

ANNOUNCEMENT

C-20-13



Pennsylvania Office of Child Development and Early Learning
Bureau of Certification Services

Issue Date: Nov. 24, 2020

Effective Date: Immediately

End Date: Until the Governor's Proclamation of Disaster Emergency is rescinded, or March 19, 2021, whichever is later

Subject: Reopening of Certified Child Care Facilities Temporarily or Permanently Closed Due to COVID-19

To: Certified Child Care Facilities
Early Learning Resource Centers
Office of Child Development and Early Learning Staff

From: Tracey Campanini
Deputy Secretary, Office of Child Development & Early Learning

PURPOSE

To provide protocols on the reopening of certified child care facilities temporarily or permanently closed due to COVID-19; and to announce the Department of Human Services' (Department's) renewal inspection process for child care facilities that temporarily closed due to COVID-19, whose licenses have not expired, and that plan to reopen.

BACKGROUND

Due to COVID-19, some child care facilities remain temporarily closed and some have permanently closed. The Department acknowledges the need for further guidelines on reopening of facilities that have temporarily or permanently closed due to COVID-19. This announcement provides protocols and timeframes to child care providers based on different circumstances that may apply to facilities planning to reopen during the current Proclamation of Disaster Emergency issued by Governor Tom Wolf on March 6, 2020, and most recently renewed on August 31, 2020 ("Disaster Proclamation").

DISCUSSION

Since the issuance of the Disaster Proclamation, some child care facilities' certificates of compliance expired during the temporary closure. The Department's intent is to support child care facility efforts to reopen to the greatest extent possible, and to continue to support their efforts to provide a safe and healthy environment for the children they serve.

Any child care facility that has temporarily closed due to COVID-19, plans to reopen, and has a certificate of compliance that is expired as of Nov. 30, 2020, or thereafter, will be considered permanently closed unless they contact the regional office to communicate the facility's plan to reopen and follow the protocols outlined below. The facility must contact the regional office before **Dec. 11, 2020**, or within 10 days prior to the expiration of the certificate of compliance, whichever is later.

The protocols below address different circumstances that may apply to child care providers and steps providers must take to reopen a facility that is temporarily or permanently closed and plan to reopen due to COVID-19.

TABLE OF LICENSE AND OPERATIONAL STATUS AND APPLICABLE PROTOCOL FOR REOPENING

Scenario	Protocol
<i>Facility did not surrender its certificate and ...</i>	
The facility will reopen before the certificate expires, and the facility has been closed for no more than six months.	PROTOCOL # 1
The facility will reopen before the certificate expires, but the facility has been closed for more than six months.	PROTOCOL #2
The facility will reopen after the certificate has expired (length of closure irrelevant)	PROTOCOL #3
<i>Facility did surrender its certificate</i>	
	PROTOCOL #4

1. PROTOCOL #1: The facility will reopen before the certificate of compliance expires, and the facility has been closed for no more than six months due to COVID-19:

A child care facility that is temporarily closed for no more than six months and plans to reopen within the effective period of its certificate of compliance (i.e., the certificate of compliance has not expired) must complete the following steps prior to reopening:

- The legal entity/operator must notify the regional office two weeks prior to the date they plan to reopen the facility.

2. PROTOCOL #2: The facility will reopen before the certificate of compliance expires, and the facility has been closed for more than six months due to COVID-19:

A child care facility that temporarily closed for more than six months and plans to reopen within the effective period of its certificate of compliance (i.e., the certificate of compliance has not expired) must complete the following steps prior to reopening:

- The legal entity/operator must notify the regional office two weeks prior to the date they plan to reopen the facility.
- The legal entity/operator must also review and sign the *Notification of Reopening Attestation* statement (see Appendix A-1) and return it to the regional office prior to reopening the child care facility.
- These steps are the steps that are to be completed if the facility plans to reopen before the end of the Disaster Proclamation or before March 19, 2021 (whichever is later).
- The legal entity/operator should contact their regional office for further guidance if they plan to reopen after the end of the Disaster Proclamation or March 19, 2021 (whichever is later), or after their certificate of compliance has expired.

3. PROTOCOL #3: The facility closed due to COVID-19 and will reopen after its certificate of compliance has expired (length of closure irrelevant):

A child care facility that temporarily closed and plans to reopen after its certificate of compliance has expired must complete the following steps prior to reopening:

- The legal entity/operator must notify the regional office by **Dec. 11, 2020**, or within 10 days after the expiration of the certificate of compliance (whichever is later) that they plan to reopen the facility.
- The legal entity/operator must review and sign the *Notification of Reopening Attestation* statement (see Appendix A) and return it to the regional office.
- The legal entity/operator must submit a renewal application to the regional office via email, postal service or Provider Self Service.
- A certification representative will conduct a renewal inspection.¹
 - For school age programs in a school building, compliance with regulations at 55 Pa. Code § 3270.241(b), and § 3280.221(b), relating to requirements specific to school-age programs, will be assessed.
- A provider may not begin operation until the Department has issued a renewed certificate of compliance.

