



**Child Care Manual Transmittal Letter No. 155**  
**Child Care Center Manual Transmittal Letter No. 29**  
**Child Care In-Home Aide Manual Transmittal Letter No. 10**  
**Family Child Care Manual Transmittal Letter No. 19**

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

**FROM:** Kimberly Henderson, Director

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

**Background:**

In response to the COVID-19 pandemic, the Ohio Department of Job and Family Services (ODJFS) is working to ensure that children continue to be safe in child care settings and that the rules are updated to reflect new guidance from the Ohio Department of Health and Centers for Disease Control and Prevention.

**New Policy:**

ODJFS is emergency filing the transitional child care rules to include updated COVID-19 symptoms and precautionary recommendations by the Ohio Department of Health and the Center for Disease Control. Publicly funded child care rules are being amended to update the number of absent and pandemic days.

The following rules are effective December 11, 2020.

**Rule 5101:2-12-02.2** "Transitional Pandemic Requirements for a Licensed Child Care Center" is being emergency filed to further define transitional pandemic requirements for a licensed child care center. Licensed child care centers shall follow all of the licensing requirements of the chapter in addition to the following exceptions and additions detailed in the new rule. The child care center shall:

- Ensure that the administrator, child care staff members, and employees are washing their hands at the following additional times:
  - After caring for someone who is sick
  - After eating, serving, or preparing food or bottles or feeding a child
  - After blowing their nose, coughing or sneezing
  - Before and after touching their face or handling their mask

- Ensure that all children in care are washing their hands at the following additional times:
  - After eating or assisting with food preparation
  - After blowing their nose, coughing or sneezing
  - After touching their face or handling their mask
- Clarified that a child care provider should report all COVID-positive tests among administrators, staff, and enrolled children to their local public health department, but because of rapid community spread, all COVID-positive individuals should quarantine according to Ohio Department of Health and CDC guidelines if not contacted by their local health department.

### **Appendix A**

- Amended the list of COVID-19 symptoms for daily screening:
  - Removed fever from the list, as a temperature of one hundred degrees Fahrenheit or higher is already listed
  - Clarified description of cough as a new uncontrolled cough (for children with chronic allergic/asthmatic cough, a change in their cough from baseline)
  - Clarified headache as new onset of a severe headache
  - Clarified loss of taste or smell as new loss of taste or smell
  - Add the following symptoms:
    - Trouble breathing
    - Persistent pain or pressure in the chest
    - New confusion
    - Inability to wake or stay awake
    - Bluish lips or face

**Rule 5101:2-12-02.3** "Temporary Pandemic School-Age Child Care Centers" is being amended:

- Clarified the language defining a temporary pandemic school-age child care center license as a short-term license that a child may participate in during remote learning, and when school is not in session, for example, winter break.
- Updated language for subject number agreement, changing child who is receiving special needs care to children who are receiving special needs care.

**Rule 5101:2-13-02.2** "Transitional Pandemic Requirements for a Licensed Family Child Care Provider" is being emergency filed to further define transitional pandemic requirements for a licensed family child care provider. Licensed family child care providers shall follow all of the licensing requirements of the chapter in addition to the following exceptions and additions detailed in the new rule. The family child care provider shall:

- Ensure that the provider, child care staff members, and employees are washing their hands at the following additional times:
  - After caring for someone who is sick
  - After eating, serving, or preparing food or bottles or feeding a child
  - After blowing their nose, coughing or sneezing

- Before and after touching their face or handling their mask
- Ensure that all children in care are washing their hands at the following additional times:
  - After eating or assisting with food preparation
  - After blowing their nose, coughing or sneezing
  - After touching their face or handling their mask
- Clarified that a child care provider should report all COVID-positive tests among administrators, staff, and enrolled children to their local public health department, but because of rapid community spread, all COVID-positive individuals should quarantine according to Ohio Department of Health and CDC guidelines if not contacted by their local health department.

## Appendix A

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  - Clarified headache as new onset of a severe headache
  - Clarified loss of taste or smell as new loss of taste or smell
  - Add the following symptoms:
    - Trouble breathing
    - Persistent pain or pressure in the chest
    - New confusion
    - Inability to wake or stay awake
    - Bluish lips or face

**Rule 5101:2-14-02.2** "Transitional Pandemic Requirements for In-Home Aide Certification" is being emergency filed to further define transitional pandemic requirements for a certified in-home aide. Certified in-home aides shall follow all of the licensing requirements of the chapter in addition to the following exceptions and additions detailed in the new rule. The certified in-home aide shall:

- Ensure that the in-home aide is washing their hands at the following additional times:
  - After caring for someone who is sick
  - After eating, serving, or preparing food or bottles or feeding a child
  - After blowing their nose, coughing or sneezing
  - Before and after touching their face or handling their mask
- Ensure that all children in care are washing their hands at the following additional times:
  - After eating or assisting with food preparation
  - After blowing their nose, coughing or sneezing
  - After touching their face or handling their mask

- Clarified that a child care provider should report all COVID-positive tests among administrators, staff, and enrolled children to their local public health department, but because of rapid community spread, all COVID-positive individuals should quarantine according to Ohio Department of Health and CDC guidelines if not contacted by their local health department.

