# Child Care Advisory Council
# Annual Report
## June 2012-July 2013

Prepared for the Ohio Department of Job and Family Services

December 20, 2013

Cynthia C. Dungey, Director
Ohio Department of Job and Family Services
30 E. Broad Street, 32nd Floor
Columbus, Ohio 43215-3414

Dear Director Dungey:

We are pleased to present the state fiscal year (SFY) 2013 Child Care Advisory Council (CCAC) Annual Report. This report provides information on the discussions, input and requested actions that were generated by the CCAC during the past year. The CCAC is committed to high quality care and education services for all children. We also recognize that child care is a business for both profit and nonprofit organizations. Our efforts are directed at developing an appropriate balance between these interests in pursuit of the best system of child care for children, parents, providers and communities.

The CCAC is an example of the positive outcomes that can occur when a strong, ongoing partnership is developed between a regulatory agency and its stakeholder community. Together, the CCAC and ODJFS have worked on many complicated issues this year and most importantly, we have made many proactive decisions to ensure a positive outcome for Ohio's children.

Sincerely,

Elaine Ward, Chair
Ohio Child Care Advisory Council

cc: The Honorable John R. Kasich, Governor
    The Honorable Keith Faber, Senate President
    The Honorable Eric Kearney, Senate Minority Leader
    The Honorable William Batchelder, Speaker of the House
    The Honorable Tracy Maxwell Heard, House Minority Leader

**CHILD CARE ADVISORY COUNCIL
ANNUAL REPORT
July 2012 - June 2013**

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## *Statute Creating the Child Care Advisory Council*

Ohio Revised Code (ORC) Section 5104.08 directs the creation of the Child Care Advisory Council. This council is to advise and assist the Ohio Department of Job and Family Services (ODJFS) in the administration of ORC Chapter 5104 and the development of statewide child care policies and procedures.

Council meetings are open to the public and are held the third Wednesday of each month. Agendas consist of discussions regarding current issues in child care, updates from ODJFS' Office of Family Assistance, and needed action items to fulfill the council's charge.

## *Composition of Council*

ORC Section 5104.08 states: "The council shall consist of twenty-two voting members appointed by the director of job and family services with the approval of the governor. The director of job and family services, the director of developmental disabilities, the director of mental health and addiction services, the superintendent of public instruction, the director of health, the director of commerce, and the state fire marshal shall serve as nonvoting members of the council.

"Six members shall be representatives of child care centers subject to licensing, the members to represent a variety of centers, including nonprofit and proprietary, from different geographical areas of the state. At least three members shall be parents, guardians or custodians of children receiving child care or publicly funded child care in the child's own home, a center, a type A home, a head start program, a certified type B home, or a type B home at the time of appointment. Three members shall be representatives of in-home aides, type A homes, certified type B homes or head start programs. At least six members shall represent county departments of job and family services. The remaining members shall be representatives of the teaching, child development and health professions, and other individuals interested in the welfare of children. At least six members of the council shall not be employees or licensees of a child day-care center, head start program or type A home, or providers operating a certified type B home or type B home, or in-home aides."

Members volunteer for three-year terms. To maintain their voting membership, they must attend at least six of 12 meetings held each year.

## *State Fiscal Year (SFY) 2013 Council Members*

| Member Name | Representation Type | Member Name | Representation Type |
|---|---|---|---|
| Saam, Renee | CDJFS | Selway, Paula | Not-for-Profit |
| Story, Amy | CDJFS | Crouse, Marjorie | Parent |
| Foster, Sandra | CDJFS | Stertzbach, Sarah | Parent |
| Bope, Tracy | CDJFS | Watson, Kate | Parent |
| Krasno, Joseph | CDJFS | White, Lynette | Proprietary |
| Wallace, Lolita | CDJFS | Leonard, Louanna | Proprietary |
| Perrino, Pam | Community Professional | Raneri,Teri | Type A |
| Brannum, Teri | Community Professional | Haile, Asyia | Type B |
| Humphrey, Chris | Community Professional *(Co-Chair through July 2013)* | Montana, Gail | Type A |
| Ward, Elaine | Community Professional | | |
| Johnson, Tasha | Not-for-profit | | |
| Piazza-King, Julie | Not-for-profit | | |
| Smith, David | Not-for-profit | | |
| **Ex-Officio Members** | | | |
| Courts, Melissa | Ohio Department of Health | Sokolnicki, Jan | Ohio Department of Commerce/Building Standards |
| Saunders, Diane | Ohio Department of Education | French, Lynn | Ohio Department of Commerce/State Fire Marshal |
| Leatherman, Alicia | Ohio Department of Job and Family Services | Bush, Katrina | Ohio Department of Developmental Disabilities |
| Batchelder, Michael | Ohio Council 8/AFSCME | Himmeger, Marla | Ohio Department of Mental Health and Addiction Services |

