



CHILD CARE LICENSING REPORT

STATE FISCAL YEAR 2020



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) 2020, between July 1, 2019, and June 30, 2020, 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.

Fewer licensing and monitoring activities were conducted during SFY 2020 than in previous years because fewer programs were operating, as a result of the COVID-19 pandemic. From March 26, 2020, through May 30, 2020 – during the state’s Stay At Home and Stay Safe Ohio orders – child care centers in Ohio could operate only with Temporary Pandemic Child Care licenses. For the safety of children and families, providers with this license were required to strictly adhere to the following guidelines:

- There should be no more than six children in a class.
- Ratios must be kept at one teacher to no more than six children.
- Children whose parents are employed by the same entity should be kept together whenever possible.
- The same teachers and children in each room should be maintained whenever possible.
- There should be limited use of shared space or mixing of groups.
- If shared space is used, a rigorous cleaning schedule must be in place.
- Parent interaction should be limited at drop off and pick up.

After traditional licensed child care programs were again permitted to operate, some providers chose not to reopen or did not reopen right away. During SFY 2020, Ohio had 7,210 licensed child care programs. These included 4,321 child care centers, 270 Type A Homes and 2,619 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 one-year provisional licenses. If a program demonstrates full compliance, the provisional license may be amended to a non-expiring continuous license.

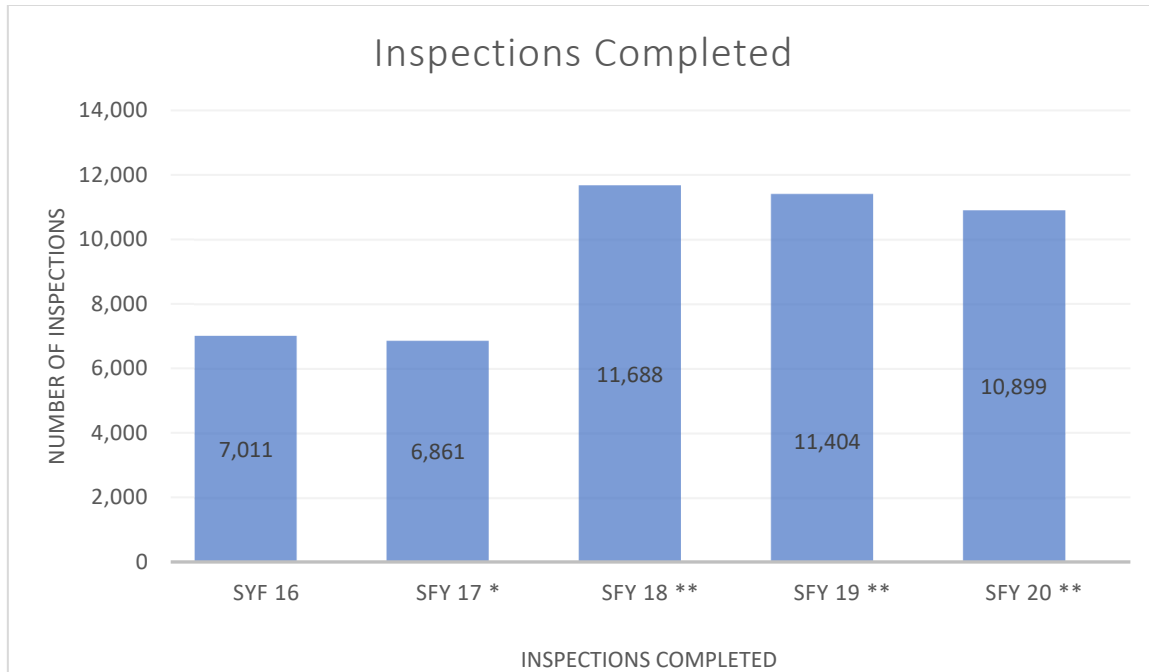
Child care centers receive at least one unannounced inspection each year, and Type A and B Homes receive at least two inspections after the initial license is approved. In addition to routine inspections, ODJFS and county agency licensing specialists are mandated to investigate complaints regarding rule 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) mobile software application. They also generate reports with details of the on-site inspections. Any areas of non-compliance require corrective action plans. 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 B HOME INSPECTIONS

During SFY 2020, a total of 10,899 inspections were completed at licensed Ohio child care programs. ODJFS licensing specialists successfully performed 6,693 inspections and licensed 222 new child care centers. County agency specialists successfully performed 4,206 inspections and licensed 125 new Type A and B Home providers. Of the inspections completed, 1,667 were initiated due to child care center complaints, and 255 were initiated due to Type A and B Home complaints. Due to the mandatory closure of child care programs, there was a decrease in the number of inspections completed during SFY 2020.

