

## **MEMORANDUM**

TO: Child Care Resource and Referral Agencies

FROM: Early Care & Learning Council

DATE: 3/16/2020

SUBJECT: Covid-19 Information and Clarification

As many of you may know, the governor has issued Executive Order No 202.1 Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency. While this emergency direction states that there can be regulatory flexibility in the standards for staff/child ratios in all child care modalities; it is important to note that this is on a case by case basis and a waiver must be submitted to OCFS. OCFS NEEDS TO APPROVE YOUR LIMITED TIME WAIVER PRIOR TO IMPLEMENTATION. OCFS is committed to reviewing waivers as soon as they are received so that services are not interrupted.

### **Additional Information for Child Care Programs**

OCFS will not be making determinations on program closures due to COVID-19. Such closures will be directed by local Departments of Health. If a child contracts COVID-19 and is in contact with other children, the child and the exposed children should not be allowed to attend their current, or any other, child care program. Programs should also notify the regional office and their CCR&R if a child in the program has been quarantined.

If a childcare program is closing for issues related to COVID-19, they are required by OCFS regulation to immediately notify the regional office and their CCR&R.

At this time, all new staff must still follow the CBC process; they must be fingerprinted and have a current medical statement before starting work in a program and paperwork must be submitted for a Comprehensive Background Check. Currently, OCFS does not have flexibility in this area.

Subsidy payments to programs that are closed or have increased absences is a local social services district option. OCFS is working on waivers that will allow each district to modify its child care plan to allow them to pay for additional absences and closures. OCFS is encouraging counties to evaluate what plan changes will help them to meet ongoing child care needs in the local community. In addition to allowing counties the flexibility to pay for increased absences and closures, OCFS has

also encouraged districts to work with parents to meet ongoing child care needs. This may include authorizing parents to use backup child care providers when their regular child care programs are closed.

OCFS is currently working to develop FAQ's for programs, local districts and other stakeholder groups.

### **Information for CCR&Rs**

As CCR&Rs work to best meet the demands of field during this trying time, there is also an understanding regarding employee safety and the need for social distancing. If deadlines and milestones cannot be met, you must reach out to the appropriate unit at OCFS ahead of time to discuss your situation. OCFS is working to be as accommodating and flexible as possible, but cannot give a blanket waiver on all contract requirements. So work with your Regional Offices and Legally-Exempt contacts to keep communication open about the status of your situation. OCFS is currently considering additional payment accommodations for CCR&Rs due to the pandemic and the interruption of business.

As an agency ECLC is working on both the state and level to ensure the child care field is included in any stimulus packages that are passed by lawmakers. Your participation in advocacy surrounding this issue will be needed and we will be sure to keep you updated as we learn more.