

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 602**

**Representatives Fowler Arthur, McClain**

**Cosponsors: Representatives Barhorst, Claggett, Click, Dean, Ferguson, Gross,  
Holmes, John, Johnson, Kick, King, Klopfenstein, Lear, Stein, Stoltzfus,  
Swearingen, Wiggam, Williams, Willis**

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**A BILL**

To amend sections 5104.01, 5104.02, and 5104.38 and 1  
to enact sections 303.215 and 519.215 of the 2  
Revised Code to exempt home education groups 3  
from child care regulations, county and township 4  
zoning regulations, and to amend the versions of 5  
sections 5104.01, 5104.02, and 5104.38 of the 6  
Revised Code that are scheduled to take effect 7  
on January 1, 2025, to continue the change on 8  
and after that date. 9

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 5104.01, 5104.02, and 5104.38 be 10  
amended and sections 303.215 and 519.215 of the Revised Code be 11  
enacted to read as follows: 12

**Sec. 303.215.** (A) Except as provided in division (B) of 13  
this section, sections 303.01 to 303.25 of the Revised Code do 14  
not confer on any county rural zoning commission, board of 15  
county commissioners, or board of zoning appeals the authority 16  
to prohibit or restrict the location of a home education 17

learning pod, as defined in section 5104.01 of the Revised Code, 18  
in any district or zone in the county. 19

(B) Division (A) of this section does not limit the 20  
authority of a county rural zoning commission, board of county 21  
commissioners, or board of zoning appeals to require that a 22  
building or residence used by a home education learning pod 23  
comply with zoning requirements that would otherwise apply to 24  
the building or residence if it was not associated with or used 25  
by a home education learning pod. 26

**Sec. 519.215.** (A) Except as provided in division (B) of 27  
this section, sections 519.01 to 519.25 of the Revised Code do 28  
not confer on any township zoning commission, board of township 29  
trustees, or board of zoning appeals the authority to prohibit 30  
or restrict the location of a home education learning pod, as 31  
defined in section 5104.01 of the Revised Code, in any district 32  
or zone in the township. 33

(B) Division (A) of this section does not limit the 34  
authority of a township zoning commission, board of township 35  
trustees, or board of zoning appeals to require that a building 36  
or residence used by a home education learning pod comply with 37  
zoning requirements that would otherwise apply to the building 38  
or residence if it was not associated with or used by a home 39  
education learning pod. 40

**Sec. 5104.01.** As used in this chapter: 41

(A) "Administrator" means the person responsible for the 42  
daily operation of a center, type A home, or approved child day 43  
camp. The administrator and the owner may be the same person. 44

(B) "Approved child day camp" means a child day camp 45  
approved pursuant to section 5104.22 of the Revised Code. 46

(C) "Authorized representative" means an individual 47  
employed by a center, type A home, or approved child day camp 48  
that is owned by a person other than an individual and who is 49  
authorized by the owner to do all of the following: 50

(1) Communicate on the owner's behalf; 51

(2) Submit on the owner's behalf applications for 52  
licensure or approval; 53

(3) Enter into on the owner's behalf provider agreements 54  
for publicly funded child care. 55

(D) "Border state child care provider" means a child care 56  
provider that is located in a state bordering Ohio and that is 57  
licensed, certified, or otherwise approved by that state to 58  
provide child care funded by the child care block grant act. 59

(E) "Career pathways model" means an alternative pathway 60  
to meeting the requirements to be a child care staff member or 61  
administrator that does both of the following: 62

(1) Uses a framework approved by the director of job and 63  
family services to document formal education, training, 64  
experience, and specialized credentials and certifications; 65

(2) Allows the child care staff member or administrator to 66  
achieve a designation as an early childhood professional level 67  
one, two, three, four, five, or six. 68

(F) "Caretaker parent" means the father or mother of a 69  
child whose presence in the home is needed as the caretaker of 70  
the child, a person who has legal custody of a child and whose 71  
presence in the home is needed as the caretaker of the child, a 72  
guardian of a child whose presence in the home is needed as the 73  
caretaker of the child, and any other person who stands in loco 74

parentis with respect to the child and whose presence in the 75  
home is needed as the caretaker of the child. 76

(G) "Chartered nonpublic school" means a school that meets 77  
standards for nonpublic schools prescribed by the director of 78  
education and workforce for nonpublic schools pursuant to 79  
section 3301.07 of the Revised Code. 80

(H) "Child" includes an infant, toddler, preschool-age 81  
child, or school-age child. 82

(I) "Child care block grant act" means the "Child Care and 83  
Development Block Grant Act of 2014," 128 Stat. 1971 (2014), 42 84  
U.S.C. 9858, as amended. 85

(J) "Child day camp" means a program in which only school- 86  
age children attend or participate, that operates for no more 87  
than twelve hours per day and no more than fifteen weeks during 88  
the summer. For purposes of this division, the maximum twelve 89  
hours of operation time does not include transportation time 90  
from a child's home to a child day camp and from a child day 91  
camp to a child's home. 92

(K) "Child care" means all of the following: 93

(1) Administering to the needs of infants, toddlers, 94  
preschool-age children, and school-age children outside of 95  
school hours; 96

(2) By persons other than their parents, guardians, or 97  
custodians; 98

(3) For part of the twenty-four-hour day; 99

(4) In a place other than a child's own home, except that 100  
an in-home aide provides child care in the child's own home; 101

(5) By a provider required by this chapter to be licensed 102  
or approved by the department of job and family services, 103  
certified by a county department of job and family services, or 104  
under contract with the department to provide publicly funded 105  
child care as described in section 5104.32 of the Revised Code. 106

(L) "Child care center" and "center" mean any place that 107  
is not the permanent residence of the licensee or administrator 108  
in which child care or publicly funded child care is provided 109  
for seven or more children at one time. "Child care center" and 110  
"center" do not include any of the following: 111

(1) A place located in and operated by a hospital, as 112  
defined in section 3727.01 of the Revised Code, in which the 113  
needs of children are administered to, if all the children whose 114  
needs are being administered to are monitored under the on-site 115  
supervision of a physician licensed under Chapter 4731. of the 116  
Revised Code or a registered nurse licensed under Chapter 4723. 117  
of the Revised Code, and the services are provided only for 118  
children who, in the opinion of the child's parent, guardian, or 119  
custodian, are exhibiting symptoms of a communicable disease or 120  
other illness or are injured; 121

