



# COMMONWEALTH of VIRGINIA

## **Joint Guidance for Emergency Child Care during Statewide School Closure** Virginia Department of Social Services & Virginia Department of Education *Updated March 23, 2020*

### **Background**

On Monday March 23, Governor Ralph Northam extended his order that all public and private K-12 schools in Virginia close in response to the continued spread of COVID-19 for the remainder of the school year. This builds on the [Governor's previous school closure order](#) and previously issued [guidance asking child care providers](#) to prioritize services for children of essential personnel, while asking all families to keep their children home if they can.

Recognizing the significant impact of this school closure on families around the Commonwealth, the Governor simultaneously called on communities to provide emergency child care to young and school-aged children of essential personnel during this unprecedented pandemic. Within the healthcare industry alone, this includes approximately [80,000 children](#) under age 12 in Virginia.

This potential child care crisis necessitates an urgent public-private response. This document outlines a variety of options and waivers which different public and private entities and communities should consider in order to provide safe child care alternatives for essential personnel while maintaining stringent health protocols to minimize the risk of additional COVID-19 spread. For purposes of this document only, essential personnel are defined at the bottom of this document.

The Department of Social Services (VDSS) and the Department of Education (VDOE) are working closely together in this effort to support critical members of the workforce and provide safe child care alternatives for their families. The Commonwealth's Chief School Readiness Officer, Jenna Conway, is coordinating state efforts on this matter. Any inquiries or questions should be directed to her at [jenna.conway@governor.virginia.gov](mailto:jenna.conway@governor.virginia.gov).

### **Existing Child Care Providers in Centers and Family Day Homes:**

Existing child care providers operating in the Commonwealth will continue to play an immensely important role in providing quality care for families during this uncertain time. Child care providers themselves, whether in child care centers or family day homes, are essential personnel and are experts in providing safe, healthy and supportive environments to young children including during times of crisis.

Any existing provider can continue to offer child care to families, and must prioritize services to children of essential personnel. Providers that have closed may reopen to serve essential personnel if complying with new health and safety guidance. On March 18, the Commissioner of VDSS issued [a letter](#) with guidance for child care providers operating in the Commonwealth, including group size limits of 10 and stringent public health guidelines to prevent the spread of COVID-19. There is [an additional FAQ document available](#).

If you are a child care provider that is continuing to operate to serve essential personnel, registration with Child Care Aware of Virginia is required. Please update your operating status online at <https://vachildcare.com/> or contact 866-KIDS-TLC. Please also notify your licensing inspector.

### **Public Schools:**

School divisions have a variety of options for the ways in which they may choose to offer emergency child care services to essential personnel at this time. As stated in [previous VDOE guidance for divisions](#), the use of any school facility remains a local decision.

Divisions may operate their own emergency child care or child watching services for school-aged children (3 years of age and older) of essential personnel, with their employees in their facilities while following state guidance on child care health and safety protocols. These are NOT educational programs or offerings. Additional waivers or licenses from the state are not required. Divisions offering emergency child care are required to report such offerings to the VDOE by emailing [Superintendent@doe.virginia.gov](mailto:Superintendent@doe.virginia.gov). The VDOE will ensure that the school divisions have up-to-date health and safety guidance and are reporting capacity to Child Care Aware of Virginia.

Additionally, schools may apply for a variance from the Governor's order to close schools and offer educational operations. The State Superintendent for Public Instruction has the authority to issue variances on a case by case basis in limited circumstances, including instances where schools are serving students of essential personnel. Information about applying for a variance is [online here](#).

### **Child Care Providers in Schools (e.g., YMCA and others):**

Community partners who are licensed by VDSS to offer before and/or after care to school-aged children in school settings can apply to VDSS for a modification to their existing license to offer full day child care to children of essential personnel while following VDSS guidelines for care, including group size limitations of 10. As stated in [VDOE guidance for Divisions](#), the use of any school facility remains a local decision but schools and private providers are encouraged to collaborate. All requests for a change in licensure status should be submitted to the program's licensing inspector.

Additionally, registration with Child Care Aware of Virginia is required of providers continuing to operate. Please report your operating status online at <https://vachildcare.com/> or contact 866-KIDS-TLC. Please also notify your licensing inspector.