# *CCAC Committees*

## Policy and Rule Committee

The Policy and Rule Committee is responsible for developing recommendations to inform the planning and development of child care policies, procedures and regulations. The committee focuses on the health and safety of children and the overall quality of all child care settings. It is charged with the following:

- Reviewing existing rules and participating in the ODJFS rule revision and reduction project.
- Gathering and disseminating relevant research from other states and sources to inform and contribute to the process.
- Ensuring that Ohio's child care policies and rules encourage essential and foundational health, safety and developmentally appropriate practices and quality standards.
- Providing feedback on current rules, federal guidelines and state initiatives such as the Ohio Administrator Credential for child care professionals and the expansion of the state's Step Up To Quality (SUTQ) star rating system.

## Information Technology Committee

The Information Technology (IT) Committee is responsible for developing recommendations to ODJFS on ways to enhance the Child Care Information Data System (CCIDS). CCIDS streamlines and centralizes the administration of publicly funded child care in Ohio. It helps county caseworkers determine eligibility for services, authorizes children to specific providers and issues direct deposit payments to providers. One of its latest enhancements was the Electronic Child Care (ECC) swipe card system to record children's time and attendance. CCIDS also incorporates licensing functions and SUTQ. It is charged with the following:

- Reviewing various communications materials for Ohio ECC and providing input.
- Providing recommendations to the department for enhancements.
- Focusing on enhancements to current IT systems that create efficiencies and automated tools for the department, users and stakeholders.

## *Availability*

### Policy
Throughout the year, the Policy and Rule Committee reviewed and provided significant feedback on policy changes presented by ODJFS staff. These reviews included Ohio Administrative Code (OAC) Chapter 16 rule updates, OAC Chapter 12 rule rewrites, Type B rules, required Type B trainings, and a comparison of ODJFS and Ohio Department of Education (ODE) rules. ODJFS staff considered this feedback in rule rewrites and revisions.

> *Policy and Rule Committee Recommendations:*
> - In updates to OAC Chapter 16 rules, ODJFS should clarify that the individual who signs the provider agreement is the responsible party.
>
> - In updates to OAC Chapter 12 rules, ODE and ODJFS should combine their rules.
>
> - ODE and ODJFS should aim to establish one set of rules by 2025.
>
> - ODJFS should consider aligning Type A and Type B rules regarding enrollment, zoning, fire inspections and training.
>
> - Future rule revisions should allow more opportunities for child care training, more flexible training and more online training,

### Program Integrity
Throughout the year, ODJFS staff shared with the CCAC the agency's ongoing efforts to combat fraud and reduce erroneous payments to child care providers. For example, ODJFS formed a Child Care Program Integrity work unit in SFY 2013. Its four staff members monitor data from ECC card swipes to look for irregularities that may indicate improper billing. Between October 2012 and April 2013, the unit identified 14 child care providers that overbilled the state a combined $154.590. All were removed from the publicly funded child care program.

> *Council Recommendation:*
> - ODJFS should adopt a Code of Ethics, similar to that of the National Association for the Education of Young Children, to guide child care professionals who care for young children.

## *Accessibility*

### Information Technology Enhancements

The IT Committee reviewed CCIDS and ECC system enhancements made throughout the year and offered feedback on a wide range of issues affecting ODJFS staff, providers and families. ODJFS staff considered this feedback and brought it to the attention of Xerox, the vendor that designed and maintains these systems.

