

STATE FISCAL YEAR

2021

CHILD CARE LICENSING REPORT



Ohio | Department of
Job and Family Services

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INTRODUCTION

This Annual Child Care Licensing Report provides information regarding the licensing activities and inspections performed by the Ohio Department of Job and Family Services (ODJFS), Office of Family Assistance, Bureau of Child Care Licensing and Monitoring, as required by Section 5104.04 of the Ohio Revised Code.

“The Department shall prepare an annual report on inspections conducted under this section. The report shall include the number of inspections conducted, the number and types of violations found, and the steps taken to address the violations. The department shall file the report with the governor, the president and minority leader of the senate, and the speaker of the house of representatives on or before the first day of January of each year, beginning in 1999.”

The Bureau of Child Care Licensing and Monitoring is managed by a bureau chief, who oversees all bureau operations. The bureau is structured with a central office and five regional offices throughout the state, in Akron, Cleveland, Columbus, Dayton, and Toledo. Additionally, the 88 county departments of job and family services conduct licensing and monitoring.

This report outlines licensing activities conducted during state fiscal year (SFY) 2021, between July 1, 2020, and June 30, 2021, for licensed child care centers, Type A Homes, and Type B Homes. A child care center is defined as any place that is not the permanent residence of the licensee or administrator in which child care is provided, with or without compensation, for seven to 12 children at one time, or any place in which child care is provided for 13 or more children at one time. A Type A Home is defined as a residence of a child care provider in which care is provided for seven to 12 children. A Type B Home is defined as a residence of a child care provider in which care is provided for one to six children.

As a result of the COVID-19 pandemic, an additional child care center license type was created to allow for Temporary Pandemic School Age programs. The Temporary Pandemic School Age child care license was a short-term license to provide child care services to school-age children during school hours on days the children were participating in remote learning and on days when school was not in session. Temporary Pandemic School Age licensed centers were active until the executive order authorizing them was rescinded.

During SFY 2021, Ohio had 7,242 licensed child care programs. Of those, 4,369 were child care centers, 29 were Temporary Pandemic School Age programs, 308 were Type A Homes, and were 2,536 Type B Homes.

INSPECTION SUMMARY

ODJFS utilizes a hybrid child care inspection model, involving both differential and risk assessment monitoring. With differential monitoring, the frequency and depth of monitoring are based on each program’s history of rule compliance. With risk assessment monitoring, point values are assigned to rules that pose the greatest risk of harm to children if violated, and then programs are assessed points for each rule violation. Programs with the most points are subject to additional inspections and enforcement actions.

State and county licensing specialists inspect child care centers, Type A Homes, and Type B Homes to assess minimum health and safety standards, as required by Ohio Revised Code Section 5104 and Ohio Administrative Code Rules 5101:2-12 and 5101:2-13. Announced pre-licensing inspections are conducted for new programs that have applied for licenses. Once licensed, new programs are issued a one-year provisional license. If a program demonstrates full compliance, the provisional license may be amended to a non-expiring continuous license.

After the initial license is approved, child care centers receive at least one unannounced inspection each year, and Type A and B Homes receive at least two inspections, consisting of at least one unannounced inspection. In addition to routine inspections, ODJFS and county agency licensing specialists are mandated to investigate

complaints regarding rule violations of Ohio’s licensing regulations. After completing an investigation, the licensing specialist determines whether the allegation is substantiated, unsubstantiated, or unable to be determined for each allegation. A substantiated allegation is one in which there is enough evidence to support the allegation. An unsubstantiated allegation is one in which there is clear evidence that the allegation was false or did not occur. An allegation deemed “unable to be determined” means the licensing specialist could not determine whether the allegation was true or false.

During on-site inspections, licensing specialists document findings in the Ohio Child Licensing and Quality System (OCLQS) software application. They also generate reports with details of the on-site inspections. Any areas of non-compliance require corrective action to become compliant. At the conclusion of each inspection, the licensing specialist conducts an exit interview to review each finding and provide technical assistance to help support the program’s compliance. Once the report and exit interview are complete, a copy of the report is electronically forwarded to the program, and the report is uploaded to the ODJFS website for review by the public.

CHILD CARE CENTER, TYPE A, AND TYPE B HOME INSPECTIONS

During SFY 2021, a total of 12,500 inspections were completed at licensed Ohio child care programs. Of those, ODJFS licensing specialists successfully performed 7,565 inspections at licensed child care centers and licensed 260 new child care centers. County agency licensing specialists conducted the remaining inspections, by successfully performing 4,935 inspections at licensed family child care homes. County agency licensing specialists also licensed 298 new Type A and Type B Home providers. Of the inspections completed, 1,153 were initiated due to child care center complaints, and 154 were initiated due to Type A and B Home complaints.

