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STATE OF CONNECTICUT

OFFICE OF EARLY CHILDHOOD



Connecticut Office of
Early Childhood

Beth Bye
Commissioner

DATE: September 14, 2020

TO: Providers of Services to Young Children

FROM: Beth Bye, Commissioner

RE: Coronavirus Memo #30
Child Care Provisions for School Age Children During COVID-19 Emergency

The Connecticut Office of Early Childhood (OEC) provides the following information, pursuant to [Executive Order 9](#) issued by Governor Lamont on September 4, 2020, in response to the many questions concerning the provision of child care to children whose in-person attendance at school may be altered due to the impact of the COVID-19 pandemic emergency.

Licensed Family Child Care Homes

Children not attending school full-time (i.e. homeschooled), count in a family child care home provider's regular capacity. For the purpose of this memo, "homeschooled" means that a child is not enrolled in a public or private school, in contrast to children who are enrolled full-time in a school and are following a school's option of in-person and/or virtual or remote learning.

Conn. Regs. Section 19a-87b-5(d)(1)(A) requires school age children who are not the provider's own children and who receive child care for three or more hours before school or three or more hours after school are counted in the regular capacity of six children. However, a waiver has been granted to allow children enrolled full-time in a public or private school who are following the school's plan for learning (in-person and/or distance learning), to attend a child care program for more than three hours a day (e.g. a full day) and be counted in the school age capacity. This allows licensed family child care home providers to care for a total of nine children for a full day, including three school age children. On September 8, 2020, Governor Lamont issued [Executive Order No. 9A](#) extending previous executive orders which remain in effect and legal waivers and modifications issued by the Office of Early Childhood until November 9, 2020. Accordingly, this waiver remains in effect until November 9, 2020, unless extended or modified.

Licensed Child Care Centers and Group Child Care Homes

Programs may serve children who are enrolled in school full time while they are distance learning provided they remain within the program's licensed capacity and the program has an endorsement to serve school age children. The [Notification of Change form](#) to request a school age endorsement may be found on the OEC website. Programs may also use this form to request approval of space that has not previously been inspected and approved for use.

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Licensed Youth Camps

Day camps may remain operating until November 9, 2020. The waiver that permits day camps to extend their operating days outside of school vacations and weekends under the terms of their current license during the period of the declared state of emergency continues until November 9, 2020 unless extended or modified. Camps may report a change in operating days by completing the [Report of Change form](#) found on the OEC website.

Child Care Operations Exempt from Licensure

Programs administered by a public school system or municipality are exempt from licensing, but must otherwise follow all rules established by other laws, regulations, executive orders, and requirements for public schools as applicable. A public school system or municipality may employ another entity to conduct the daily operation of its program; however the public school system or municipality must retain ultimate responsibility for the management and oversight of the program and for the program staff and the children served. It is recommended that these arrangements be confirmed in writing and document:

- what entity (e.g. Board of Education) administers the respective program; and
- that such entity retains ultimate responsibility for the management and oversight of such program, for the staff employed at the program and the children attending the program.

A program exempt from licensing is required to inform parents that such program is not licensed by the OEC.

Remote Learning Parent Cooperative Arrangements in a Private Residence

The OEC encourages families to consider the importance of providing children the structure and resources that in-person school provides, and/or the safe oversight licensed childcare or camp supervision offers. However, in light of the unique circumstances presented by the pandemic, remote learning parent cooperative arrangements have arisen where neighbors and friends are establishing “learning pods” to support remote learning for children following their public school district or private school remote learning option, with parental supervision during school hours in private residences. Where such private cooperatives are established and the families do not pursue child care licensing, operation without a license is permitted, when all of the following conditions are met, until November 9, 2020 unless modified or extended;

- (1) all students are enrolled in kindergarten or above in a public or private school and following such school’s plan for remote learning;
- (2) the total number of children in the residence at any one time during the school day shall not exceed 9 children;
- (3) the supervision and care is provided in a private residence;
- (4) the supervision and care is provided only during the hours of the school day;
- (5) parent(s) are not compensated for such care;
- (6) at least one parent or guardian of a participating child is on-site at all times;

These cooperatives may employ a non-custodial individual to support remote learning but only during the hours of the regular school day and in addition to the on-site presence of a parent or guardian.

These cooperatives are not permitted to provide such care and supervision without a license before or after the regular school day nor during school vacations. Children younger than school age are only permitted at the location where such care is being provided if such children reside at such residence.

Remote School Day Learning Assistance Programs Outside of a Private Residence

Child care services as defined in [19a-77 of the Connecticut General Statutes](#) that serve the needs of school age children in remote learning situations are required to be licensed unless the program is administered by a public school system or municipality, or meets another exemption from licensing. A program that does not have the commitment of a public school system or municipality (as described above), and does not meet any existing exemption from the child care licensing requirement may be permitted to continue operating until November 9, 2020, unless modified or extended, provided the following conditions are met:

- (1) Care is provided outside of a private residence exclusively during the hours of the school day to children enrolled in kindergarten or above in a public or private school who are following the school's plan for remote learning;
- (2) Contact has been made with the OEC Licensing Division and a preliminary inspection has been scheduled to confirm no immediate hazards or safety concerns related to the physical conditions of the facility are present;
- (3) Within 24 hours of contact with the OEC, written notice is provided to all parents of children enrolled in the program to inform them that the program is not licensed and will be required to cease operation if any safety hazards are identified or the program has not satisfied all licensing requirements by November 9, 2020;
- (4) An application for a child care center or group child care home license is submitted to the OEC within 72 hours of the preliminary inspection including an [Authorization for the Release of Information from the Department of Children and Families](#), and verification of scheduled [appointments for fingerprinting](#) for all staff members; and
- (5) Immediate access to the facility, its staff, and its records during customary business hours will be afforded to OEC staff upon request.

If all licensing requirements have not been met and a license issued by November 9, 2020, operation of the program must cease as of the close of business on that date, unless modified or extended. To begin the license application process, visit the [OEC website to obtain an application](#) and contact the OEC Licensing Help Desk at 860-500-4450.

Ongoing Requirements in All Child Care Settings to Prevent COVID-19 Transmission

All licensed and license exempt child care programs, including parent cooperative arrangements, remote school day learning assistance programs, youth camps and before/after school programs, **must follow the enhanced COVID-19 requirements** put forth by the OEC and outlined in memos found on the [OEC COVID resource page](#).

Thank you for your continued efforts to protect the health and safety of Connecticut's children.