

5101:2-16-01 **Definitions for eligibility for publicly funded child care benefits.**

~~This rule contains the definitions of terms used in Chapter 5101:2-16 of the Administrative Code.~~

- (A) "~~Absentee~~ Absent day" means any day that a child is authorized to be in the care of the provider, but is not in attendance, and child care would have been provided had the child been present with the ~~child care~~ provider.
- (B) "Activity fee" means a fee charged by the child care provider in addition to normal weekly ~~or daily~~ rates for the purpose of providing special or non routine activities for the children enrolled. Activity fees are considered ~~part of the programmatic costs~~ a business cost of the provider associated with the child care operation.
- (C) "Adult" means an individual who is not a minor child.
- (D) "Border state child care provider" means a child care provider that is licensed, certified, or otherwise approved by that state to provide child care services. A border state child care provider may provide publicly funded child care only to a recipient who resides in an Ohio county that borders the state in which the provider is located.
- (E) "Caretaker" means the father or mother of a child, an adult who has legal custody of a child, an adult who is the guardian of a child, or an adult who stands in loco parentis, as defined in this rule, with respect to a child, ~~pursuant to paragraph (F) of this rule~~, and whose presence in the home is needed as the caretaker of the child. Caretaker has the same meaning as "caretaker parent" as defined in ~~division (E) of~~ section 5104.01 of the Revised Code.
- (F) "Certificate of Authorization for Payment (COAP)" or "certificate" means ~~a certificate~~ the JFS 01140 "Certificate of Authorization for Payment (Rev. 10/2001) (COAP)" that is issued by a county department of job and family services (CDJFS) directly to a caretaker who is eligible to receive child care services, ~~who may~~ The caretaker shall use the certificate only as authorization of payment for to a certified or licensed provider for child care services. ~~The COAP is assistance to the caretaker, not assistance to the provider.~~
- (G) "Child" means an infant, toddler, preschool child, school child or a child eligible for publicly funded child care services in accordance with rule 5101:2-16-30 of the Administrative Code.
- (H) "Child care" means administering to the needs of infants, toddlers, preschool children, and school children outside of school hours by persons other than their

caretaker for any part of the twenty-four hour day. Child care also means child day care as defined in section 5104.01 of the Revised Code.

- (I) "Children in placement" means children whose care has been arranged by a public children services agency (PCSA) or a private child placing agency (PCPA) who has custody of the children.
- (J) "Deposit" means a fee charged by the child care provider prior to the delivery of child care services which may be equivalent to a partial payment of the provider's charge for the provision of one month of child care services or one month's reimbursement at the designated market rate, whichever is lower, and which is necessary to reserve a child's placement with that provider. Deposits shall be applied toward the provider's total reimbursement for the provision of child care services for a family.
- (K) "Eligible provider" means a child care service provider who is eligible to receive public funds in accordance with sections 5104.30 to 5104.39 of the Revised Code and which includes all of the following:
- (1) A licensed child care center~~;~~
 - (2) A licensed type A child care home~~;~~
 - (3) A certified type B child care home~~;~~
 - (4) Certified in-home aides~~;~~
 - (5) Licensed school child care centers~~;~~
 - (6) Licensed preschool programs~~;~~
 - (7) Licensed school child programs~~;~~
 - (8) Approved child day camps~~;~~~~and~~
 - (9) Child day camps accredited by the American Camping Association.
- (L) "Family" ~~for the purpose of child care eligibility,~~ means one or more caretaker(s), ~~pursuant to paragraph (E) of this rule,~~ and all of their minor children who reside in the same household, pursuant to ~~paragraph (A) of~~ rule 5101:2-16-30 of the Administrative Code. Adults other than the caretaker(s) who reside in the same household shall not be included in the family.

(M) "Federal poverty level" means the ~~official~~ poverty guideline as revised annually in accordance with section 673 (2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C. 9902, as amended, for a family size equal to the size of the family of the person whose income is being determined.

