

**Ohio Department of Job & Family Services (ODJFS)
Bureau of Child Care Policy & Technical Assistance**

**Provider Technical Assistance Letter 25
Providing Publicly Funded Child Care - Step Up To Quality Exemptions
October 2019 rev. June 2020**

Background

Senate Bill 316 of the 129th General Assembly created Division 5104.31(C) of the Ohio Revised Code (ORC) which states that beginning July 1, 2020, publicly funded child care (PFCC) can only be provided if the provider is a rated Step Up To Quality (SUTQ) program established pursuant to section 5104.29 of the Revised Code. The SUTQ standards are outlined in Chapter 5101:2-17 of the Ohio Administrative Code (OAC).

Effective October 17, 2019, House Bill 166 of the 133rd General Assembly created Division 5104.31(C)(2) ORC to add exemptions from meeting the SUTQ rating requirement.

Effective March 27, 2020, section 5104.31 ORC was revised by Amended Substitute House Bill No. 197 of the 133rd General Assembly to extend the date from July 1 to September 1, 2020.

Actions

Effective October 17, 2019, the following licensed programs are exempt and may provide PFCC without being SUTQ rated:

- A program that operates only during the summer and not more than fifteen consecutive weeks.
- A program that operates only during school breaks (e.g., holidays like Martin Luther King Day, fall/winter/spring breaks and school in-service days).
- A program that operates only on weekday evenings, weekends, or both.
- A program that is in provisional license status.
- A program that had its SUTQ rating removed by ODJFS within the previous twelve months. This includes a program that had its rating reduced to zero.
- A program that has a pending revocation action, but the license has not yet been revoked.

Beginning September 1, 2020, unrated PFCC programs that do not meet one of the exemptions listed above may have their provider agreement and any current authorizations terminated. To avoid a gap in your program's ability to serve children in PFCC, your registration for SUTQ should be submitted as soon as permitted in Chapter 5101:2-17 of the OAC.

Exemptions in Ohio Child Care Licensing and Quality System (OCLQS)

Certain exemptions such as rating removal, provisional license status and a pending revocation are automatically tracked through the OCLQS. To capture the remaining exemptions, questions were added to OCLQS (see below) for applicable programs to self-declare they meet one of the remaining exemptions. These programs should mark “yes” to the corresponding question(s) as a method of communication to ODJFS that their program meets an exemption and can provide PFCC without being SUTQ rated.

- Do you operate a summer only program (for no more than 15 consecutive weeks)?
- Do you operate during school breaks only?
- Do you operate during non-traditional hours (provide care only between 7pm – 6am weekdays and/or 12am Saturday – 6am Monday)?

New programs, in the application for a program license, can answer these questions in the *Program Details* section. The information is sent once the application is submitted.

Currently licensed programs can respond to these questions in the provider portal by clicking *Manage Programs* on their license card, then click on the *Update Program Information* button and finally click the *Update Facility Information* button. Make sure to click submit to send the information.

Contact

If you have any questions about how to enter information into OCLQS, please contact the Child Care Provider Help Desk at 1-877-302-2347, option 1.

If you have any questions about policy and exemptions, please contact the Child Care Policy Help Desk at 1-877-302-2347, option 4.