> *IT Committee Recommendations:*
> - ODJFS should include more information regarding personal identification numbers (PINs) in a notice for caretakers with new, approved swipe cards along with a message on the device. This information should be resent to them every six months, along with a visual image of the PIN message that displays on swipe-card device.
>
> - A Frequently Asked Questions (FAQ) page should be added to the CCIDS website giving providers more guidance regarding such things as how to resolve Internet browser issues and how to access the site through smartphones and other mobile devices.
>
> - The CCAC sent a letter to the ODJFS director expressing appreciation for the agency's responsiveness to the needs of the community by funding the committee's top ten requests for policy changes.

### Ongoing Training and Reports

The IT Committee and other CCAC members discussed provider training and reports.

> *Council Recommendations*
> - Trainings for providers and county staff should include explanations of administrator rules, claims adjustments, manual claims and guidance regarding staff turnover.
>
> - Training should be offered via webinars, quarterly updates, one-on-one sessions, regional hands-on training events and conference sessions.
>
> - The 90-day "rerun edits" performed each month to monitor child, payment and provider data by approval month should note a child's remaining absent days and the number of children who have entered and left the system.

# *Affordability*

## Market Rate Survey and Workforce Study

The CCAC reviewed the process and results of the most recent Ohio Child Care Market Rate Survey, which determines how much ODJFS reimburses providers for the time they spend caring for children in the publicly funded child care program. The Ohio State University Statistical Consulting Service conducts this survey in partnership with ODJFS biannually. Council members provided feedback to the research team and ODJFS staff.

> *Council Recommendations:*
> - The SUTQ quality ratings should be included in the market rate analysis.
>
> - Child care centers with no children in the publicly funded program should be reviewed. The results should be reported to the CCAC.
>
> - The policy impact of the market rate survey on providers should be communicated to providers.

CCAC members expressed concerns about overall program sustainability several times during the year, as provider rates were not increased and there was a loss as a result of the last survey, and fewer programs served children in the publicly funded program. The Ohio Association of Child Care Providers (OACCP) presented data suggesting a loss of more than $200 million in provider reimbursements over the last several years.

> *Council Recommendation:*
> - A letter should be sent to the ODJFS director expressing the providers' concerns. This letter has been sent.

Representatives from the Ohio Child Care Resource and Referral Association (OCCRRA) presented and discussed the 2013 Workforce Study, which Ohio's Early Childhood Advisory Council funded and OCCRRA conducted in partnership with the Ohio Education Resource Center and the Strategic Research Group. The study examined the characteristics of Ohio's early childhood learning and development workforce, including such things as worker diversity, turnover, wages, benefits and education.

> *Council Recommendations:*
> - Before the study is finalized, the CCAC should have an opportunity to review it and to seek trade organization feedback.
>
> - When provider reimbursement rates are established, the supply and demand over the next two years should be analyzed.

## Federal Poverty Level

To be eligible for publicly funded child care initially, a family's income cannot exceed 125 percent of the federal poverty level (FPL). After that, families may remain eligible until their income exceeds 200 percent of the FPL. ODJFS has to complete a rule process each year in order to revise or update the FPL guidelines when they are released. ODJFS was working to change rule to automatically update the income guidelines through a procedure letter similar to other ODJFS program areas.

> *Council Recommendations*
> - ODJFS should file an emergency procedural letter so county JFS agencies can immediately begin using the current FPLs to determine families' eligibility.
>
> - Self-employment guidelines should be aligned with cash and food assistance eligibility (gross earnings divided by the federal minimum wage).

## Step Up To Quality Incentives

Ohio is planning to expand its SUTQ rating system as part of the federal Race to the Top – Early Learning Challenge Grant it received to improve school readiness programs for children with high needs. When this expansion is implemented, revised financial incentives will be offered to programs that exceed minimum licensing standards, to support their ongoing maintenance. In addition to the on-going incentives, additional incentives, as outlined in the Early Learning Challenge Grant, may be tested in pilot communities. A survey was developed to understanding the barriers that rated programs face with enrolling more high needs children into their programs. The CCAC reviewed the content of this survey and offered feedback.

> *Council Recommendations:*
> - The ELCG pilot survey should be revised to be more respondent-friendly and helpful. It should focus solely on publicly funded child care and solicit more information about children with special needs, English language learners and high-needs children.
>
> - The new SUTQ financial incentives should be specified in the survey language, and ODJFS should ensure that respondents understand how the survey data may be used.

