

# ANNOUNCEMENT

## C-21-10



Pennsylvania Office of Child Development and Early Learning  
Bureau of Early Learning Policy and Professional Development and Bureau of  
Certification

**Issue Date:** December 14, 2021

**Effective Date:** December 10, 2021

**End Date:** N/A

**Subject:** Obsolete Certification Announcements for Certified Child Care Providers- Order of the Acting Secretary of the Pennsylvania Department of Health Directing Face Coverings in School Entities

**To:** All DHS Certified Child Care Facilities  
Early Learning Resource Centers (ELRCs)  
Office of Child Development and Early Learning (OCDEL)  
Staff

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

A handwritten signature in black ink that reads 'Tracey Campanini'.

## PURPOSE

To provide updated information to certified child care providers who are impacted by announcements issued as a result of [Order of the Acting Secretary of the Pennsylvania Department of Health Directing Face Coverings in School Entities](#) (Order).

## BACKGROUND

On December 10, 2021, the Pennsylvania Supreme Court issued a ruling that ends the Acting Secretary of Health's order that masks must be worn by children age two and older, educators and staff in child care settings. Please note that this decision does not impact the Federal directive requiring all Head Start and Early Head Start programs or passengers and drivers to wear a mask on school buses, including on buses operated by public and private school systems; these requirements remain in effect.

While we are disappointed by the Court's ruling, this ruling does not prevent providers from setting their own health and safety policies for their staff and children in care in line with recommendations from the Centers for Disease Control and Prevention (CDC). The

# ANNOUNCEMENT

## C-21-10



CDC's [guidance for child care facilities](#) at this time still recommends universal masking for children age 2 and older and staff regardless of vaccination status, specifically:

- **“Indoors:** CDC recommends universal masking in ECE programs for everyone two years of age and older, regardless of vaccination status.
- **Outdoors:** In general, people do not need to wear masks when outdoors. CDC recommends that people age 2 and older who are not fully vaccinated wear a mask in crowded outdoor settings or during activities that involve sustained [close contact](#) with other people.”

COVID-19 is still a threat and Acting Human Services Secretary Meg Snead strongly urge all providers to continue requiring mask use for children age 2 and older and educators and staff. Consistent and proper mask usage can limit transmission, protect individuals inside the facility and their families, and reduce the need to quarantine or consolidate entire classrooms due to exposures. Masking can help us continue some level of consistent and normal operations that provides stability to children, their families, and educators and staff. Especially in light of new variants, we must all continue to do our part to keep the children and families we serve as well as educators and staff safe in child care settings. Encouraging and supporting staff to get vaccinated and sharing resources about vaccination for children 5 and older is also important, especially while a vaccine is not available to our youngest children.

## DISCUSSION

In order to be responsive to Pennsylvania Supreme Court ruling on December 10, 2021, this Announcement serves as communication that the following announcements will **be obsolete**:

- [Announcement C-21-07: COVID-19 Policy Updates](#)
- [Announcement C-21-08: Compliance with Acting Secretary of Health’s Face Covering Order](#)

Any citations for regulatory violations issued pursuant 55 Pa. Code Chapters 3270, 3280, and 3290 pertaining to compliance with “pertinent laws and regulations” “general health and safety,” and “child and adult health information for failure to comply with the Acting Secretary of Health’s Order will be rescinded. These regulatory citations included:

- 55 Pa. Code § 3270.14, § 3270.21, § 3270.131(c), § 3270.131(d)(4), § 3270.151(c)(4)
- 55 Pa. Code § 3280.14, § 3280.20, § 3280.131(c), § 3280.131(d)(4), §3280.151(c)(4)
- 55 Pa. Code § 3290.18, § 3290.131(c), § 3290.131(d)(4), § 3290.151(c)(4)

# ANNOUNCEMENT

## C-21-10



The certification regional office will follow up with a letter for those child care providers who were cited under the Acting Secretary of Health’s Order that took effect at 12:01 a.m. on September 7, 2021.

### NEXT STEPS

1. Child care programs:
  - a. Read this Announcement and share the revisions and updates with appropriate staff.
2. Stay up-to-date on the most recent [CDC Guidance for Operating Child Care](#).
3. For additional resources on COVID-19 developed for early learning programs in Pennsylvania click [here](#).
4. Direct all questions and comments to your child care Certification Regional Office.

<b>Certification Regional Office of Child Development and Early Learning</b>
Central Region 800-222-2117
Northeast Region 800-222-2108
Southeast North and Southeast South Region 800-346-2929
Western Region 800-222-2149