### **Private Schools:**

Private schools offering K-12 education are covered under the Governor's school closure order. However schools offering educational programming or emergency child care to school-aged children may apply for a variance from the Governor's order. All programs will be required to follow state guidance on child care health and safety protocols. These are NOT educational programs or offerings. The State Superintendent for Public Instruction has the authority to issue variances on a case by case basis in limited circumstances, including instances where schools are serving students of essential personnel. Information about applying for a variance is [online here](#).

Additionally, any private school with a religious exemption status or VDSS license that is serving children of essential personnel is able to continue operating under the [VDSS guidelines for child care operations issued on March 18](#). Registration with the program's licensing inspector and Child Care Aware of Virginia is required for those continuing to operate. Please report your operating status online at <https://vachildcare.com/> or contact 866-KIDS-TLC.

### **Local Governments:**

Local governments have the authority to hire staff and offer recreational activities for school-aged children without a license. Such programs must be staffed by local government employees and must comply with local health and safety requirements in addition to following [VDSS guidelines for health and safety, including group size limitations of 10](#). Please report your operating status online at <https://vachildcare.com/> or contact 866-KIDS-TLC.

### **For Employers of Essential Personnel:**

*How do I ensure that my employees who must continue working can find emergency child care for their children during extended school closures?*

Mandated school year closures are having a significant impact on families all across the Commonwealth. The Governor is strongly encouraging public and private partners to collaborate creatively to offer emergency child care for young and school aged children of essential personnel. Employers may be able to help establish and/or subsidize the cost of emergency care in center, school or family day home settings; and may direct employees to call contact 866-KIDS-TLC or go online to <https://vachildcare.com/> to identify alternative options available to them at this time.

*If I want to help cover the costs of such care, how can I do so?*

In some communities, employers and philanthropic partners are covering costs associated with emergency child care. We encourage those interested in doing so to work with local partners to meet the emergency child care needs of essential personnel.

### **For Essential Personnel:**

*How do I find care for my child(ren) while I continue to work?*

ChildCare Aware of Virginia is tracking centers that are continuing to operate, you can search for emergency child care near you by contacting 866-KIDS-TLC or going online to <https://vachildcare.com/>. Please note that this information is continuing to evolve, and contacting local schools and centers near you may also be useful.

*I'm not sure I can afford care for my child(ren) while I continue to work, what do I do?*

The Child Care Subsidy Program assists families in paying child care costs for children under age 13 who are not eligible to attend public school during the part of the day when public education is available, or children with special needs under age 18 who reside with the applicant. If you are eligible and are approved for services, the Subsidy Program can pay a portion of your child care costs directly to the child care provider. Special provisions, extensions and waivers have been extended to families due to the COVID-19 circumstances, all of which are outlined in [this letter from Commissioner Storen](#) and in this [FAQs](#). To learn more about eligibility requirements and to apply, please visit [CommonHelp](#).

*\*For purposes of this guidance document only, essential personnel are the first-responders, health care workers, and others who help maintain the health, safety, and welfare of the Commonwealth's residents. Here are examples of essential personnel:*

- *Providers of healthcare including, but not limited to, workers at clinics, hospitals, Federally Qualified Health Centers (FQHCs), nursing homes, long-term care and post-acute care facilities, respite houses, designated agencies and emergency medical services;*
- *Essential government employees including public health employees and employees who oversee or support all the other functions included in this list;*
- *Criminal justice personnel including those in law enforcement, courts, and correctional services;*
- *Police, firefighters, and military;*
- *Employees who operate shelters or other essential services for adults, children and families;*
- *Employees who ensure continuity of basic services such as electricity/gas, water, internet, plumbing, sanitation and garbage removal;*
- *Employees who ensure essential transportation including public transportation, trucking and health care-related transportation;*
- *Employees who ensure essential food, pharmaceutical and supplies access (e.g., grocery, food bank, feeding programs, drug store, hardware store); and*
- *Staff and providers of child care and education services (including custodial and kitchen staff and other support staff) for children of other essential personnel.*

*Note that these examples are not exhaustive and the definition of essential personnel may evolve as needed to respond to the crisis.*