# *Quality*

## Licensing System

The Policy Committee and other CCAC members provided feedback regarding Ohio's corrective action plan procedure and the redesign of the state's child care licensing systems, including the new requirement that small family child care homes be licensed by the state if they care for children in the publicly funded child care program. Previously, these homes were certified by county JFS agencies.

> *Council Recommendations*
> - A guidance document should be created to address parent concerns regarding the change from county certification to state licensure of small family child care homes. This document should explain SUTQ, as well.
>
> - Providers should be able to submit corrective action plans electronically so they can be posted on the web, along with the original investigation or monitoring report. Parents and insurance companies would then be able to see how the provider came into compliance. The feasibility of providers posting the plans directly to the web also should be examined.

- No change should be made to the corrective action plan procedure for providers found to have serious risk noncompliances or repeat noncompliances. However, for other licensing violations, no corrective action plans should be required. Instead, providers should be given explanations during the inspections of how to resolve the issues, and problem areas should be reviewed again at subsequent inspections.

## SUTQ

As Ohio planned to expand SUTQ, the CCAC was consulted frequently. The CCAC and the Policy and IT committees provided feedback on multiple aspect of the expanded system, including the format, domains, standards, benchmarks and implementation process.

*Council Recommendations - Domains, Standards, Benchmarks*
- The five-star rating system should use the same design as the four-star rating system.

- Language regarding assessments should be removed from the school-age program standards as this information already is included in ODE school-age regulations.

- When establishing SUTQ-approved trainings, ODJFS should address disparities between rural and urban access to professional development. If an employee is attending college courses in early childhood education, college credit should be allowed to substitute for the 20 clock hours of SUTQ training.

- For larger programs, the annual training requirement for professional development should be based not on an individual's hire date, but on the date the program received its star rating. This would also make it easier for programs to budget training costs.

- ODJFS should explore exceptions for some benefit and compensation requirements for programs such as those at community colleges, which rely heavily on student teachers.

- Additional points should be awarded to programs that create partnerships to share student-level data across systems when children move from preschool to school-age programs. Also, resource tools such as the S.P.A.R.K. parent education program and the Ready Schools Resource Guide should be reviewed.

- Accredited programs should receive more points than they are currently given.

*Council Recommendations - Implementation*

- Programs should have an easier way to submit documentation to the SUTQ system and to add or change the names of staff members.

- The 45-day star-rating suspension imposed when programs are cited for serious risk noncompliances should be reviewed. If a star-rated program has a suspension, that should be noted on the child care search site that parents use to find programs.

- If a program is cited for a serious risk noncompliance and its rating was suspended or removed in the previous 24 months, a second inspection should be conducted.

- The child care search home page should state the benefits of SUTQ more explicitly. In addition, definitions should be given for all abbreviations.

## Assessment System Design

The IT Committee and other CCAC members reviewed the proposed Early Childhood Assessment System – also known as Early Learning Challenge Grant (ELCG) Project 12 – and provided feedback on the design and implementation.

*IT Committee Recommendations*

- The system should be included in monthly division updates.

- The ELCG committee's membership lists should be posted on the Early Childhood Ohio website to maintain transparency.

- The system design should be as simple as possible for teachers to use and to enter data into.

## Continuous Licensing and the SOLAR System

In reviewing the System for Online Licensing Applications and Requests (SOLAR), which providers use to submit licensing applications to ODJFS, the IT Committee and other CCAC members expressed concern that providers may be able to enter their own program information about program operations, such as ages served, hours of operation and accreditations, without ODJFS review or verification. ODJFS will review system options to require license expiration dates and other possible safeguards against this.

## *Administrative*

### CCAC Structure

In preparing the SFY 2013 Annual Report, the CCAC reviewed internal procedures and practices related to recommendations, participation and transparency, as well as ORC language regarding the CCAC. Members discussed the process for bringing votes forward, as well as rules regarding attendance and participation on the CCAC and committees by members and guests.

*Council Recommendations*

- The definitions of quality, affordability, accessibility and availability should be distributed to CCAC members for approval. Definitions were approved, and timelines for completing the annual report proposed.