(2) A child day camp; 122

(3) A place that provides care, if all of the following 123  
apply: 124

(a) An organized religious body provides the care; 125

(b) A parent, custodian, or guardian of at least one child 126  
receiving care is on the premises and readily accessible at all 127  
times; 128

(c) The care is not provided for more than thirty days a 129  
year; 130

(d) The care is provided only for preschool-age and school-age children.	131 132
(M) "Child care resource and referral service organization" means a community-based nonprofit organization that provides child care resource and referral services but not child care.	133 134 135 136
(N) "Child care resource and referral services" means all of the following services:	137 138
(1) Maintenance of a uniform data base of all child care providers in the community that are in compliance with this chapter, including current occupancy and vacancy data;	139 140 141
(2) Provision of individualized consumer education to families seeking child care;	142 143
(3) Provision of timely referrals of available child care providers to families seeking child care;	144 145
(4) Recruitment of child care providers;	146
(5) Assistance in developing, conducting, and disseminating training for child care professionals and provision of technical assistance to current and potential child care providers, employers, and the community;	147 148 149 150
(6) Collection and analysis of data on the supply of and demand for child care in the community;	151 152
(7) Technical assistance concerning locally, state, and federally funded child care and early childhood education programs;	153 154 155
(8) Stimulation of employer involvement in making child care more affordable, more available, safer, and of higher	156 157

quality for their employees and for the community;	158
(9) Provision of written educational materials to	159
caretaker parents and informational resources to child care	160
providers;	161
(10) Coordination of services among child care resource	162
and referral service organizations to assist in developing and	163
maintaining a statewide system of child care resource and	164
referral services if required by the department of job and	165
family services;	166
(11) Cooperation with the county department of job and	167
family services in encouraging the establishment of parent	168
cooperative child care centers and parent cooperative type A	169
family child care homes.	170
(O) "Child care staff member" means an employee of a child	171
care center, type A family child care home, licensed type B	172
family child care home, or approved child day camp who is	173
primarily responsible for the care and supervision of children.	174
The administrator, authorized representative, or owner may be a	175
child care staff member when not involved in other duties.	176
(P) "Drop-in child care center," "drop-in center," "drop-	177
in type A family child care home," and "drop-in type A home"	178
mean a center or type A home that provides child care or	179
publicly funded child care for children on a temporary,	180
irregular basis.	181
(Q) "Employee" means a person who either:	182
(1) Receives compensation for duties performed in a child	183
care center, type A family child care home, licensed type B	184
family child care home, or approved child day camp;	185

(2) Is assigned specific working hours or duties in a 186  
child care center, type A family child care home, licensed type 187  
B family child care home, or approved child day camp. 188

(R) "Employer" means a person, firm, institution, 189  
organization, or agency that operates a child care center, type 190  
A family child care home, licensed type B family child care 191  
home, or approved child day camp subject to licensure or 192  
approval under this chapter. 193

(S) "Federal poverty line" means the official poverty 194  
guideline as revised annually in accordance with section 673(2) 195  
of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 196  
511, 42 U.S.C. 9902, as amended, for a family size equal to the 197  
size of the family of the person whose income is being 198  
determined. 199

(T) "Head start program" means a school-readiness program 200  
that satisfies all of the following: 201

(1) Is for children from birth to age five who are from 202  
low-income families; 203

(2) Receives funds distributed under the "Improving Head 204  
Start for School-Readiness Act of 2007," 42 U.S.C. 9831, as 205  
amended; 206

(3) Is licensed as a child care program. 207

(U) "Home education" has the same meaning as in section 208  
3321.042 of the Revised Code. 209

(V) "Home education learning pod" means a voluntary 210  
association of parents who direct their children's education 211  
through home education and includes the following 212  
characteristics: 213



(1) The parents choose to group their children together in 214  
a home or other location at various times, which may include 215  
hours when home education is not provided. 216

(2) The pod includes only the parents' children who are 217  
receiving home education, except that it also may include 218  
siblings of those children, or other children who are under the 219  
care of the parents, regardless of age. 220

(3) At least one parent of any of the children 221  
participating in the pod must be on the premises while the pod 222  
is meeting. 223

(W) "Homeless child care" means child care provided to a 224  
child who satisfies any of the following: 225

(1) Is homeless as defined in 42 U.S.C. 11302; 226

(2) Is a homeless child or youth as defined in 42 U.S.C. 227  
11434a; 228

(3) Resides temporarily with a caretaker in a facility 229  
providing emergency shelter for homeless families or is 230  
determined by a county department of job and family services to 231  
be homeless. 232

~~(V)~~ (X) "Income" means gross income, as defined in section 233  
5107.10 of the Revised Code, less any amounts required by 234  
federal statutes or regulations to be disregarded. 235

~~(W)~~ (Y) "Indicator checklist" means an inspection tool, 236  
used in conjunction with an instrument-based program monitoring 237  
information system, that contains selected licensing 238  
requirements that are statistically reliable indicators or 239  
predictors of a child care center's, type A family child care 240  
home's, or licensed type B family child care home's compliance 241

with licensing requirements.	242
<del>(X)</del> <u>(Z)</u> "Infant" means a child who is less than eighteen months of age.	243 244
<del>(Y)</del> <u>(AA)</u> "In-home aide" means a person who does not reside with the child but provides care in the child's home and is certified by a county director of job and family services pursuant to section 5104.12 of the Revised Code to provide publicly funded child care to a child in a child's own home pursuant to this chapter and any rules adopted under it.	245 246 247 248 249 250
<del>(Z)</del> <u>(BB)</u> "Instrument-based program monitoring information system" means a method to assess compliance with licensing requirements for child care centers, type A family child care homes, and licensed type B family child care homes in which each licensing requirement is assigned a weight indicative of the relative importance of the requirement to the health, growth, and safety of the children that is used to develop an indicator checklist.	251 252 253 254 255 256 257 258
<del>(AA)</del> <u>(CC)</u> "License capacity" means the maximum number in each age category of children who may be cared for in a child care center, type A family child care home, or licensed type B family child care home at one time as determined by the director of job and family services considering building occupancy limits established by the department of commerce, amount of available indoor floor space and outdoor play space, and amount of available play equipment, materials, and supplies.	259 260 261 262 263 264 265 266
<del>(BB)</del> <u>(DD)</u> "Licensed child care program" means any of the following:	267 268
(1) A child care center licensed by the department of job and family services pursuant to this chapter;	269 270

