

SHELBY

STARK

UNION

WASHINGTON

WAYNE

Category 3 - Non-Rated

Weekly Payment Rates for Providers of Publicly Funded Child Care Not Participating in SUTQ

Center, Day Camps, Type A Homes, ODE Programs			
	Full Time	Part Time	Hourly
Infant	\$210.00	\$135.00	\$7.00
Toddler	\$188.05	\$115.00	\$11.82
Pre-School	\$164.51	\$90.00	\$6.00
School Age	\$93.46	\$62.12	\$5.48
School Age Summer	\$150.00	\$95.00	\$6.00

Licensed Type B Homes			
	Full Time	Part Time	Hourly
Infant	\$143.29	\$106.47	\$5.24
Toddler	\$143.79	\$90.00	\$5.00
Pre-School	\$123.50	\$89.34	\$5.44
School Age	\$100.00	\$66.31	\$5.53
School Age Summer	\$118.00	\$93.70	\$5.94

AUGLAIZE

BELMONT

BUTLER

CLERMONT

CUYAHOGA

DELAWARE

FAIRFIELD

FRANKLIN

GEAUGA

GREENE

HAMILTON

HARRISON

JEFFERSON

KNOX

LAKE

LORAIN

LUCAS

MAHONING

MARION

MEDINA

MONROE

MONTGOMERY

MORGAN

NOBLE

OTTAWA

PORTAGE

SUMMIT

TRUMBULL

WARREN

WOOD

Category 3- Rated

Weekly Payment Rates for Providers of Publicly Funded Child Care Participating in SUTQ

Center and Type A Homes			
	Full Time	Part Time	Hourly
Infant	\$218.40	\$140.40	\$7.28
Toddler	\$195.57	\$119.60	\$12.29
Pre-School	\$171.09	\$93.60	\$6.24
School Age	\$97.20	\$64.60	\$5.70
School Age Summer	\$156.00	\$98.80	\$6.24

Licensed Type B Homes			
	Full Time	Part Time	Hourly
Infant	\$149.02	\$110.73	\$5.45
Toddler	\$149.54	\$93.60	\$5.20
Pre-School	\$128.44	\$92.91	\$5.66
School Age	\$104.00	\$68.96	\$5.75
School Age Summer	\$122.72	\$97.45	\$6.18

AUGLAIZE

BELMONT

BUTLER

CLERMONT

CUYAHOGA

DELAWARE

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HAMILTON

HARRISON

JEFFERSON

KNOX

LAKE

LORAIN

LUCAS

MAHONING

MARION

MEDINA

MONROE

MONTGOMERY

MORGAN

NOBLE

OTTAWA

PORTAGE

SUMMIT

TRUMBULL

WARREN

WOOD

5101:2-18-03.1 **Transitional Pandemic Requirements for Approved Child Day Camps.**

(A) What are transitional pandemic requirements for an approved child day camp?

Transitional pandemic requirements are child day camp requirements that are followed as Ohio transitions out of pandemic child care for the COVID-19 pandemic and back to child care day camp requirements.

(B) When does an approved child day camp follow these requirements?

Approved child day camps shall follow these requirements when the governor of Ohio declares a state of emergency for the COVID-19 pandemic and or directs ODJFS to issue transition requirements.

(C) What are the requirements for transitional approved child day camps?

The approved child day camp shall follow all of the requirements of this chapter, with the following exceptions and additions:

- (1) The approved child day camp shall follow all guidelines set by the governor of Ohio or the director of the Ohio department of health.
- (2) The administrator, child day camp staff members and employees shall wash hands using soap and water or using hand sanitizer at the following times:
 - (a) Upon arrival for the day, after breaks and upon returning from outside, and prior to leaving for the day.
 - (b) After toileting or assisting a child with toileting.
 - (c) After contact with bodily fluids or cleaning up spills or objects contaminated with bodily fluids.
 - (d) After cleaning or sanitizing or using any chemical products.
 - (e) After handling pets, pet cages or other pet objects that have come in contact with the pet.
 - (f) Before eating, serving or preparing food, or feeding a child.
 - (g) Before and after completing a medical procedure or administering medication.
 - (h) When visibly soiled (must use soap and water).

- (3) Children shall wash their hands using soap and water or hand sanitizer at the following times:
- (a) Upon arrival and prior to leaving for the day.
 - (b) After toileting.
 - (c) After contact with bodily fluids.
 - (d) After returning inside after outdoor play.
 - (e) After handling pets, pet cages or other pet objects that have come in contact with the pet before moving on to another activity.
 - (f) Before eating or assisting with food preparation.
 - (g) After water activities.
 - (h) When visibly soiled (must use soap and water).
- (4) The approved child day camp may use non-permanent sinks to meet the handwashing requirements of this chapter.
- (5) The approved child day camp shall ensure that all administrators, employees, child day camp staff members and children are assessed for the symptoms listed in appendix A to this rule prior to or as soon as they arrive each day.
- (a) If a person has a temperature of 100 degrees or higher:
 - (i) The day camp shall immediately send the person home. The individual shall not return to the day camp until he or she has been fever-free without the use of medication for at least twenty-four hours.
 - (ii) If the person had known contact with someone confirmed or probable to have COVID-19, the individual shall not return to the day camp until he or she completes isolation or quarantine procedures in coordination with the local health department.
 - (b) If a person has any of the symptoms listed in appendix A and has had known contact with someone confirmed or probable to have COVID-19:
 - (i) The day camp shall immediately send the person home.

(9) If the approved day camp wants to divide a room into smaller spaces to serve additional groups of children, dividers may be used if they meet the following requirements:

(a) The dividers are at least six feet in height.

(b) The dividers are made from a nonporous material or other material that can be sanitized.

(c) The dividers meet any requirements set by the department of commerce, local building department, state fire marshal or local fire safety inspector.

(D) How long is the transitional pandemic rule effective?

The transitional pandemic rule is valid until the governor of Ohio rescinds the state of emergency and or directs ODJFS to return to full child day camp requirements.

Effective: 8/25/2020

CERTIFIED ELECTRONICALLY

Certification

08/25/2020

Date

Promulgated Under: 119.03
Statutory Authority: 5104.21, 5104.22
Rule Amplifies: 5104.21, 5104.22

Appendix A
Rule 5101:2-18-03.1

List of COVID-19 Symptoms

- A temperature of one hundred degrees Fahrenheit or higher
- Fever
- Chills
- Cough
- Shortness of breath
- Difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- Loss of taste or smell
- Sore Throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea