

\_\_\_\_\_ moved to amend as follows:

In line 8, delete "that is a" 1

In line 9, delete "child care center" 2

In line 37, delete "that is a child care center" 3

Delete lines 61 through 112 4

After line 112, insert: 5

"Sec. 5104.361. (A) As used in this section, "absent day" 6  
means any day that a child is authorized or scheduled to receive 7  
publicly funded child care from a child care provider 8  
participating in the publicly funded child care program, but 9  
does not receive that care as authorized or scheduled. 10

(B) This section establishes standards and procedures for 11  
recording and verifying the attendance of a child who is 12  
receiving publicly funded child care from a child care provider 13  
participating in the publicly funded child care program. In 14  
complying with the standards and procedures described in this 15  
section, the department of children and youth shall not store or 16



capture any photograph or video and may use only a live feed 17  
from the camera system to collect necessary data points to 18  
verify attendance. 19

(C) As soon as practicable after a caretaker parent 20  
applies for publicly funded child care, the department of 21  
children and youth or county department of job and family 22  
services shall collect data points of the parent's child that 23  
are necessary to confirm the child's attendance. The family 24  
shall not receive publicly funded child care until such time as 25  
data points are collected. At least every six months while the 26  
family continues to be eligible for publicly funded child care, 27  
the department or county department collect updated data points 28  
of the child. 29

(D) (1) The department shall provide each child care 30  
provider participating in the publicly funded child care program 31  
an electronic tablet that contains any necessary hardware and 32  
software for recording a child's attendance and for collecting, 33  
at the time the child's attendance is recorded, data points 34  
necessary to confirm attendance. 35

(2) Each participating child care provider shall use the 36  
electronic tablet provided by the department for recording a 37  
child's attendance and for collecting, at the time of the 38  
child's attendance, data points of the child necessary to 39  
confirm attendance. This requirement applies only to the 40  
children who are enrolled with the provider and receiving 41  
publicly funded child care. 42

(3) (a) When recording a child's attendance, a 43  
participating provider may use the child's absent day but only 44  
under one of the following circumstances and with the approval 45  
of the department as described in division (D) (3) (b) of this 46

<u>section:</u>	47
<u>(i) In the case of a school-age child who attends the</u>	48
<u>provider outside of school hours, when the child missed a day or</u>	49
<u>portion of a day for an extracurricular activity associated with</u>	50
<u>the child's enrollment in school and the child's caretaker</u>	51
<u>parent was notified of, and gave approval for, the provider's</u>	52
<u>use of the absent day;</u>	53
<u>(ii) When a weather event or natural disaster occurs on</u>	54
<u>that day;</u>	55
<u>(iii) When the child leaves early for the day due to</u>	56
<u>illness and the child's caretaker parent was notified of, and</u>	57
<u>gave approval for, the provider's use of the absent day.</u>	58
<u>(b) The department has full and complete discretion to</u>	59
<u>approve or deny the use of absent days by providers.</u>	60
<u>(4) The caretaker parent of a child enrolled with a</u>	61
<u>participating child care provider, the provider's administrator</u>	62
<u>or owner, or a child care staff member employed by the provider</u>	63
<u>shall record a child's attendance using the electronic tablet</u>	64
<u>provided by the department as long as the tablet collects data</u>	65
<u>points of the child at the time the child's attendance is</u>	66
<u>recorded. This requirement applies only in the case of a child</u>	67
<u>who is receiving publicly funded child care from the</u>	68
<u>participating provider.</u>	69
<u>(5) The department shall utilize attendance verification</u>	70
<u>software that is capable of converting any live feed provided by</u>	71
<u>an electronic tablet provided under this section into data</u>	72
<u>points to be used in verifying a child's attendance.</u>	73
<u>(E) When recording a child's attendance, the caretaker</u>	74

parent of a child enrolled with a participating child care provider, the administrator or owner of a participating child care provider, or a child care staff member employed by a participating child care provider shall use a password or personal identification number that is unique to the parent, administrator, owner, or child care staff member. 75  
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(F) A participating child care provider shall submit all data for the calculation of payments as follows: 81  
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(1) Attendance data shall be submitted for payment after the close of the service week and not later than fourteen calendar days from the last day of the service week or fourteen calendar days from the last day of the week the authorization is provided to the automated child care system as described in section 5104.32 of the Revised Code, whichever is later; 83  
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(2) Only complete data, meaning days with both an in and out time for the child receiving care, shall be submitted; 89  
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(3) Each school-age child shall have an associated school schedule set by the provider before the child's attendance shall be submitted for payment; 91  
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(4) Changes to attendance data shall be submitted with caretaker parent approval; 94  
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(5) The provider may track attendance or make changes to attendance data in the automated child care system without caretaker parent approval if all of the following apply: 96  
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(a) There has been a loss of contact with the caretaker for five consecutive calendar days from the last day of attendance. 99  
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(b) The provider has notified the county department of job 102