(2) A type A family child care home or type B family child care home licensed by the department of job and family services pursuant to this chapter; 271  
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(3) A licensed preschool program or licensed school child program. 274  
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~~(CC)~~ (EE) "Licensed preschool program" or "licensed school child program" means a preschool program or school child program, as defined in section 3301.52 of the Revised Code, that is licensed by the department of education and workforce pursuant to sections 3301.52 to 3301.59 of the Revised Code. 276  
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~~(DD)~~ (FF) "Licensed type B family child care home" and "licensed type B home" mean a type B family child care home for which there is a valid license issued by the director of job and family services pursuant to section 5104.03 of the Revised Code. 281  
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~~(EE)~~ (GG) "Licensee" means the owner of a child care center, type A family child care home, or type B family child care home that is licensed pursuant to this chapter and who is responsible for ensuring compliance with this chapter and rules adopted pursuant to this chapter. 285  
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~~(FF)~~ (HH) "Operate a child day camp" means to operate, establish, manage, conduct, or maintain a child day camp. 290  
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~~(GG)~~ (II) "Owner" includes a person, as defined in section 1.59 of the Revised Code, or government entity. 292  
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~~(HH)~~ (JJ) "Parent cooperative child care center," "parent cooperative center," "parent cooperative type A family child care home," and "parent cooperative type A home" mean a corporation or association organized for providing educational services to the children of members of the corporation or association, without gain to the corporation or association as 294  
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an entity, in which the services of the corporation or 300  
association are provided only to children of the members of the 301  
corporation or association, ownership and control of the 302  
corporation or association rests solely with the members of the 303  
corporation or association, and at least one parent-member of 304  
the corporation or association is on the premises of the center 305  
or type A home during its hours of operation. 306

~~(II)~~ (KK) "Part-time child care center," "part-time 307  
center," "part-time type A family child care home," and "part- 308  
time type A home" mean a center or type A home that provides 309  
child care or publicly funded child care for not more than four 310  
hours a day for any child or not more than fifteen consecutive 311  
weeks per year, regardless of the number of hours per day. 312

~~(JJ)~~ (LL) "Place of worship" means a building where 313  
activities of an organized religious group are conducted and 314  
includes the grounds and any other buildings on the grounds used 315  
for such activities. 316

~~(KK)~~ (MM) "Preschool-age child" means a child who is three 317  
years old or older but is not a school-age child. 318

~~(LL)~~ (NN) "Protective child care" means publicly funded 319  
child care for the direct care and protection of a child to whom 320  
all of the following apply: 321

(1) A case plan has been prepared and maintained for the 322  
child pursuant to section 2151.412 of the Revised Code. 323

(2) The case plan indicates a need for protective care. 324

(3) The child resides with a parent, stepparent, guardian, 325  
or another person who stands in loco parentis as defined in 326  
rules adopted under section 5104.38 of the Revised Code. 327

~~(MM)~~ (OO) "Publicly funded child care" means administering 328  
to the needs of infants, toddlers, preschool-age children, and 329  
school-age children under age thirteen during any part of the 330  
twenty-four-hour day by persons other than their caretaker 331  
parents for remuneration wholly or in part with federal or state 332  
funds, including funds available under the child care block 333  
grant act, Title IV-A, and Title XX, distributed by the 334  
department of job and family services. 335

~~(NN)~~ (PP) "Religious activities" means any of the 336  
following: worship or other religious services; religious 337  
instruction; Sunday school classes or other religious classes 338  
conducted during or prior to worship or other religious 339  
services; youth or adult fellowship activities; choir or other 340  
musical group practices or programs; meals; festivals; or 341  
meetings conducted by an organized religious group. 342

~~(OO)~~ (QQ) "School-age child" means a child who is enrolled 343  
in or is eligible to be enrolled in a grade of kindergarten or 344  
above but is less than fifteen years old or, in the case of a 345  
child who is receiving special needs child care, is less than 346  
eighteen years old. 347

~~(PP)~~ (RR) "Serious risk noncompliance" means a licensure 348  
or certification rule violation that leads to a great risk of 349  
harm to, or death of, a child, and is observable, not inferable. 350

~~(QQ)~~ (SS) "Special needs child care" means child care 351  
provided to a child who is less than eighteen years of age and 352  
either has one or more chronic health conditions or does not 353  
meet age appropriate expectations in one or more areas of 354  
development, including social, emotional, cognitive, 355  
communicative, perceptual, motor, physical, and behavioral 356  
development and that may include on a regular basis such 357

services, adaptations, modifications, or adjustments needed to 358  
assist in the child's function or development. 359

~~(RR)~~ (TT) "Title IV-A" means Title IV-A of the "Social 360  
Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended. 361

~~(SS)~~ (UU) "Title XX" means Title XX of the "Social 362  
Security Act," 88 Stat. 2337 (1974), 42 U.S.C. 1397, as amended. 363

~~(TT)~~ (VV) "Toddler" means a child who is at least eighteen 364  
months of age but less than three years of age. 365

~~(UU)~~ (WW) "Type A family child care home" and "type A 366  
home" mean the permanent residence of the administrator in which 367  
child care or publicly funded child care is provided for seven 368  
to twelve children at one time or a permanent residence of the 369  
administrator in which child care is provided for four to twelve 370  
children at one time if four or more children at one time are 371  
under two years of age. In counting children for the purposes of 372  
this division, any children under six years of age who are 373  
related to a licensee, administrator, or employee and who are on 374  
the premises of the type A home shall be counted. "Type A family 375  
child care home" and "type A home" do not include any child day 376  
camp. 377

~~(VV)~~ (XX) "Type B family child care home" and "type B 378  
home" mean a permanent residence of the provider in which care 379  
is provided for one to six children at one time and in which no 380  
more than three children are under two years of age at one time. 381  
In counting children for the purposes of this division, any 382  
children under six years of age who are related to the provider 383  
and who are on the premises of the type B home shall be counted. 384  
"Type B family child care home" and "type B home" do not include 385  
any child day camp. 386

**Sec. 5104.02.** (A) The director of job and family services 387  
is responsible for licensing child care centers, type A family 388  
child care homes, and type B family child care homes. Each 389  
entity operating a head start program shall meet the criteria 390  
for, and be licensed as, a child care center. The director is 391  
responsible for the enforcement of this chapter and of rules 392  
promulgated pursuant to this chapter. 393