The table below reflects the number of inspections completed during each of the past five state fiscal years, which includes complaint investigations. Note that the SFY 2017 total includes data for child care centers and Type A Homes. The SFY 2018, 2019, 2020, and 2021 totals include data for all licensed child care programs.



*Data for SFY 17 field was updated from the SFY 17 Licensing Annual Report.

**Data includes Type B Homes.

TECHNICAL ASSISTANCE

In addition to monitoring and facilitating compliance through inspections and complaint investigations, licensing specialists offer technical assistance and training to child care programs to promote compliance and educate providers on quality practices. Technical assistance consists of providing suggestions for reaching and maintaining compliance, explaining the intent of the rule, and sharing best practices. The ODJFS licensing specialists provide targeted technical assistance to new administrators by contacting them by telephone upon hire to answer questions and provide resources. Routine trainings are also conducted for child care programs throughout Ohio. These trainings review all licensing requirements, so administrators have a clear understanding of the expectations. Additionally, ODJFS provides various technical assistance documents to programs regarding licensing and Step Up To Quality requirements.

CORRECTIVE ACTION PLAN

Licensed programs must submit a corrective action plan (CAP) for identified non-compliances cited during an inspection. Programs submit CAPs to their licensing specialist via OCLQS. The CAPs outline programs' plans to correct the non-compliance and indicate how they will ensure continued compliance. All non-compliances are documented in the licensing inspection report and reviewed with the administrator, Type A or Type B Home provider, or designee upon completion of the inspection. Programs are given a deadline by which they must complete the CAP and submit the required documentation in OCLQS. The status of the CAP is displayed on the ODJFS website documenting the CAP resolution.

SUMMARY OF COMPLIANCE FINDINGS

During on-site inspections, licensing specialists verify program compliance with licensing rules by observing, conducting interviews, and reviewing documentation. If an inspection identifies multiple violations of the same rule, the program is cited for that non-compliance only once.

Non-compliances are categorized as serious, moderate, or low-risk and are assigned a point value based on the severity of the non-compliance. Serious risk non-compliances are rule violations that may lead to the greatest risk of harm, immediately endangering the health and safety of children while in care, and/or potentially causing death. A serious risk non-compliance must be observed or determined, not inferred, by the licensing specialist and is a 6-point violation. A moderate risk non-compliance, which is a 3-point violation, must also be observed and not inferred by the licensing specialist. A low-risk non-compliance, a 1-point violation, still poses a health or safety risk to children while in care.

The following tables illustrate the type and most frequent serious, moderate, and low-risk violations cited during SFY 2021 for child care centers and Type A and B Homes.

CHILD CARE CENTER MOST FREQUENTLY CITED NON-COMPLIANCES BY FINDING AND RISK LEVEL

Center Serious Risk Non-Compliances	
Rule	Total Number of Violations Determined in SFY 2021
S - Supervision Absent - Left Outside, Offsite, or Swimming Activity	89
S - Prohibited Technique/Abuse, Endanger, Neglect - PCSA Substantiated Finding	32
S - Children Not Protected - Resulted in Serious Incident/Injury	28
S - Admin/Owner Misleading/False Info	15
S - No Abuse/Neglect Reporting	7
S - Employee Not Eligible - Still Employed	6
S - Prohibited Technique Used - Owner/Administrator	6
S - Staff Sleeping	3
S - Unattended in Vehicle	3
S - Non-Valid License	2
S - Access Denied	1
S - Swam in Lakes/Rivers/Ponds	1
Total	193

Center Moderate Risk Non-Compliances

Rule	Total Number of Violations Determined in SFY 2021
M - No Plan/Not Complete/Not Followed	836
M - JFS 01217/Rx Label/Container - Not OK	503
M - No Background Check Requested	342
M - Toxic Chemicals/Equipment/Machinery Accessible	320
M - Background Check - No Update	318
M - Ratio Determined Out	287
M - Supervision Absent Indoors	225
M - JFS 01176 Not on File - Sole Responsibility	194
M - No Fire Approval/Violations/Inspection Not Scheduled Within 30 Days	184
M - Fall Surface Missing/Inadequate	127
Total	3,336

Center Low Risk Non-Compliances

Rule	Total Number of Violations Determined in SFY 2021
L - Enrollment Form Not Compliant	2,079
L - One Hour Child Abuse Not Complete	1,130
L - No Orientation	988
L - General Hazards	907
L - Medical Not Compliant	892
L - No Medical	757
L - Employment Records in OPR - Not OK	736
L - No Tracking Method	734
L - No Drills	705
L - Face Coverings	674
Total	9,602