- Voting should occur at the committee meetings, and the resulting recommendations should be brought to the CCAC for approval. CCAC voting members should participate in one of the committees. Prior to approval, committee agendas and minutes should be sent to all attendees. After approval, agendas and minutes should be posted on the website.

- Two weeks prior to each CCAC meeting, ODJFS should solicit agenda items from members, including topics, descriptions of those topics and the length of time needed to address them. One week prior to each meeting, revised agendas should be posted for review. Name tents should be used at meetings to identify voting members, ex-officio members and invited speakers. Members and ex-officio members should have assigned seats. The CCAC section of the ODJFS website should state the agenda protocol and member email addresses. After each meeting, minutes should continue to be posted on the website and sent via RSS feed. The council has approved and implemented all of these recommendations.

- Potential new Policy or IT committee members must attend three monthly meetings before being added to a committee list. If a member does not attend for three consecutive months, he or she will be removed from the list. Committee recommendations will be presented to CCAC members for a vote. The CCAC motion form will no longer be used. The council has approved and implemented these recommendations.

# *Glossary of Terms/Acronyms*

This glossary of terms is provided as a convenience for readers of this report.

### 3299
3299 registration is used for maintaining information about providers not licensed by ODJFS. This includes Type B Home providers certified by county departments of job and family services, out-of-state providers, and providers licensed by ODE that enroll children who receive publicly funded child care.

### Accessibility
The availability of child care when and where a family needs it.

### Affordability
The degree to which the price of child care is a feasible family expense. High-quality care may be available, but it may not be affordable for families with low or moderate incomes.

### AFSCME
AFSCME, Local Council 8, is the leading union for public and nonprofit workers in Ohio. It has more than 41,000 members in more than 300 local unions representing city, county, hospital and university employees, along with boards of education, nonprofit workers and other public service employees.

### Availability
The degree to which a family has ready access to needed child care. Factors affecting this include not only geographic location, but also the availability of care for the child's age and at the needed time of day.

### Office of Family Assistance
The Office of Family Assistance (OFA), with ODJFS, is responsible for the state's publicly funded child care program. In SFY 2013, the OFA/Child Care was managed by the following individuals:
>Kara Bertke Wente, Deputy Director
>Alicia Leatherman, Assistant Deputy Director
>Michelle Albast, Chief, Bureau of Child Care Policy and Operational Support
>Jeffery Van Deusen, Chief, Bureau of Child Care Licensing and Monitoring
>Stephanie Shafer, Project Manager, Automated Child Care System
>Tonya Kahley, Project Manager, Early Learning Challenge Grant
>Janene Kehl, Project Manager, Early Learning Challenge Grant

### Child Care Information Data System  (CCIDS)
The automated statewide system that helps county caseworkers determine families' eligibility for public funded child care services; authorizes individual children to specific providers; issues direct deposit payments to providers; tracks each child's attendance times with the child care provider; and calculates the payment to be made for child care services. CCIDS has many subsystems:
- Licensing
- 3299
- Eligibility and Authorization
- Centralized Payments
- Ohio Electronic Child Care
- Provider Portal
- COLTS-SOLAR
- SUTQ
- Outlier Technology-Automated Inspection Tool

**Child Care Center**
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. Child care centers must comply with all rules in OAC Chapter 5101:2-12.

**COLTS**
The Central Office License Tracking System, a web-based system used by state staff to process and manage license applications submitted by child care providers.

**Continuous Licensing**
The child care licensing system used in Ohio, in which licenses do not expire but can be revoked if providers become noncompliant with state laws, rules and policies. Child care facilities undergo regularly scheduled inspections and visits.

**Centralized Payments (CP)**
The integrated statewide system for paying providers. CP stores provider banking, rate and agreement information and receives payment information from the Electronic Child Care system.

**Domains**
Areas of development that occur during the early childhood year and support school readiness strategies.

**Eligibility and Authorization, (EA)** the case management system used to process applications, determine eligibility and authorize services for families receiving publicly funded child care in Ohio.

**Early Childhood Ohio**
A website designed to provide early childhood professionals with the latest resources and updates to promote school readiness for the children of Ohio.

**Family Child Care Homes**
Child care providers that are regulated to provide services to children at their residence (Type A and Type B)..