~~(N)~~ "Full-time day" means ~~at least five hours up to and including twelve hours of care per day.~~

~~(O)~~(N) "Full-time week" means ~~at least twenty-five hours up to and including sixty hours of care per in a week for licensed child care centers and licensed type A homes, and twenty-five hours to fifty hours of care in a week for certified type B providers.~~

~~(P)~~(O) "Head Start/child care partnership program" means a program that integrates child care and ~~Head Start~~ federally-funded head start services at a single location to provide full- day, full- year services. These services shall meet the child care needs of head start enrolled families receiving who also receive publicly funded child care, services including, Services shall include but are not limited to, components which meet the Head Start head start performance standards and are integrated into programming throughout the day. The partnership program may be located in a child care center, a family child care home, or a Head Start head start center.

~~(Q)~~(P) "Head Start program" means a comprehensive child development program that receives federal funds distributed under the "Head Start Act" 95 Stat. 499 (1981), as amended, or under section 3301.31 of the Revised Code.

~~(R)~~(Q) "Income" means gross income, as defined in rule 5101:2-16-34 of the Administrative Code.

~~(S)~~(R) "Infant" means a child under eighteen months of age.

~~(T)~~(S) "~~Loco~~ In loco parentis" means any adult who is the caretaker of a child(ren), including a relative, foster parent or stepparent, who is charged with the rights, duties and responsibilities of a mother and/or a father and whose presence in the home is needed to perform these rights, duties and responsibilities.

~~(U)~~(T) "Reimbursement ~~ceiling~~ rate " means the maximum reimbursement amount that the CDJFS ~~is eligible to receive from ODJFS~~ may pay a provider for the purchase of child care services.

~~(V)~~(U) "Minor child" means an individual who has not attained age eighteen, or an individual who has not attained age nineteen and is a full-time student in a secondary school or in the equivalent level of vocational or technical training.

(V) "Part-time week" means seven to twenty-four and nine-tenths hours of care in a week.

(W) "Preschool child" means a child who is three years old or older but is not a school child.

(X) "Publicly funded child care" means administering to the child care needs of children of eligible caretakers during any part of the twenty-four hour day by persons other than their caretaker for remuneration wholly or in part with federal or state funds, including Child Care Block Grant funds, distributed by the Ohio department of job and family services.

(Y) "Registration fee" means a fee charged by the child care provider at initial registration that is an amount in addition to the normal weekly or daily rates rate, at initial registration of the child and no more than annually thereafter The CDJFS shall pay this fee once in a twelve-month period.

(Z) "School child" means a child who is enrolled in or is eligible to be enrolled in a grade of kindergarten or above, but who is less than fifteen years old, or who is less than eighteen years old and eligible for special needs or protective child care benefits.

(AA) "Special needs" means providing child care services to a child who is under eighteen years old who does not function according to age appropriate expectations in one or more of the following areas of development: social/emotional, cognitive, communication, perceptual-motor, physical, or behavioral development, or the child has chronic health issues. The child's delays/conditions(s) affect development to the extent that the child requires special adaptations, modified facilities, program adjustments or related services on a regular basis in order to function in an adaptive manner.

(BB) "State median income" means the state median income calculated by the Ohio department of development pursuant to division (A)(1)(g) of section 5709.61 of the Revised Code.

(CC) "Toddler" means a child who is at least eighteen months of age but is less than three years of age.

(DD) A "week" is the seven-day period from 12:00 a.m. Sunday to 11:59 p.m. Saturday.

Effective:

R.C. 119.032 review dates: 04/15/2005

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 5104.34, 5104.38, 5104.30
Rule Amplifies: 5104.01, 5104.30, 5104.34, 5104.38
Prior Effective Dates: 2/11/82, 9/1/86, 5/1/89 (Emer.), 9/28/89, 4/1/90 (Emer.), 6/22/90, 7/1/90 (Emer.), 9/30/90, 5/1/91 (Emer.), 7/29/91, 11/1/91 (Emer.), 1/20/92 , 3/2/92 (Emer.), 7/30/92, 1/1/94. 10/1/97 (Emer.), 12/30/97, 2/22/02, 6/9/03