4. PROTOCOL #4: The facility surrendered its certificate of compliance and plans to reopen:

A child care facility that surrendered its certificate of compliance due to COVID-19 must complete the initial application process for a certificate of compliance. The legal

¹ If the provider does not have access to the facility location, a renewal inspection will not be conducted until the provider gains access to the location.

entity/operator should contact their OCDEL regional certification office to discuss the next steps in their reopening process.

The contact information for the appropriate regional office can be found [here](#).

NEXT STEPS

Child care providers:

1. Read this Announcement and share with appropriate staff.
2. Align plans to reopen with the protocol in this Announcement.
3. Contact the regional office with any questions regarding reopening their facility.

APPENDIX A

Notice to Reopen After Being Temporarily Closed Due to COVID-19 ATTESTATION STATEMENT for a Facility with an expired Certificate of Compliance

A child care facility which has temporarily closed due to COVID-19, and the certificate of compliance issued to the facility expired as of Nov. 30, 2020, or thereafter, and the facility plans to reopen must contact the regional office **no later than Dec. 11, 2020** or within 10 days of the expiration of the certificate of compliance, whichever is later, and must complete the following and sign below and submit this form to the regional office.

- I will contact my OCDEL regional certification office to submit the date I plan to reopen, and I understand that am not permitted to operate before the Department issues a renewed certificate of compliance.

I do hereby attest and certify that the information above is true and correct to the best of my knowledge. I understand that information may be shared with other Department of Human Services programs, the Department of Education, the Department of Health, and the Office of the State Inspector General.

Further, I understand that the penalty for unsworn falsification to authorities is a misdemeanor of the second or third degree pursuant to 18 Pa. C.S. § 4904 and that I can be penalized by fine, imprisonment, or a combination of these for making any false statements in this attestation.

Facility Name _____

Facility Location
Address _____

Reopening Date _____

Signature _____

Name (please print) _____ **Title** _____

Date _____

FOR INTERNAL USE ONLY

Date received: _____

Date COC expired: _____

Date application and attestation received: _____

Access to facility (Y/N): _____ **Date to inspect facility:** _____

APPENDIX A-1

Notice to Reopen After Being Temporarily Closed Due to COVID-19 ATTESTATION STATEMENT

for a Facility that plans to reopen within the effective period the Certificate of Compliance

- I understand that programs must develop, implement, and post a COVID-19 Health and Safety Plan that complies with guidance issued by the Pennsylvania Department of Health and the Centers for Disease Control and Prevention (CDC) and the Plan must be made available to the families of the enrolled children. [Health and Safety Plan Template](#).
- I have read and understand [Announcement C-20-08](#) regarding health and safety compliance.
- I understand that the Department of Human Services (DHS) has suspended certain regulations in 55 Pa. Code Chapters 3270, 3280 and 3290 effective March 6, 2020. I have read [Announcement C-20-04](#) and understand the need to keep current with all updates related to suspended regulations due to the COVID-19 pandemic.
- I understand that I must maintain staff-child ratios in compliance with 55 Pa. Code Chapters 3270, 3280 or 3290, whichever applies to the program I operate.
- I understand that the program must comply with all Orders issued by the Governor and the Secretary of Health that apply to the program I operate.
- I understand that I may be subject to inspection and that I must allow DHS staff to enter the premises, review documents and records, and interview staff and children.
- I have read and understand that failure to implement the elements in OCDEL [Announcement # C-20-12](#) can subject my program to enforcement action by DHS or DOH or both.

I do hereby attest and certify that the information above is true and correct to the best of my knowledge. I understand that information may be shared with other Department of Human Services programs, the Department of Education, the Department of Health, and the Office of the State Inspector General.

Further, I understand that the penalty for unsworn falsification to authorities is a misdemeanor of the second or third degree pursuant to 18 Pa. C.S. § 4904 and that I can be penalized by fine, imprisonment, or a combination of these for making any false statements in this attestation.

Facility Name _____

Facility Location

Address _____

Reopening Date _____

Signature _____

Name (please print) _____ **Title** _____

Date _____

FOR INTERNAL USE ONLY

Date received: _____

Date COC to expire: _____

Date application and/or attestation received: _____

Access to facility (Y/N): _____ **Date to inspect facility:** _____