**Federal Poverty Levels (FPL)**
guidelines set annually by the U.S. Department of Health and Human Services to help determine the incomes at which families may be eligible for public assistance programs.

**Joint Application Design (JAD)**
A process used to collect business requirements while developing new information systems. The JAD process seeks to enhance user participation, expedite development and improve the quality of specifications.

**Market Rate Survey**
A biannual, federally mandated survey conducted by ODJFS in partnership with the Ohio State University Statistical Consulting Service to collect data to determine the appropriate reimbursement rates for publicly funded child care. The rates must be adequate to ensure equal access to child care for families with limited incomes.

**NAEYC**
National Association for the Education of Young Children

**OAC**
Ohio Administrative Code

**OACCP**
Ohio Association of Child Care Providers

**OAKS**
Ohio Administrative Knowledge System

**Ohio Child Care Resource and Referral Association (OCCRRA)**
A statewide membership association for child care resource and referral agencies that provides supports to the early care and education providers.

**ODJFS**
Ohio Department of Job and Family Services

**ODMHA**
Ohio Department of Mental Health and Addiction Services

**ODODD**
Ohio Department of Developmental Disabilities

**Ohio ECC**
Ohio Electronic Child Care

**ORC**
Ohio Revised Code

**PIN**
Personal identification number. Caretakers in the publicly funded child care program choose PIN numbers for their swipe cards so they can record their children's time and attendance in child care.

**POS Device**
Point-of-service device. Each provider that participates in the publicly funded child care program receives a POS device for tracking children's time and attendance.

**Program Integrity**
The degree of compliance, quality and efficiency that exists in a program. In Ohio's child care program, program integrity is achieved through monitoring and fraud control efforts, such as data mining to detect unusual time and attendance patterns that may indicate misuse of the system.

**Publicly Funded Child Care**
Child care reimbursed in whole or part by government funding while parents engage in work or approved school or training activities. In Ohio, to be eligible for publicly funded child care initially, a family's income must not exceed 125 percent of the FPL. After that, families may remain eligible until their income exceeds 200 percent of the FPL.

**PWEB**
The provider-secure website for Ohio Electronic Child Care data and reports.

**Quality**
In child care, the degree to which children are safe, healthy and receive appropriate stimulation. High-quality care settings are responsive; allow children to form secure attachments to nurturing adults; offer engaging, appropriate activities that facilitate healthy growth and development; and either prepare children for school or promote their success in school.

**Child Care Resource and Referral Agencies (CCR&Rs)**
Regional, community based agencies that provide services to families, child care providers, employers and the community.

**RttT ELCG**
Race to the Top – Early Learning Challenge Grant. Ohio was one of nine states in the nation to receive this federal grant, which will provide nearly $70 million to the state over three years to improve school readiness programs for children with high needs.

**Serious Risk Noncompliance**
A failure to follow a law, regulation, rule or policy that results in a great risk of harm to children.

**System for Online Licensing Applications and Requests (SOLAR)**
A web-based system used by administrators at child care centers and Type A Homes to create, store, edit and submit licensing applications to ODJFS.

**Standards**
Minimum quality benchmarks required for child care programs to be licensed, certified or to achieve star ratings in the Step Up To Quality program.

**Step Up To Quality (SUTQ)**
Ohio's quality rating system for care and education programs.

**Type A Home**
A child care setting that also is the permanent residence of the administrator, who may care for seven to 12 children at one time, including any children under 6 who are related to the administrator or to an employee. If four or more children are under 2, four to 12 children may be cared for at one time.

**Type B Home**
A child care setting that also is the permanent residence of the administrator, who may care for one to six children at one time but no more than three children under age 2. If Type B Homes care for children in the publicly funded child care program, they must be certified by a county department of job and family services.

**Web Portal**
In Ohio's child care program, an Internet-based application that allows providers to enter information needed by ODJFS for application processing.

**Workforce Study**
The 2013 study that examined the characteristics of Ohio's early childhood learning and development workforce, including such things as worker diversity, turnover, wages, benefits and education. The study was

funded by Ohio's Early Childhood Advisory Council and conducted by the Ohio Child Care Resource and Referral Association in partnership with the Ohio Education Resource Center and the Strategic Research Group.