<u>and family services of the loss of contact.</u>	103
<u>(c) The authorization to the provider has been ended.</u>	104
<u>(d) Any new or changed attendance is limited to not more than five consecutive days.</u>	105 106
<u>(6) Once attendance has been submitted, the provider has until the following Saturday to recall the submitted attendance in order to make a change to the attendance data. Any changes made require caretaker approval prior to resubmitting the attendance.</u>	107 108 109 110 111
<u>(7) The department shall begin processing the payment on the Sunday following the submission of the attendance data;</u>	112 113
<u>(8) If the attendance has not been submitted pursuant to the timeline of this section, the department shall automatically process any complete attendance data for payment. No new attendance data shall be submitted after this date.</u>	114 115 116 117
<u>(9) The department shall not pay for a child's attendance submitted by more than one provider for the same date and time.</u>	118 119
<u>(G) Notwithstanding division (F) of this section, a caretaker parent or participating child care provider shall not backdate a child's attendance record unless either of the following is the case:</u>	120 121 122 123
<u>(1) The department approves such backdating due to a documented emergency or extenuating circumstance beyond the parent's or provider's control, including a system outage, natural disaster, or other serious event.</u>	124 125 126 127
<u>(2) The backdating is necessary during the thirty-day period described in division (L) of section 5104.38 of the Revised Code.</u>	128 129 130

(H) (1) A participating child care provider may use digital versions of any attendance compliance that is required. 131  
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(2) A participating child care provider shall not be required to use paper sign-in sheets to record attendance. 133  
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(I) The department, each participating child care provider, and any third-party vendor under contract with the department shall delete data points described in division (B) of this section as soon as practicable after they have been used to verify a child's attendance and the reimbursement period has expired. 135  
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The department, provider, and vendor shall not use data points collected under this section for any purpose other than recording or verifying a child's attendance under the publicly funded child care program. 141  
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Data points collected as described in this section are not public records for purposes of section 149.43 of the Revised Code." 145  
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The motion was \_\_\_\_\_ agreed to.

**SYNOPSIS** 148

**Recording and verifying PFCC attendance** 149

**R.C. 5104.361** 150

Eliminates the requirement that the Department of Children and Youth (DCY) adopt rules establishing certain standards and procedures for recording and verifying publicly funded child 151  
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care (PFCC) attendance and instead codifies those standards,	154
including those addressing the following:	155
(1) Providing and utilizing electronic tablets for	156
purposes of recording attendance;	157
(2) Using unique passwords or pins;	158
(3) Backdating attendance except under specified	159
circumstances;	160
(4) Deleting data points after they have been used to	161
verify attendance;	162
(5) Specifying that data points collected are not public	163
records;	164
(6) Prohibiting paper sign-in sheets and allowing digital	165
versions of any attendance compliance required.	166
Establishes additional standards governing the recording	167
and verifying of PFCC attendance, including:	168
(1) That DCY utilize attendance verification hardware and	169
software;	170
(2) That data points be used to record and verify	171
attendance;	172
(3) That DCY is prohibited from collecting or storing	173
photographs or videos;	174
(4) That DCY or a county department of job and family	175
services collect data points when the child's family applies for	176
PFCC and every six months thereafter while the family remains	177
PFCC eligible;	178
(5) That absent days be used only under certain	179

circumstances with DCY approval and in some cases, parental approval.	180 181
Codifies in statute an existing DCY rule governing the submission of attendance data by participating PFCC providers for use in calculating PFCC payments, but reduces the timeline by which such data must be submitted from 30 days to 14 days.	182 183 184 185
Specifies that its provisions apply only to children receiving PFCC.	186 187
<b>Child care providers</b>	188
<b>R.C. 5104.303 and 5104.361</b>	189
Expands the bill's application from only child care centers to include all child care providers participating in PFCC (licensed family child care homes, in-home aides, child day camps, licensed preschool programs, and licensed school child programs).	190 191 192 193 194