TYPE A AND B HOME MOST FREQUENTLY CITED NON-COMPLIANCE BY FINDING AND RISK LEVEL

Type A and B Home Serious Risk Non-Compliances	
Rule	Total Number of Violations Determined in SFY 2021
S - Alcohol	39
S - Prohibited Technique Used by Provider	8
S - Firearms Not Secured - Serious	6
S - Children Not Protected - Resulted in Serious Incident	5
S - Prohibited Technique/Abuse, Endanger, Neglect - PCSA Substantiated Finding	5
S - No Abuse/Neglect Reporting	3
S - No Adult Outside (Non SA)	3
S - Illegal drugs	3
S - Access Denied	2
S - Employee Not Eligible - Still Employed	2
S - No Background Checks - Employee Refused	2
Total	78

Type A and B Home Moderate Risk Non-Compliances

Rule	Total Number of Violations Determined in SFY 2021
M - Background Checks - No Update	219
M - Toxic Chemicals/Equipment/Machinery Accessible	177
M - JFS 01236 No plan/Not complete/Not followed	173
M - Carbon Monoxide Detector- Absent/Manufacturer's Guidelines	146
M - JFS 1217/Rx Label/Container - Not OK	96
M - Hazardous Items/Conditions/Situations	95
M - No Background Checks Requested	83
M - Fall Surface Missing/Inadequate	82
M - JFS 01176 Not on File – Sole Responsibility	71
M - No Fence, Natural Barrier, etc	54
Total	1,196

Type A and B Home Low Risk Non-Compliances

Rule	Total Number of Violations Determined in SFY 2021
L - Enrollment Form Not Compliant	1,342
L - Medical Not Compliant	1,003
L - Provider Health & Safety Training	740
L - First Aid Kit Not OK	535
L - Water Temperature	354
L - Disaster Plan- Not OK	341
L - No Drills	330
L - Employment Records in OPR - Not OK	318
L - General Indoor Hazards	294
L - Outlets Not Covered	290
Total	5,547

CENTER AND TYPE A AND B HOME ENFORCEMENT

When a program is unable to achieve and maintain compliance or places children at imminent risk of harm without correcting the issue immediately, ODJFS may suspend or revoke the program's license, pursuant to Ohio Revised Code Chapters 119. and 5104. After a program is recommended for revocation, a settlement may be reached that includes an agreement of terms between ODJFS and the program.

The table below shows the number of license revocations, settlement agreements, and license suspensions during SFY 2021.

Licensing Enforcement			
Program Type	License Revocation	Settlement Agreement	License Suspension
Centers	10	3	0
Type A Homes	1	0	0
Type B Homes	6	1	5
Total	17	4	5

SERIOUS INCIDENTS AND INJURIES

All incidents or injuries – even when seemingly minor, accidental, or unintentional – must be reported to ODJFS so that further investigation may be conducted. In addition, allegations of child abuse or neglect must be reported and jointly investigated by ODJFS or the county JFS agency and the county public children services agency.

During SFY 2020, after traditional licensed child care programs were again permitted to operate, programs were required to report to ODJFS any positive COVID-19 cases as serious incidents/injuries. This requirement continued throughout SFY 2021 which resulted in an increased number of serious incidents and injuries.

The table below indicates the number of serious incidents, injuries, fatalities, and substantiated abuse or neglect findings for all program types licensed and monitored by ODJFS or participating in PFCC.

Reported Serious Incidents/Injuries, Child Fatalities, Substantiated Abuse/Neglect				
Program Type	Serious Incident/Injury (Including COVID-19 Reports)	COVID-19 Reports	Child Fatalities	Substantiated Child Abuse/Neglect
Centers	9,224	4,684	1	32
Type A Homes	94	67	0	0
Type B Homes	341	253	0	5
Day Camps	2	1	0	0
In-Home Aides	0	0	0	0
Total	9,661	5,005	1	37

Number of Children Served

The number of children served by ODJFS programs is captured during annual inspections. Likewise, the number is a point in time number which reflects the children enrolled, at the time of the current inspection. Enrollment at programs fluctuate, therefore, children receiving a publicly funded child care subsidy must utilize the subsidy (at some point in the fiscal year) to count as a child served.

During SFY 2020, a total of 151,630 children, receiving publicly funded child care subsidy, were served. The table below illustrates the number of publicly funded children served, by all program types licensed by ODJFS. Note the data is unduplicated at the program level for the SFY, but children can be served by multiple program types.

Total Number of Publicly Funded Children Served	
Program Type	Number of Children Served
JFS Licensed Centers	124,696
JFS Licensed Type A Homes	6,196
JFS Licensed Type B Homes	20,476
JFS Approved Day Camps	226
JFS Certified In-Home Aides	36
Total	151,630