



December 13, 2013

Randall J. Meyer  
Ohio Inspector General  
30 East Broad Street  
Suite 2940  
Columbus, OH 43215-3414

Re: Report of Investigation 2012-CA00114 dated October 16, 2013  
Ohio Department of Education

Dear Inspector General Meyer:

This letter is a response to your office's October 16, 2013 letter to Superintendent Ross which contained a copy of your office's report of investigation into the conduct of Ohio Department of Education (ODE) employee, Melanie Brown.

Your letter requested ODE respond to the list of recommendations contained at the end of the report. ODE's responses are detailed below immediately following each of the six recommendations issued by your office.

### **RECOMMENDATIONS**

- 1) Review the method of conducting site inspections to ensure a common standard.

**Due to the fact that the Ohio Department of Education (ODE) and the Ohio Department of Job and Family Services (ODJFS) are mutually responsible for inspecting and licensing childcare centers, the two agencies are working towards a unified process which uses a common data system and includes common standards.**

**ODE's Office of Early Learning and School Readiness (OELSR) has updated the annual training it provides all childcare center licensers to include stronger emphasis on accurate documentation. Furthermore, OELSR has implemented a procedure to address inconsistent findings between childcare center licensers. OELSR has also ensured technical assistance is available to all childcare center licensers every day. Finally, OELSR leadership has committed themselves to reviewing internal protocols and procedures with all staff on a regular basis.**

- 2) Consider revising the vehicle use approval and monitoring process to ensure state vehicles are being utilized per established policies. Also, ensure that ODE employees inform their supervisors of any traffic citations or license suspension.

**ODE Fleet Management is steadily working to improve its vehicle approval and monitoring process. For example, in order for an ODE employee to access a fleet vehicle they must now provide ODE Fleet Management with a copy of the vehicle reservation confirmation. This reservation confirmation document must be signed, and thereby approved, by their supervisor before a fleet vehicle is released to an employee. This process provides supervisors the opportunity to verify that the dates and times the employee will be out are accurately reflected on their outlook schedule. In addition, the alerts on all ODE Voyager gas cards have been electronically activated to ensure that ODE Fleet Management receives emails when the cards are used for fuel purchases made out of state or outside of normal business hours.**

**ODE is also taking the necessary steps to implement the requirement that all employees notify supervisors of any traffic citations or license suspensions. ODE is in the process of instituting a new policy that all employees must inform the ODE Fleet Coordinator and their respective supervisors of any traffic violations or license suspensions within twenty four hours of the event. Specifically, ODE's Office of the Chief Legal Counsel, Office of Human Resources and Fleet Management are revising the ODE Employee Manual to include this policy as well as adding the appropriate discipline for failure to follow the policy. Furthermore, ODE has contacted the Ohio Department of Public Safety, Bureau of Motor Vehicles, to inquire whether ODE can gain limited BMV access to verify the driving records of ODE employees.**

- 3) Consider revising supervisor monitoring process regarding oversight of site visit scheduling to verify inspections are conducted as scheduled and to standard.

**OELSR has undertaken a comprehensive review of its internal protocols to ensure proper supervision of the entire childcare center licensing process. For example, OELSR management is requiring the schedules of all childcare center licensers to be updated daily in outlook with the proper supervisors having access to those schedules. The schedules must be updated to reflect "real-time" events and locations. In addition, when the childcare center licensers submit their reports, OELSR staff log in the report, the visit verification document (for**

**more detail in this document see answer to recommendation 5), and the location of the visit. An OESLR supervisor checks regularly to ensure this documentation has been logged in to the system. Finally, OESLR leadership has initiated a new policy whereby office supervisors periodically accompany childcare center licensers to their visits. This process allows the supervisors to directly review the performance of the licensers.**

- 4) Consider revising the licensing certificate issuance to ensure dates of inspection, effective date of the license and point of contact are consistent and clearly identified on licensing certificates and notification letters.

**A new data system to be used by ODE and ODJFS is currently under construction, and will address these issues. The new system should be implemented by July 2015. Moreover, the date of inspection, effective date of license and point of contact are all currently listed on the compliance status report which is posted next to the license at each childcare site. Each year, the childcare site must post its compliance report next to the continuous license. The compliance report lists the compliance status and date of the last licensure visit, and if applicable, a corrective action plan. On the license there is an ODE OESLR number and Ombudsman's number to call.**

- 5) Require employees inspecting a facility to sign-in on any visitors logs, and develop or revise an existing inspection document which the ODE employee must submit for a date, time, and signature of the facility point of contact at the time of inspection.

**In November 2012, OESLR implemented a visit verification form for all childcare center licensure visits. The form requires the on-site childcare center administrator or teacher to sign, thereby verifying that the visit occurred. As an additional precaution the licenser must now also sign the childcare center's visitor log upon arriving at the center. The childcare center licenser is then required to submit the verification form to the OESLR office at the same time as the compliance report. The visit verification form will be electronically incorporated into the new data system being constructed for ODE and ODJFS (see previous reference in answer to recommendation 4).**

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- 6) Consider revising travel policy to ensure efficiency in use and management of state resources.

**ODE follows the OBM statutory Travel Policy, the DAS Car Utilization Fleet Use Policy and ODE's own Use of State Vehicle Policy. ODE is committed to reviewing its Use of State Vehicle Policy for possible positive revisions.**

Should you have any questions regarding the steps ODE has taken to comply with your office's recommendations, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "P.R. Casey" followed by a stylized flourish.

P.R. Casey  
Chief Legal Counsel