

CHILD CARE LICENSING REPORT





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) 2022, between July 1, 2021, and June 30, 2022, 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. During SFY 2022, Ohio had 6,787 licensed child care programs. Of those, 4,256 were child care centers, 307 were Type A Homes, and were 2,224 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 2022, a total of 16,042 inspections were completed at licensed Ohio child care programs. Of those, ODJFS licensing specialists successfully performed 9,664 inspections at licensed child care centers and licensed 220 new child care centers. County agency licensing specialists conducted the remaining inspections, by successfully performing 6,378 inspections at licensed family child care homes. County agency licensing specialists also licensed 225 newType A andType B Home providers. Of the inspections completed, `1,361 were initiated due to child care center complaints, and 191 were initiated due to Type A and B Home complaints.

The table below reflects the number of inspections completed, including complaint investigations, during each of the past five state fiscal years for all licensed child care programs.



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 UpTo 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 2022 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 2022	
S - Supervision Absent - Left Outside/ Offsite/ Swimming Activity/ Alone in Building	93	
S - Prohibited Technique/Abuse, Endanger, Neglect - PCSA Substantiated Finding	26	
S - Children Not Protected - Resulted in Serious Incident/Injury	25	
S - No Abuse/Neglect Reporting	13	
S - Admin/Owner Misleading/False Info	12	
S - Employee Not Eligible - Still Employed	10	
S - Prohibited Technique Used - Owner/Administrator	5	
S - Child Left Unattended Offsite/Alone/Outside	4	
S - Non-Valid License	3	
S - Access Denied	2	
Total	193	

Center Moderate Risk Non-Compliances		
Rule	Total Number of Violations Determined in SFY 2022	
M - No Plan/Not Complete/Not Followed	1,128	
M - Background Check - No Update	529	
M – JFS 01217/Rx Label/Container - Not OK	527	
M - Ratio Determined Out	516	
M - No Background Check Requested	473	
M – Toxic Chemicals/Equipment/Machinery Accessible	366	
M - Supervision Absent Indoors	276	
M – Not Sleeping in Cribs	179	
M - No Fire Inspection/Violations/Inspection Not Scheduled Within 30 Days	177	
M – Ratios Out More Than Once/Same Group or Different Group	176	
Total	4,347	

Center Low Risk Non-Compliances		
Rule	Total Number of Violations Determined in SFY 2022	
L - Enrollment Form Not Compliant	2,754	
L - Missing Information on Medical	1,683	
L - Medical Not Compliant	1,559	
L - Employment Records in OPR - Not OK	1,381	
L - No Medical	1,348	
L - PD Not Enough/Not Acceptable	1,304	
L - No Orientation	1,275	
L - Child Abuse Not Complete	1,219	
L- General Hazards	963	
L - JFS 01242 Not OK	937	
Total	14,423	

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 2022	
S - Alcohol	15	
S - Prohibited Technique Used by Provider	13	
S-Alcohol/Children Present	6	
S - Child Left Unattended Offsite/Alone/Outside	4	
S - No Adult Outside (Non SA)	3	
S - No Background Checks - Employee Refused	3	
S - Access Denied	2	
S - Firearms Not Secured - Children Present	2	
S - No Abuse/Neglect Reporting	2	
S - Provider Misleading/False Information	2	
S-Alcohol/Open Container -Children Present	2	
Total	54	

Type A and B Home Moderate Risk Non-Compliances		
Rule	Total Number of Violations Determined in SFY 2022	
M - Background Checks - No Update	210	
M - Carbon Monoxide Detector- Absent/Manufacturer's Guidelines	185	
M - JFS 01236 No plan/Not complete/Not followed	168	
M - Toxic Chemicals/Equipment/Machinery Accessible - Children Present	166	
M - Hazardous Items/Conditions/Situations	147	
M - Fall Surface Missing/Inadequate	115	
M - No Background Checks Requested	107	
M - Toxic Chemicals/Equipment/Machinery Accessible	64	
M - Resident over 18 years/No JFS 01175	50	
M - No Fence, Natural Barrier, etc	50	
Total	1,262	

Type A and B Home Low Risk Non-Compliances		
Rule	Total Number of Violations Determined in SFY 2022	
L - Enrollment Form Not Compliant	1,687	
L - Medical Not Compliant	1,489	
L - First Aid Kit Not OK	651	
L - JFS 01242 Not OK	642	
L - Provider Health & Safety Training	604	
L- No JFS 01201 "Dental First Aid"	546	
L - Policies/Procedures Information Missing -List	510	
L - No Drills	455	
L - Disaster Plan- Not OK	386	
L - Water Temperature	386	
Total	7,356	

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 2022.

Licensing Enforcement			
Program Type	License Revocation	Settlement Agreement	License Suspension
Centers	12	3	1
Type A Homes	1	0	1
Type B Homes	8	0	5
Total	21	3	7

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 2022 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	18,035	13,414	0	25
Type A Homes	163	130	0	1
Type B Homes	568	467	0	1
Day Camps	20	13	0	0
In-Home Aides	2	2	0	0
Total	18,788	14,026	0	27

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 2022, a total of 133,712 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	114,119	
JFS Licensed Type A Homes	4,770	
JFS Licensed Type B Homes	14,579	
JFS Approved Day Camps	211	
JFS Certified In-Home Aides	33	
Total	133,712	