

Announcement C-26-01



Pennsylvania
Office of Child Development
and Early Learning

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

Issue Date: June 10, 2026

Subject: Clarification of program licensure requirements pursuant to 55 Pa Code Chapters 3270; 3280; 3290; 20; and Articles IX and X of the Human Services Code 62 P.S. §§ 901—922 and 1001—1088.

To: All DHS Certified Child Care Providers
All Private Preschool Program Operators
All School Aged Programs in School Buildings
Early Learning Resource Centers
Office of Child Development and Early Learning Staff
Department of Education

From:

Shante' A. Brown

Deputy Secretary, Office of Child Development & Early Learning

PURPOSE

The purpose of this announcement is to clarify the applicability of program licensure requirements under 55 Pa. Code Chapters [3270](#), [3280](#), [3290](#), and [20](#) and Articles IX and X of the Human Services Code (the act) (62 P.S. §§ 901—922 and §§ 1001—1088).

BACKGROUND

Pursuant to 55 Pa. Code § [3270.3](#), [3280.3](#), and [3290.3](#), the following regulatory chapters of Title 55 of the Pennsylvania Code apply to facilities in which out-of-home care is provided, at any one time, for part of a 24-hour day, to children 15 years of age or younger who are unrelated to the operator:

- Chapter 3270 (relating to child care centers).
- Chapter 3280 (relating to group child care homes).
- Chapter 3290 (relating to family child care homes).

DISCUSSION

The Department of Human Services (DHS), Office of Child Development and Early Learning (OCDEL), Bureau of Certification Services (BCS) is responsible for receiving applications, conducting inspections and issuing a Certificate of Compliance to certified child care facilities in Pennsylvania. A Certificate of Compliance is a document issued by the Department to a legal entity permitting the entity to operate a

specific type of facility at a specific location for a specific period of time according to applicable Department regulations. A certificate of compliance approves the operation of a facility pursuant to the Department's supervisory powers under Article IX of the act (62 P.S. § § 901—922) or licenses the operation of a facility subject to the Department's licensing powers under Article X of the act (62 P.S. § § 1001—1088).

Under 55 Pa. Code §§ [3270.4](#), [3280.4](#), and [3290.4](#) (relating to definitions), certified child care facilities in Pennsylvania fall under one of the following three categories:

- Child Care Center – The premises in which child care is provided at any one time for seven or more children unrelated to the operator.
- Group Child Care Home – The premises in which child care is provided at any one time for more than six but fewer than 16 older school-age level children or more than six but fewer than 13 children of another age level who are unrelated to the operator. The term includes a facility located in a residence or other premises.
- Family Child Care Home – A home other than the child's own home in which child care is provided at any one time to four, five or six children unrelated to the operator.

Under 55 Pa. Code §§ [3270.11\(a\)](#), [3280.11\(a\)](#), and [3290.11\(c\)](#) legal entities are required to obtain a valid certificate of compliance to operate at a specific location. Upon meeting the certification requirements, the certificate of compliance will be issued by the Department to a legal entity prior to commencement of operation at a specified location.

Programs Subject to These Requirements

As provided under 55 Pa. Code §§ [3270.3](#), [3280.3](#), and [3290.3](#) (relating to applicability), the certification requirements under Chapters [3270](#), [3280](#), [3290](#), and [20](#) are applicable to facilities in which out-of-home care is provided, at any one time, for part of a 24-hour day, to children 15 years of age or younger, including:

- Child care (care) provided to a child at the parent's work site when the parent is not present in the child care space.
- Care provided in private or public, profit or nonprofit facilities.
- Care provided before or after the hours of instruction in nonpublic schools and in private nursery schools and kindergartens registered with or licensed by the PA Department of Education (PDE).

55 Pa. Code [§ 3270.221](#) states when child care services are operated before or after the Head Start Program, that portion of the extended day shall be required to receive a Certificate of Compliance.

Programs Exempt from These Requirements

These certification requirements under Chapters [3270](#) and [3280](#) do not apply to the following programs:

- Care provided by relatives.
- Care furnished in places of worship during religious services.
- Care provided in a facility where the parent is present at all times child care is being provided.

- Care provided during the hours of instruction in nonpublic schools that meets the definition and in private nursery schools and kindergartens registered with or licensed by the PA Department of Education (PDE).
- Part-day school-age program for children who attend kindergarten or older but under 16 years of age as follows:
 - A part-day school-age program that operates for less than 90 consecutive days per calendar year from the date the program opens to the date the program closes.
 - This clarification does not apply to a legal entity that has a Certificate of Compliance to operate a child care center or group child care home and that increases its enrollment to include school-age children in the summer and on school holidays.
 - A part-day school-age program that operates 2 hours or less per day for 3 or fewer days per week.
 - A part-day school-age program that has a single purpose for the children’s attendance and that purpose is the only focus of the program (e.g. basketball instruction or art class).
 - A drop-in program where the child may come and go at will.
 - Tutoring programs that are licensed or approved and funded by PDE. This includes the following:
 - Tutoring centers, educational testing and remedial centers licensed by PDE under 22 Pa. Code Chapters §§ 61 and 63 (relating to tutoring centers, educational testing, and remedial centers).
 - Educational assistance programs operated by school districts directly or by contract with an outside provider approved by PDE.
 - Classroom Plus Programs.
 - Supplemental Education Services Programs. See 55 Pa. Code §§ [3270.3](#), [3270.3a](#) (relating to child care centers) and [3280.3](#), [3280.3a](#) (relating to group child care homes).

Chapter 3290 does not apply to the following:

- Care provided by relatives.
- Care furnished in places of worship during religious services. See 55 Pa. Code § [3290.3](#) (relating to family child care homes).

NEXT STEPS

1. Review this announcement and share with appropriate staff.
2. Review the regulations 55 Pa. Code § 3270, 3280, 3290, 20; and Articles IX and X of the Human Services Code 62 P.S. §§ 901—922 and 1001—1088.
3. If you are unsure or believe that your facility needs to be certified by DHS, please contact your [Regional OCDEL BCS Office](#).

- **Central Region:** 800-222-2117

- *Serves the following counties:* Adams, Centre, Clinton, Cumberland, Dauphin, Juniata, Lancaster, Lebanon, Lycoming, Mifflin, Northumberland, Perry, Snyder, Tioga, Union, York
- **Northeast Region:** 800-222-2108
 - *Serves the following counties:* Berks, Bradford, Carbon, Columbia, Lackawanna, Lehigh, Luzerne, Monroe, Montour, Northampton, Pike, Schuylkill, Sullivan, Susquehanna, Wayne, Wyoming
- **Southeast North and Southeast South Region:** 800-346-2929
 - *Serves the following counties:* Bucks, Montgomery, Chester, Delaware, Philadelphia
- **Western Region:** 800-222-2149
 - *Serves the following counties:* Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Franklin, Fulton, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Potter, Somerset, Venango, Warren, Washington, Westmoreland

Inquiries about Private Academic School licensure in Pennsylvania may be directed to:
ra-nppss@pa.gov or 717-783-6788.