No person, firm, organization, institution, or agency 394  
shall operate, establish, manage, conduct, or maintain a child 395  
care center or type A family child care home without a license 396  
issued under section 5104.03 of the Revised Code. The current 397  
license shall be posted in the center or home in a conspicuous 398  
place that is accessible to parents, custodians, or guardians 399  
and employees of the center or home at all times when the center 400  
or home is in operation. 401

(B) A person, firm, institution, organization, or agency 402  
operating any of the following programs is exempt from the 403  
requirements of this chapter: 404

(1) A program caring for children that operates for two 405  
consecutive weeks or less and not more than six weeks total in 406  
each calendar year; 407

(2) Caring for children in places of worship during 408  
religious activities while at least one parent, guardian, or 409  
custodian of each child is participating in such activities and 410  
is readily available; 411

(3) Supervised training, instruction, or activities of 412  
children in specific areas, including, but not limited to: art; 413  
drama; dance; music; athletic skills or sports; computers; or an 414  
educational subject conducted on an organized or periodic basis 415

that a child does not attend for more than eight total hours per week; 416  
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(4) Programs in which the director determines that at 418  
least one parent, custodian, or guardian of each child is on the 419  
premises of the facility that offers care and is readily 420  
accessible at all times and care is not provided for more than 421  
two and one-half hours a day per child; 422

(5) Programs that provide care and are regulated by state 423  
departments other than the department of job and family services 424  
or the department of education and workforce. 425

(6) Any preschool program or school child program, except 426  
a head start program, that is subject to licensure by the 427  
department of education and workforce under sections 3301.52 to 428  
3301.59 of the Revised Code. 429

(7) Any program providing care that meets all of the 430  
following requirements and, on October 20, 1987, was being 431  
operated by a nonpublic school that holds a charter issued under 432  
section 3301.16 of the Revised Code for kindergarten only: 433

(a) The nonpublic school has given the notice to the state 434  
board of education and the director of job and family services 435  
required by Section 4 of Substitute House Bill No. 253 of the 436  
117th general assembly; 437

(b) The nonpublic school continues to be chartered by the 438  
department of education and workforce for kindergarten, or 439  
receives and continues to hold a charter from the department for 440  
kindergarten through grade five; 441

(c) The program is conducted in a school building; 442

(d) The program is operated in accordance with rules 443



promulgated by the department of education and workforce under 444  
section 3301.53 of the Revised Code. 445

(8) A youth development program operated outside of school 446  
hours to which all of the following apply: 447

(a) The children enrolled in the program are under 448  
nineteen years of age and enrolled in or eligible to be enrolled 449  
in a grade of kindergarten or above. 450

(b) The program provides informal care, which is care that 451  
does not require parental signature, permission, or notice for 452  
the child receiving the care to enter or leave the program. 453

(c) The program provides any of the following supervised 454  
activities: educational, recreational, culturally enriching, 455  
social, and personal development activities. 456

(d) The entity operating the program is exempt from 457  
federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3). 458

(9) A program caring for children that is operated by a 459  
nonchartered, nontax-supported school if the program meets all 460  
of the following conditions: 461

(a) The program complies with state and local health, 462  
fire, and safety laws. 463

(b) The program annually certifies in a report to the 464  
children's parents that the program is in compliance with 465  
division (B)(9)(a) of this section and files a copy of the 466  
report with the department of job and family services on or 467  
before the thirtieth day of September of each year. 468

(c) The program complies with all applicable reporting 469  
requirements in the same manner as required by the department of 470  
education and workforce for nonchartered, nonpublic primary and 471

secondary schools. 472

(d) The program is associated with a nonchartered, nontax- 473  
supported primary or secondary school. 474

(10) A program that provides activities for children who 475  
are five years of age or older and is operated by a county, 476  
township, municipal corporation, township park district created 477  
under section 511.18 of the Revised Code, park district created 478  
under section 1545.04 of the Revised Code, or joint recreation 479  
district established under section 755.14 of the Revised Code. 480

(11) A home education learning pod. 481

**Sec. 5104.38.** In addition to any other rules adopted under 482  
this chapter, the director of job and family services shall 483  
adopt rules in accordance with Chapter 119. of the Revised Code 484  
governing financial and administrative requirements for publicly 485  
funded child care and establishing all of the following: 486

(A) Procedures and criteria to be used in making 487  
determinations of eligibility for publicly funded child care 488  
that give priority to children of families with lower incomes 489  
and procedures and criteria for eligibility for publicly funded 490  
protective child care or homeless child care. The rules shall 491  
specify the maximum amount of income a family may have for 492  
initial and continued eligibility. The maximum amount shall not 493  
exceed three hundred per cent of the federal poverty line. The 494  
rules may specify exceptions to the eligibility requirements in 495  
the case of a family that previously received publicly funded 496  
child care and is seeking to have the child care reinstated 497  
after the family's eligibility was terminated. 498

(B) Procedures under which an applicant for publicly 499  
funded child care may receive publicly funded child care while 500

the county department of job and family services determines 501  
eligibility and under which a child care provider may appeal a 502  
denial of payment under division (A) (2) (b) of section 5104.34 of 503  
the Revised Code; 504

(C) A schedule of fees requiring all eligible caretaker 505  
parents to pay a fee for publicly funded child care according to 506  
income and family size, which shall be uniform for all types of 507  
publicly funded child care, except as authorized by rule, and, 508  
to the extent permitted by federal law, shall permit the use of 509  
state and federal funds to pay the customary deposits and other 510  
advance payments that a provider charges all children who 511  
receive child care from that provider. 512

(D) A formula for determining the amount of state and 513  
federal funds appropriated for publicly funded child care that 514  
may be allocated to a county department to use for 515  
administrative purposes; 516

(E) Procedures to be followed by the department and county 517  
departments in recruiting individuals and groups to become 518  
providers of child care; 519

(F) Procedures to be followed in establishing state or 520  
local programs designed to assist individuals who are eligible 521  
for publicly funded child care in identifying the resources 522  
available to them and to refer the individuals to appropriate 523  
sources to obtain child care; 524

(G) Procedures to deal with fraud and abuse committed by 525  
either recipients or providers of publicly funded child care; 526

(H) Procedures for establishing a child care grant or loan 527  
program in accordance with the child care block grant act; 528