The table below reflects the number of inspections completed during each of the past five state fiscal years, along with the number of complaint investigations. Note that SFY 2016 and 2017 totals include data for child care centers and Type A Homes. The SFY 2018, 2019 and 2020 totals include data for all 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 or 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. Additionally, routine trainings are conducted throughout Ohio. These trainings review all licensing requirements so that 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 through OCLQS. The CAPs outline their plan to correct the non-compliance and indicates how they will ensure continued compliance. All non-compliances are documented in the licensing inspection report and reviewed with the administrator, Type A or 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 making observations, conducting interviews and reviewing documentation. If an inspection identifies multiple violations of the same rule, the program is cited for that noncompliance 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 (SRNCs) 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 SRNC 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 SRNC violations cited during SFY 2020 for child care centers and Type A and B Homes.

CHLD 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 2020
S - Supervision Absent - Left Outside, Offsite, or Swimming Activity	100
S - Prohibited Technique/Abuse, Endanger, Neglect - PCSA Substantiated Finding	39
S - Children Not Protected - Resulted in Serious Incident/Injury	28
S - No Abuse/Neglect Reporting	20
S - Admin/Owner Misleading/False Info	13
S - Employee Not Eligible - Still Employed	12
S - Unattended in Vehicle	11
S - Prohibited Technique Used - Owner/Administrator	7

S - Prohibited Technique Used - Owner/Administrator - No PCSA Finding	4
S - Access Denied	1
S - Non-Valid License	1
S - CCSM Not Actively Supervising	1
Total	237

Center Moderate Risk Non-Compliances	
Rule	Total Number of Violations Determined in SFY 2020
M - No Plan/Not Complete/Not Followed	994
M - JFS 01217/Rx Label/Container - Not OK	913
M - Ratio Determined Out	509
M - No Background Check Requested	461
M - Background Check - No Update	270
M - JFS 01176 Not on File - Sole Responsibility	242
M - Toxic Chemicals/Equipment/Machinery Accessible	223
M - Supervision Absent Indoors	181
M - No Fire Approval/Violations/Inspection Not Scheduled Within 30 Days	176
M - Not Sleeping in Cribs	167
Total	4136

Center Low Risk Non-Compliances

Rule	Total Number of Violations Determined in SFY 2020
L - Enrollment Form Not Compliant	1999
L - One Hour Child Abuse Not Complete	1426
L – Medical Not Compliant	1129
L - No Orientation	1088
L - No Medical	889
L - General Hazards	820
L - Missing Information on Medical	748
L - No Drills	747
L - No Educational Verification	672
L - PD Not Enough/Not Acceptable	656
Total	10174

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 2020
S - Alcohol	26
S - Access Denied	6
S - Firearms Not Secured - Serious	4
S- Prohibited Technique Used by Provider	3
S - Child Left Unattended Offsite/Swimming	2
S - Illegal drugs	2
S - Prohibited Technique/Abuse, Endanger, Neglect - PCSA Substantiated Finding	1
S - Employee Not Eligible - Still Employed	1
S - Non-Valid License	1
S - Not Protected from Harm	1
S - Provider Misleading/False Information	1
S - No Background Checks - Employee Refused	1
S - No Adult Outside (Non SA)	1
S - Children Not Protected - Child Fatality	1
Total	51

Type A and B Home Moderate Risk Non-Compliances

Rule	Total Number of Violations Determined in SFY 2020
M - Toxic Chemicals/Equipment/Machinery Accessible	206
M - JFS 01236 No plan/Not complete/Not followed	163
M - Carbon Monoxide Detector- Absent/Manufacturer's Guidelines	160
M – JFS 01176 Not on File – Sole Responsibility	120
M - Background Checks - No Update	105
M - JFS 1217/Rx Label/Container - Not OK	98
M - No Background Checks Requested	77
M - Fall Surface Missing/Inadequate	58
M - Medication in Reach	47
M - Hazardous Items/Conditions/Situations	45
Total	1079

Type A and B Home Low Risk Non-Compliances

Rule	Total Number of Violations Determined in SFY 2020
L - Enrollment Form Not Compliant	903
L - Medical Not Compliant	805
L - Medical - None/Expired	407
L - No Drills	354
L - Enrollment Form Incomplete	338
L - Outlets Not Covered	321
L - First Aid Kit Not OK	320
L - General Indoor Hazards	299
L - Provider Health & Safety Training	297
L - Liability Insurance	294
Total	4338

CENTER AND TYPE 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 2020.

Licensing Enforcement			
Program Type	License Revocation	Settlement Agreement	License Suspension
Centers	20	5	3
Type A Homes	1	0	1
Type B Homes	14	0	5
Total	35	5	9

SERIOUS INCIDENTS AND INJURIES

All incidents or injuries – even when seemingly minor, accidental or unintentional – must be reported to ODJFS so that further investigation can 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.

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	Child Fatalities	Substantiated Child Abuse/Neglect
Centers	3688	0	39
Type A Homes	12	0	0
Type B Homes	32	1	1
Day Camps	2	0	0
In-Home Aides	0	0	0
Total	3734	1	40