## **Appendix A**

- Amended the list of COVID-19 symptoms for daily screening:
  - Removed fever from the list, as a temperature of one hundred degrees Fahrenheit or higher is already listed
  - Clarified description of cough as a new uncontrolled cough (for children with chronic allergic/asthmatic cough, a change in their cough from baseline)
  - Clarified headache as new onset of a severe headache
  - Clarified loss of taste or smell as new loss of taste or smell
  - Add the following symptoms:
    - Trouble breathing
    - Persistent pain or pressure in the chest
    - New confusion
    - Inability to wake or stay awake
    - Bluish lips or face

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

- Clarify 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 has the option for in-person learning, including a hybrid school model, and instead opted for only remote learning.
- Allow thirty-five pandemic days per fiscal year if the program is advised to close by the local or state health department in response to the COVID-19 pandemic.

## **Questions:**

Please contact the Child Care Policy Helpdesk at [childcarepolicy@jfs.ohio.gov](mailto:childcarepolicy@jfs.ohio.gov) or 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:

(i) Upon entering a classroom and prior to leaving for the day.

(ii) After caring for someone who is sick.

(iii) After eating, serving, or preparing food or bottles or feeding a child.

(iv) After blowing their nose, coughing or sneezing.

(v) Before and after touching their face or handling their mask.

(b) All children shall wash their hands:

(i) Prior to leaving for the day.

(ii) After eating or assisting with food preparation.

(iii) After blowing their nose, coughing or sneezing.

- (iv) After touching their face or handling their mask.
- (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 in the previous fourteen days with someone confirmed or suspected to have COVID-19, the individual shall not return to the center until isolation or quarantine protocols for COVID-19 are completed in coordination with the local health department or in compliance with the Ohio department of health (ODH) and United States centers for disease control and prevention (CDC) guidelines.
- (b) If a person has any of the symptoms listed in appendix A and has had known contact in the previous fourteen days with someone with confirmed or suspected COVID-19:
- (i) The center shall immediately send the person home.
- (ii) The individual shall not return to the center until isolation or quarantine protocols for COVID-19 are completed in coordination with the local health department or in compliance with ODH and CDC guidelines.
- (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 CDC guidelines

(which is available at [https://content.govdelivery.com/attachments/OHOOD/2020/08/04/file\\_attachments/1511083/](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 or in compliance with ODH and CDC guidelines 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: 12/11/2020

CERTIFIED ELECTRONICALLY

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Certification

12/11/2020

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Date

Promulgated Under: 119.03  
Statutory Authority: 5104.015, 5104.016  
Rule Amplifies: 5104.015, 5104.032, 5104.05



Appendix A  
Rule 5101:2-12-02.2

### **List of COVID-19 Symptoms**

- Chills
- New uncontrolled cough (for children with chronic allergic/asthmatic cough, a change in their cough from baseline)
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- New onset severe headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea
- Trouble breathing
- Persistent pain or pressure in the chest
- New confusion
- Inability to wake or stay awake
- Bluish lips or face

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 during school hours on days the children are participating in remote learning and on days when school is not in session. Care in the child care center may be provided to children enrolled in and attending a grade of kindergarten or above who are less than fifteen years old or, in the case of children who are receiving special needs child care, are less than eighteen years old.

(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 the 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 pursuant to rule 5101:2-12-14 of the Administrative Code 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.

Effective: 12/11/2020

CERTIFIED ELECTRONICALLY

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Certification

12/11/2020

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Date

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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:

(i) Upon entering the family child care home and prior to leaving for the day.

(ii) After caring for someone who is sick.

(iii) After eating, serving, or preparing food or bottles or feeding a child.

(iv) After blowing their nose, coughing or sneezing.

(v) Before and after touching their face or handling their mask.

(b) All children shall wash their hands:

(i) Prior to leaving for the day.

(ii) After eating or assisting with food preparation.

(iii) After blowing their nose, coughing or sneezing.

(iv) After touching their face or handling their mask.

(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 in the previous fourteen days with someone confirmed or suspected to have COVID-19, he or she shall not return to the program until isolation or quarantine protocols for COVID-19 are completed in coordination with the local health department or in compliance with the Ohio Department of Health (ODH) and United States centers for disease control and prevention (CDC) guidelines.

(b) If an employee, child care staff member, or child has any of the symptoms listed in appendix A and has had known contact in the previous fourteen days with someone confirmed or suspected 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 protocols for COVID-19 are completed in coordination with the local health department or in compliance with the ODH and CDC guidelines.