(I) Standards and procedures for applicants to apply for 529

grants and loans, and for the department to make grants and	530
loans;	531
(J) A definition of "person who stands in loco parentis"	532
for the purposes of division <del>(LL) (3)</del> <u>(NN) (3)</u> of section 5104.01	533
of the Revised Code;	534
(K) Procedures for a county department of job and family	535
services to follow in making eligibility determinations and	536
redeterminations for publicly funded child care available	537
through telephone, computer, and other means at locations other	538
than the county department;	539
(L) If the director establishes a different reimbursement	540
rate under division (E) (3) (d) of section 5104.30 of the Revised	541
Code, standards and procedures for determining the amount of the	542
higher payment that is to be issued to a child care provider	543
based on the special needs of the child being served;	544
(M) To the extent permitted by federal law, procedures for	545
paying for up to thirty days of child care for a child whose	546
caretaker parent is seeking employment, taking part in	547
employment orientation activities, or taking part in activities	548
in anticipation of enrolling in or attending an education or	549
training program or activity, if the employment or the education	550
or training program or activity is expected to begin within the	551
thirty-day period;	552
(N) Any other rules necessary to carry out sections	553
5104.30 to 5104.43 of the Revised Code.	554
<b>Section 2.</b> That existing sections 5104.01, 5104.02, and	555
5104.38 of the Revised Code are hereby repealed.	556
<b>Section 3.</b> That the versions of sections 5104.01, 5104.02,	557
and 5104.38 of the Revised Code that are scheduled to take	558

effect January 1, 2025, be amended to read as follows:	559
<b>Sec. 5104.01.</b> As used in this chapter:	560
(A) "Administrator" means the person responsible for the daily operation of a center, type A home, or approved child day camp. The administrator and the owner may be the same person.	561 562 563
(B) "Approved child day camp" means a child day camp approved pursuant to section 5104.22 of the Revised Code.	564 565
(C) "Authorized representative" means an individual employed by a center, type A home, or approved child day camp that is owned by a person other than an individual and who is authorized by the owner to do all of the following:	566 567 568 569
(1) Communicate on the owner's behalf;	570
(2) Submit on the owner's behalf applications for licensure or approval;	571 572
(3) Enter into on the owner's behalf provider agreements for publicly funded child care.	573 574
(D) "Border state child care provider" means a child care provider that is located in a state bordering Ohio and that is licensed, certified, or otherwise approved by that state to provide child care funded by the child care block grant act.	575 576 577 578
(E) "Career pathways model" means an alternative pathway to meeting the requirements to be a child care staff member or administrator that does both of the following:	579 580 581
(1) Uses a framework approved by the director of children and youth to document formal education, training, experience, and specialized credentials and certifications;	582 583 584
(2) Allows the child care staff member or administrator to	585

achieve a designation as an early childhood professional level 586  
one, two, three, four, five, or six. 587

(F) "Caretaker parent" means the father or mother of a 588  
child whose presence in the home is needed as the caretaker of 589  
the child, a person who has legal custody of a child and whose 590  
presence in the home is needed as the caretaker of the child, a 591  
guardian of a child whose presence in the home is needed as the 592  
caretaker of the child, and any other person who stands in loco 593  
parentis with respect to the child and whose presence in the 594  
home is needed as the caretaker of the child. 595

(G) "Chartered nonpublic school" means a school that meets 596  
standards for nonpublic schools prescribed by the director of 597  
education and workforce for nonpublic schools pursuant to 598  
section 3301.07 of the Revised Code. 599

(H) "Child" includes an infant, toddler, preschool-age 600  
child, or school-age child. 601

(I) "Child care block grant act" means the "Child Care and 602  
Development Block Grant Act of 2014," 128 Stat. 1971 (2014), 42 603  
U.S.C. 9858, as amended. 604

(J) "Child day camp" means a program in which only school- 605  
age children attend or participate, that operates for no more 606  
than twelve hours per day and no more than fifteen weeks during 607  
the summer. For purposes of this division, the maximum twelve 608  
hours of operation time does not include transportation time 609  
from a child's home to a child day camp and from a child day 610  
camp to a child's home. 611

(K) "Child care" means all of the following: 612

(1) Administering to the needs of infants, toddlers, 613  
preschool-age children, and school-age children outside of 614

school hours;	615
(2) By persons other than their parents, guardians, or custodians;	616 617
(3) For part of the twenty-four-hour day;	618
(4) In a place other than a child's own home, except that an in-home aide provides child care in the child's own home;	619 620
(5) By a provider required by this chapter to be licensed or approved by the department of children and youth, certified by a county department of job and family services, or under contract with the department to provide publicly funded child care as described in section 5104.32 of the Revised Code.	621 622 623 624 625
(L) "Child care center" and "center" mean any place that is not the permanent residence of the licensee or administrator in which child care or publicly funded child care is provided for seven or more children at one time. "Child care center" and "center" do not include any of the following:	626 627 628 629 630
(1) A place located in and operated by a hospital, as defined in section 3727.01 of the Revised Code, in which the needs of children are administered to, if all the children whose needs are being administered to are monitored under the on-site supervision of a physician licensed under Chapter 4731. of the Revised Code or a registered nurse licensed under Chapter 4723. of the Revised Code, and the services are provided only for children who, in the opinion of the child's parent, guardian, or custodian, are exhibiting symptoms of a communicable disease or other illness or are injured;	631 632 633 634 635 636 637 638 639 640
(2) A child day camp;	641
(3) A place that provides care, if all of the following	642

apply:	643
(a) An organized religious body provides the care;	644
(b) A parent, custodian, or guardian of at least one child receiving care is on the premises and readily accessible at all times;	645 646 647
(c) The care is not provided for more than thirty days a year;	648 649
(d) The care is provided only for preschool-age and school-age children.	650 651
(M) "Child care resource and referral service organization" means a community-based nonprofit organization that provides child care resource and referral services but not child care.	652 653 654 655
(N) "Child care resource and referral services" means all of the following services:	656 657
(1) Maintenance of a uniform data base of all child care providers in the community that are in compliance with this chapter, including current occupancy and vacancy data;	658 659 660
(2) Provision of individualized consumer education to families seeking child care;	661 662
(3) Provision of timely referrals of available child care providers to families seeking child care;	663 664
(4) Recruitment of child care providers;	665
(5) Assistance in developing, conducting, and disseminating training for child care professionals and provision of technical assistance to current and potential child care providers, employers, and the community;	666 667 668 669