(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 in the previous fourteen days with someone confirmed or suspected to have COVID-19, the provider shall stop providing care until the person completes isolation or quarantine protocols for COVID-19 in coordination with the local health department or in compliance with the ODH and CDC guidelines.
- (d) If the provider or a resident has any of the symptoms listed in appendix A and has had known contact in the previous fourteen days with someone confirmed or suspected to have COVID-19, the provider shall stop providing care until the person completes isolation or quarantine protocols in coordination with the local health department or in compliance with the ODH and CDC guidelines.
- (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 CDC guidelines (which is available at [https://content.govdelivery.com/attachments/OHOOD/2020/08/04/file\\_attachments/1511083/](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 protocols for COVID-19 in coordination with the local health department or in compliance with the ODH and CDC guidelines 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.

Effective: 12/11/2020

CERTIFIED ELECTRONICALLY

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Certification

12/11/2020

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Date

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Statutory Authority: 5104.017, 5104.018  
Rule Amplifies: 5104.017, 5104.018

Appendix A  
Rule 5101:2-13-02.2

### **List of COVID-19 Symptoms**

- Chills
- New uncontrolled cough (for children with chronic allergic/asthmatic cough, a change in their cough from baseline)
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- New onset severe headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea
- Trouble breathing
- Persistent pain or pressure in the chest
- New confusion
- Inability to wake or stay awake
- Bluish lips or face

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 caring for someone who is sick.

(c) After toileting or assisting a child with toileting.

(d) After blowing their nose, sneezing, or coughing.

(e) Before and after each diaper change or pull-up change.

(f) After contact with bodily fluids or cleaning up spills or objects contaminated with bodily fluids.

(g) After cleaning or sanitizing or using any chemical products.

(h) After handling pets, pet cages or other pet objects that have come in contact with the pet.

- (i) Before and after eating, serving or preparing food or bottles or feeding a child.
  - (j) Before and after completing a medical procedure or administering medication.
  - (k) Before and after touching their face or handling their mask.
  - (l) 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 blowing their nose, coughing or sneezing.
  - (d) After touching their face or handling their mask.
  - (e) After returning inside after outdoor play.
  - (f) After handling pets, pet cages or other pet objects that have come in contact with the pet before moving on to another activity.
  - (g) Before and after eating or assisting with food preparation.
  - (h) After water activities.
  - (i) 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 in the previous fourteen days with someone confirmed or suspected to have COVID-19, the in-home aide shall stop providing care until the person completes isolation or quarantine protocols are completed in coordination with the local health department or in compliance with the Ohio Department of Health (ODH) and United States centers for disease control and prevention (CDC) guidelines.
- (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 in the previous fourteen days with someone confirmed or suspected to have COVID-19, the in-home aide shall stop providing care until the person completes isolation or quarantine protocols in coordination with the local health department or in compliance with ODH and CDC guidelines.
- (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 protocols for COVID-19 in coordination with the local health department or in compliance with ODH and CDC guidelines. 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.

Effective: 12/11/2020

CERTIFIED ELECTRONICALLY

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Certification

12/11/2020

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Date

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Rule Amplifies: 5104.019

Appendix A  
Rule 5101:2-14-02.2

### **List of COVID-19 Symptoms**

- Chills
- New uncontrolled cough (for students with chronic allergic/asthmatic cough, a change in their cough from baseline)
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- New onset severe headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea
- Trouble breathing
- Persistent pain or pressure in the chest
- New confusion
- Inability to wake or stay awake
- Bluish lips or face



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 has the option to send the school-age child to in-person learning, including a hybrid school model, and instead opted for only 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 advised 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 thirty-five pandemic days per fiscal year.
- (3) The provider shall provide ODJFS written documentation of the advisory 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.

Effective: 12/11/2020

CERTIFIED ELECTRONICALLY

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Certification

12/11/2020

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Date

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12/31/2016, 12/16/2018, 10/20/2019, 03/13/2020  
(Emer.), 05/29/2020 (Emer.), 08/25/2020 (Emer.)



# Category 1 - Non-Rated

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

<b>Center, Day Camps, Type A Homes, ODE Programs</b>			
	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

<b>Licensed Type B Homes</b>			
	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

<b>Center, Day Camps, Type A Homes, ODE Programs</b>			
	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

<b>Licensed Type B Homes</b>			
	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

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 3 - Non-Rated

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

<b>Center, Day Camps, Type A Homes, ODE Programs</b>			
	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

<b>Licensed Type B Homes</b>			
	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

FAIRFIELD

FRANKLIN

GEAUGA

GREENE

HAMILTON

HARRISON

JEFFERSON

KNOX

LAKE

LORAIN

LUCAS

MAHONING

MARION

MEDINA

MONROE

MONTGOMERY

MORGAN

NOBLE

OTTAWA

PORTAGE

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TRUMBULL

WARREN

WOOD