(6) Collection and analysis of data on the supply of and demand for child care in the community;	670 671
(7) Technical assistance concerning locally, state, and federally funded child care and early childhood education programs;	672 673 674
(8) Stimulation of employer involvement in making child care more affordable, more available, safer, and of higher quality for their employees and for the community;	675 676 677
(9) Provision of written educational materials to caretaker parents and informational resources to child care providers;	678 679 680
(10) Coordination of services among child care resource and referral service organizations to assist in developing and maintaining a statewide system of child care resource and referral services if required by the department of children and youth;	681 682 683 684 685
(11) Cooperation with the county department of job and family services in encouraging the establishment of parent cooperative child care centers and parent cooperative type A family child care homes.	686 687 688 689
(O) "Child care staff member" means an employee of a child care center, type A family child care home, licensed type B family child care home, or approved child day camp who is primarily responsible for the care and supervision of children. The administrator, authorized representative, or owner may be a child care staff member when not involved in other duties.	690 691 692 693 694 695
(P) "Drop-in child care center," "drop-in center," "drop-in type A family child care home," and "drop-in type A home" mean a center or type A home that provides child care or	696 697 698

publicly funded child care for children on a temporary, 699  
irregular basis. 700

(Q) "Employee" means a person who either: 701

(1) Receives compensation for duties performed in a child 702  
care center, type A family child care home, licensed type B 703  
family child care home, or approved child day camp; 704

(2) Is assigned specific working hours or duties in a 705  
child care center, type A family child care home, licensed type 706  
B family child care home, or approved child day camp. 707

(R) "Employer" means a person, firm, institution, 708  
organization, or agency that operates a child care center, type 709  
A family child care home, licensed type B family child care 710  
home, or approved child day camp subject to licensure or 711  
approval under this chapter. 712

(S) "Federal poverty line" means the official poverty 713  
guideline as revised annually in accordance with section 673(2) 714  
of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 715  
511, 42 U.S.C. 9902, as amended, for a family size equal to the 716  
size of the family of the person whose income is being 717  
determined. 718

(T) "Head start program" means a school-readiness program 719  
that satisfies all of the following: 720

(1) Is for children from birth to age five who are from 721  
low-income families; 722

(2) Receives funds distributed under the "Improving Head 723  
Start for School-Readiness Act of 2007," 42 U.S.C. 9831, as 724  
amended; 725

(3) Is licensed as a child care program. 726

(U) "Home education" has the same meaning as in section 3321.042 of the Revised Code. 727  
728

(V) "Home education learning pod" means a voluntary association of parents who direct their children's education through home education and includes the following characteristics: 729  
730  
731  
732

(1) The parents choose to group their children together in a home or other location at various times, which may include hours when home education is not provided. 733  
734  
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(2) The pod includes only the parents' children who are receiving home education, except that it also may include siblings of those children, or other children who are under the care of the parents, regardless of age. 736  
737  
738  
739

(3) At least one parent of any of the children participating in the pod must be on the premises while the pod is meeting. 740  
741  
742

(W) "Homeless child care" means child care provided to a child who satisfies any of the following: 743  
744

(1) Is homeless as defined in 42 U.S.C. 11302; 745

(2) Is a homeless child or youth as defined in 42 U.S.C. 11434a; 746  
747

(3) Resides temporarily with a caretaker in a facility providing emergency shelter for homeless families or is determined by a county department of job and family services to be homeless. 748  
749  
750  
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~~(V)~~(X) "Income" means gross income, as defined in section 5107.10 of the Revised Code, less any amounts required by federal statutes or regulations to be disregarded. 752  
753  
754

~~(W)~~ (Y) "Indicator checklist" means an inspection tool, 755  
used in conjunction with an instrument-based program monitoring 756  
information system, that contains selected licensing 757  
requirements that are statistically reliable indicators or 758  
predictors of a child care center's, type A family child care 759  
home's, or licensed type B family child care home's compliance 760  
with licensing requirements. 761

~~(X)~~ (Z) "Infant" means a child who is less than eighteen 762  
months of age. 763

~~(Y)~~ (AA) "In-home aide" means a person who does not reside 764  
with the child but provides care in the child's home and is 765  
certified by a county director of job and family services 766  
pursuant to section 5104.12 of the Revised Code to provide 767  
publicly funded child care to a child in a child's own home 768  
pursuant to this chapter and any rules adopted under it. 769

~~(Z)~~ (BB) "Instrument-based program monitoring information 770  
system" means a method to assess compliance with licensing 771  
requirements for child care centers, type A family child care 772  
homes, and licensed type B family child care homes in which each 773  
licensing requirement is assigned a weight indicative of the 774  
relative importance of the requirement to the health, growth, 775  
and safety of the children that is used to develop an indicator 776  
checklist. 777

~~(AA)~~ (CC) "License capacity" means the maximum number in 778  
each age category of children who may be cared for in a child 779  
care center, type A family child care home, or licensed type B 780  
family child care home at one time as determined by the director 781  
of children and youth considering building occupancy limits 782  
established by the department of commerce, amount of available 783  
indoor floor space and outdoor play space, and amount of 784

available play equipment, materials, and supplies. 785

~~(BB)~~ (DD) "Licensed child care program" means any of the 786  
following: 787

(1) A child care center licensed by the department of 788  
children and youth pursuant to this chapter; 789

(2) A type A family child care home or type B family child 790  
care home licensed by the department of children and youth 791  
pursuant to this chapter; 792

(3) A licensed preschool program or licensed school child 793  
program. 794

~~(CC)~~ (EE) "Licensed preschool program" or "licensed school 795  
child program" means a preschool program or school child 796  
program, as defined in section 3301.52 of the Revised Code, that 797  
is licensed by the department of children and youth pursuant to 798  
sections 3301.52 to 3301.59 of the Revised Code. 799

~~(DD)~~ (FF) "Licensed type B family child care home" and 800  
"licensed type B home" mean a type B family child care home for 801  
which there is a valid license issued by the director of 802  
children and youth pursuant to section 5104.03 of the Revised 803  
Code. 804

~~(EE)~~ (GG) "Licensee" means the owner of a child care 805  
center, type A family child care home, or type B family child 806  
care home that is licensed pursuant to this chapter and who is 807  
responsible for ensuring compliance with this chapter and rules 808  
adopted pursuant to this chapter. 809

~~(FF)~~ (HH) "Operate a child day camp" means to operate, 810  
establish, manage, conduct, or maintain a child day camp. 811

~~(GG)~~ (II) "Owner" includes a person, as defined in section 812

1.59 of the Revised Code, or government entity. 813

~~(HH)~~ (JJ) "Parent cooperative child care center," "parent cooperative center," "parent cooperative type A family child care home," and "parent cooperative type A home" mean a corporation or association organized for providing educational services to the children of members of the corporation or association, without gain to the corporation or association as an entity, in which the services of the corporation or association are provided only to children of the members of the corporation or association, ownership and control of the corporation or association rests solely with the members of the corporation or association, and at least one parent-member of the corporation or association is on the premises of the center or type A home during its hours of operation. 814  
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~~(II)~~ (KK) "Part-time child care center," "part-time center," "part-time type A family child care home," and "part-time type A home" mean a center or type A home that provides child care or publicly funded child care for not more than four hours a day for any child or not more than fifteen consecutive weeks per year, regardless of the number of hours per day. 827  
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~~(JJ)~~ (LL) "Place of worship" means a building where activities of an organized religious group are conducted and includes the grounds and any other buildings on the grounds used for such activities. 833  
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~~(KK)~~ (MM) "Preschool-age child" means a child who is three years old or older but is not a school-age child. 837  
838

~~(LL)~~ (NN) "Protective child care" means publicly funded child care for the direct care and protection of a child to whom all of the following apply: 839  
840  
841

(1) A case plan has been prepared and maintained for the 842  
child pursuant to section 2151.412 of the Revised Code. 843

(2) The case plan indicates a need for protective care. 844

(3) The child resides with a parent, stepparent, guardian, 845  
or another person who stands in loco parentis as defined in 846  
rules adopted under section 5104.38 of the Revised Code. 847

~~(MM)~~ (OO) "Publicly funded child care" means administering 848  
to the needs of infants, toddlers, preschool-age children, and 849  
school-age children under age thirteen during any part of the 850  
twenty-four-hour day by persons other than their caretaker 851  
parents for remuneration wholly or in part with federal or state 852  
funds, including funds available under the child care block 853  
grant act, Title IV-A, and Title XX, distributed by the 854  
department of children and youth. 855

~~(NN)~~ (PP) "Religious activities" means any of the 856  
following: worship or other religious services; religious 857  
instruction; Sunday school classes or other religious classes 858  
conducted during or prior to worship or other religious 859  
services; youth or adult fellowship activities; choir or other 860  
musical group practices or programs; meals; festivals; or 861  
meetings conducted by an organized religious group. 862

~~(OO)~~ (QQ) "School-age child" means a child who is enrolled 863  
in or is eligible to be enrolled in a grade of kindergarten or 864  
above but is less than fifteen years old or, in the case of a 865  
child who is receiving special needs child care, is less than 866  
eighteen years old. 867

~~(PP)~~ (RR) "Serious risk noncompliance" means a licensure 868  
or certification rule violation that leads to a great risk of 869  
harm to, or death of, a child, and is observable, not inferable. 870

~~(OO)~~ (SS) "Special needs child care" means child care 871  
provided to a child who is less than eighteen years of age and 872  
either has one or more chronic health conditions or does not 873  
meet age appropriate expectations in one or more areas of 874  
development, including social, emotional, cognitive, 875  
communicative, perceptual, motor, physical, and behavioral 876  
development and that may include on a regular basis such 877  
services, adaptations, modifications, or adjustments needed to 878  
assist in the child's function or development. 879

~~(RR)~~ (TT) "Title IV-A" means Title IV-A of the "Social 880  
Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended. 881

~~(SS)~~ (UU) "Title XX" means Title XX of the "Social 882  
Security Act," 88 Stat. 2337 (1974), 42 U.S.C. 1397, as amended. 883

~~(TT)~~ (VV) "Toddler" means a child who is at least eighteen 884  
months of age but less than three years of age. 885

~~(UU)~~ (WW) "Type A family child care home" and "type A 886  
home" mean the permanent residence of the administrator in which 887  
child care or publicly funded child care is provided for seven 888  
to twelve children at one time or a permanent residence of the 889  
administrator in which child care is provided for four to twelve 890  
children at one time if four or more children at one time are 891  
under two years of age. In counting children for the purposes of 892  
this division, any children under six years of age who are 893  
related to a licensee, administrator, or employee and who are on 894  
the premises of the type A home shall be counted. "Type A family 895  
child care home" and "type A home" do not include any child day 896  
camp. 897

~~(VV)~~ (XX) "Type B family child care home" and "type B 898  
home" mean a permanent residence of the provider in which care 899



is provided for one to six children at one time and in which no 900  
more than three children are under two years of age at one time. 901  
In counting children for the purposes of this division, any 902  
children under six years of age who are related to the provider 903  
and who are on the premises of the type B home shall be counted. 904  
"Type B family child care home" and "type B home" do not include 905  
any child day camp. 906

**Sec. 5104.02.** (A) The director of children and youth is 907  
responsible for licensing child care centers, type A family 908  
child care homes, and type B family child care homes. Each 909  
entity operating a head start program shall meet the criteria 910  
for, and be licensed as, a child care center. The director is 911  
responsible for the enforcement of this chapter and of rules 912  
promulgated pursuant to this chapter. 913

No person, firm, organization, institution, or agency 914  
shall operate, establish, manage, conduct, or maintain a child 915  
care center or type A family child care home without a license 916  
issued under section 5104.03 of the Revised Code. The current 917  
license shall be posted in the center or home in a conspicuous 918  
place that is accessible to parents, custodians, or guardians 919  
and employees of the center or home at all times when the center 920  
or home is in operation. 921

(B) A person, firm, institution, organization, or agency 922  
operating any of the following programs is exempt from the 923  
requirements of this chapter: 924

(1) A program caring for children that operates for two 925  
consecutive weeks or less and not more than six weeks total in 926  
each calendar year; 927

(2) Caring for children in places of worship during 928

religious activities while at least one parent, guardian, or 929  
custodian of each child is participating in such activities and 930  
is readily available; 931

(3) Supervised training, instruction, or activities of 932  
children in specific areas, including, but not limited to: art; 933  
drama; dance; music; athletic skills or sports; computers; or an 934  
educational subject conducted on an organized or periodic basis 935  
that a child does not attend for more than eight total hours per 936  
week; 937

(4) Programs in which the director determines that at 938  
least one parent, custodian, or guardian of each child is on the 939  
premises of the facility that offers care and is readily 940  
accessible at all times and care is not provided for more than 941  
two and one-half hours a day per child; 942

(5) Programs that provide care and are regulated by state 943  
departments other than the department of children and youth or 944  
the department of education and workforce. 945

(6) Any preschool program or school child program, except 946  
a head start program, that is subject to licensure by the 947  
department of children and youth under sections 3301.52 to 948  
3301.59 of the Revised Code. 949

(7) Any program providing care that meets all of the 950  
following requirements and, on October 20, 1987, was being 951  
operated by a nonpublic school that holds a charter issued under 952  
section 3301.16 of the Revised Code for kindergarten only: 953

(a) The nonpublic school has given the notice to the state 954  
board of education and the director of children and youth 955  
required by Section 4 of Substitute House Bill No. 253 of the 956  
117th general assembly; 957

- (b) The nonpublic school continues to be chartered by the department of education and workforce for kindergarten, or receives and continues to hold a charter from the department for kindergarten through grade five;
- (c) The program is conducted in a school building;
- (d) The program is operated in accordance with rules promulgated by the department of children and youth under section 3301.53 of the Revised Code.
- (8) A youth development program operated outside of school hours to which all of the following apply:
- (a) The children enrolled in the program are under nineteen years of age and enrolled in or eligible to be enrolled in a grade of kindergarten or above.
- (b) The program provides informal care, which is care that does not require parental signature, permission, or notice for the child receiving the care to enter or leave the program.
- (c) The program provides any of the following supervised activities: educational, recreational, culturally enriching, social, and personal development activities.
- (d) The entity operating the program is exempt from federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3).
- (9) A program caring for children that is operated by a nonchartered, nontax-supported school if the program meets all of the following conditions:
- (a) The program complies with state and local health, fire, and safety laws.
- (b) The program annually certifies in a report to the

children's parents that the program is in compliance with 985  
division (B) (9) (a) of this section and files a copy of the 986  
report with the department of children and youth on or before 987  
the thirtieth day of September of each year. 988

(c) The program complies with all applicable reporting 989  
requirements in the same manner as required by the department of 990  
education and workforce for nonchartered, nonpublic primary and 991  
secondary schools. 992

(d) The program is associated with a nonchartered, nontax- 993  
supported primary or secondary school. 994

(10) A program that provides activities for children who 995  
are five years of age or older and is operated by a county, 996  
township, municipal corporation, township park district created 997  
under section 511.18 of the Revised Code, park district created 998  
under section 1545.04 of the Revised Code, or joint recreation 999  
district established under section 755.14 of the Revised Code. 1000

(11) A home education learning pod. 1001

**Sec. 5104.38.** In addition to any other rules adopted under 1002  
this chapter, the director of children and youth ~~services~~ shall 1003  
adopt rules in accordance with Chapter 119. of the Revised Code 1004  
governing financial and administrative requirements for publicly 1005  
funded child care and establishing all of the following: 1006

(A) Procedures and criteria to be used in making 1007  
determinations of eligibility for publicly funded child care 1008  
that give priority to children of families with lower incomes 1009  
and procedures and criteria for eligibility for publicly funded 1010  
protective child care or homeless child care. The rules shall 1011  
specify the maximum amount of income a family may have for 1012  
initial and continued eligibility. The maximum amount shall not 1013

exceed three hundred per cent of the federal poverty line. The 1014  
rules may specify exceptions to the eligibility requirements in 1015  
the case of a family that previously received publicly funded 1016  
child care and is seeking to have the child care reinstated 1017  
after the family's eligibility was terminated. 1018

(B) Procedures under which an applicant for publicly 1019  
funded child care may receive publicly funded child care while 1020  
the county department of job and family services determines 1021  
eligibility and under which a child care provider may appeal a 1022  
denial of payment under division (A) (2) (b) of section 5104.34 of 1023  
the Revised Code; 1024

(C) A schedule of fees requiring all eligible caretaker 1025  
parents to pay a fee for publicly funded child care according to 1026  
income and family size, which shall be uniform for all types of 1027  
publicly funded child care, except as authorized by rule, and, 1028  
to the extent permitted by federal law, shall permit the use of 1029  
state and federal funds to pay the customary deposits and other 1030  
advance payments that a provider charges all children who 1031  
receive child care from that provider. 1032

(D) A formula for determining the amount of state and 1033  
federal funds appropriated for publicly funded child care that 1034  
may be allocated to a county department to use for 1035  
administrative purposes; 1036

(E) Procedures to be followed by the department and county 1037  
departments in recruiting individuals and groups to become 1038  
providers of child care; 1039

(F) Procedures to be followed in establishing state or 1040  
local programs designed to assist individuals who are eligible 1041  
for publicly funded child care in identifying the resources 1042

available to them and to refer the individuals to appropriate 1043  
sources to obtain child care; 1044

(G) Procedures to deal with fraud and abuse committed by 1045  
either recipients or providers of publicly funded child care; 1046

(H) Procedures for establishing a child care grant or loan 1047  
program in accordance with the child care block grant act; 1048

(I) Standards and procedures for applicants to apply for 1049  
grants and loans, and for the department to make grants and 1050  
loans; 1051

(J) A definition of "person who stands in loco parentis" 1052  
for the purposes of division ~~(LL) (3)~~ (NN) (3) of section 5104.01 1053  
of the Revised Code; 1054

(K) Procedures for a county department of job and family 1055  
services to follow in making eligibility determinations and 1056  
redeterminations for publicly funded child care available 1057  
through telephone, computer, and other means at locations other 1058  
than the county department; 1059

(L) If the director establishes a different reimbursement 1060  
rate under division (E) (3) (d) of section 5104.30 of the Revised 1061  
Code, standards and procedures for determining the amount of the 1062  
higher payment that is to be issued to a child care provider 1063  
based on the special needs of the child being served; 1064

(M) To the extent permitted by federal law, procedures for 1065  
paying for up to thirty days of child care for a child whose 1066  
caretaker parent is seeking employment, taking part in 1067  
employment orientation activities, or taking part in activities 1068  
in anticipation of enrolling in or attending an education or 1069  
training program or activity, if the employment or the education 1070  
or training program or activity is expected to begin within the 1071

thirty-day period;	1072
(N) Any other rules necessary to carry out sections	1073
5104.30 to 5104.43 of the Revised Code.	1074
<b>Section 4.</b> That the existing versions of sections 5104.01,	1075
5104.02, and 5104.38 of the Revised Code that are scheduled to	1076
take effect January 1, 2025, are hereby repealed.	1077
<b>Section 5.</b> Sections 3 and 4 of this act take effect	1078
January 1, 2025, or on the effective date of this section,	1079
whichever is later.	1080