



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

March 16, 2020

PIN 20-04-CCP

TO: ALL CHILD CARE FACILITY LICENSEES AND PROVIDERS

FROM: ***Original signed by Pamela Dickfoss***
PAMELA DICKFOSS
Deputy Director
Community Care Licensing Division

SUBJECT: **STATEWIDE WAIVERS FOR LICENSING REQUIREMENTS DUE TO CORONAVIRUS DISEASE 2019 (COVID-19), AND PREVENTION, CONTAINMENT, AND MITIGATION MEASURES**

Provider Information Notice (PIN) Summary

PIN 20-04-CCP provides a statewide waiver for operation of child care facilities, including licensees, registered TrustLine providers, and temporary employer sponsored child care, along with guidance for the implementation of prevention, containment, and mitigation measures for COVID-19.

While the situation surrounding the Coronavirus Disease 2019 (COVID-19) continues to rapidly change, this PIN provides general recommendations for prevention, containment, and mitigation of COVID-19 for child care providers. In addition, this PIN includes statewide waivers for certain licensing requirements applicable to child care settings without the need for providers to make an individual request, and subject to the waiver terms and conditions set forth in this PIN.

The California Department of Social Services (CDSS) is recommending child care providers follow guidance in this PIN in addition to guidance or instructions from their [CDSS Child Care Regional Office](#), including but not limited to all [CDSS PINs](#), and from health care providers, the Federal [Centers for Disease Control and Prevention \(CDC\)](#), the [California Department of Public Health \(CDPH\)](#), and [local health departments](#).

At the time of this PIN's release, the State of California is implementing mitigation

measures. Please see Scenario 3 below.

PREVENTION, CONTAINMENT, AND MITIGATION MEASURES FOR COVID-19

Scenario 1: Implementation of Prevention Measures

Licensed child care centers and family child care homes can take steps to slow the spread of respiratory infectious diseases, including COVID-19, by implementing the following steps:

- Review and update disaster plans to include contingencies for providing care to children in the event that your child care facility is impacted by an outbreak of illness.
- Develop and include a communications plan to use to keep families, staff, and the community informed.
- Inform families, teachers, visitors, or staff who have traveled to an area identified by the CDC as Level 3 Travel Health Notice (see [Evaluating and Reporting Persons Under Investigation by CDC](#)) they may not attend the facility for 14 days from the day they returned to the United States. Additionally, exclude those who have been in close contact with someone diagnosed with COVID-19 for 14 days from the day of their last exposure.
- Send teachers, staff, or visitors home immediately who have a fever and/or respiratory infection symptoms. If a child appears to have respiratory infection symptoms notify their parent or authorized guardian to take the child home immediately.
 - Separate the individual or individuals from others until they go home. When feasible, identify a “sick room” through which others do not regularly pass.
- Limit any non-essential visitors from coming into your child care. This could include volunteers.
- Coordinate with all partner organizations serving children to ensure consistent practices.
- If you as the licensee, have a fever and/or respiratory infections symptoms, please notify your parents immediately that care will not be available and follow reporting requirements.
- Contact your local public health department immediately if you notice any concerning clusters of respiratory disease or spikes in absenteeism: You may find your local public health department at the [link here](#).

- Encourage all children, families, and staff to take everyday prevention actions:
 - Stay home when sick.
 - Remain at home until fever has been gone for at least 24 hours without the use of fever-reducing medicines.
 - Seek immediate medical care if symptoms become more severe, e.g., high fever or difficulty breathing.
 - Use the [Cleaning and Waste Management Considerations for Residences](#) to help clean your home.
 - Use “respiratory etiquette”.
 - Cover cough with a tissue or sleeve. See [CDC’s Cover Your Cough page \(https://www.cdc.gov/flu/prevent/actions-prevent-flu.htm\)](https://www.cdc.gov/flu/prevent/actions-prevent-flu.htm) for multilingual posters and flyers, posted at the bottom of webpage.
 - Provide adequate supplies within easy reach, including tissues and no-touch trash cans.
 - Wash hands frequently.
 - Encourage hand washing by children, parents, and staff through education, scheduling time for handwashing, and the provision of adequate supplies.
 - Provide alcohol-based hand sanitizers to supplement routine hand washing.
 - Enhance cleaning consistent with CDC guidance (see [Environmental Cleaning and Disinfection Recommendations](#)). Encourage flu vaccine for those persons over 6 months of age who have not had it this season to reduce illnesses.

Scenario 2: Implementation of Containment Measures.

Measures to be taken if there are two or more community transmission cases of COVID-19, but no individuals within the facility test positive.

If the local public health department has confirmed **two or more** community transmission cases, but no individuals at the child day care facility have tested positive for COVID-19, it is recommended, in addition to the items outlined in Scenario I, child care facilities implement the following steps:

- Teachers and staff with any fever and/or respiratory infection symptoms should not come to work. Screen teachers and staff for respiratory infection symptoms each morning before they interact with children. Teachers and staff with any respiratory infection symptoms should not be at work.
- Limit visitors to the facility by not allowing those with symptoms of respiratory

infection or who have a travel history to [countries impacted by COVID-19](#) over the course of the last 14 days.

- Ensure sick leave policies for allowing teachers and staff to stay home if they have symptoms of respiratory infection, if applicable.
- Cancel or postpone large gatherings within the facility including any large or communal activities.
- Implement staggered outdoor or large group times to limit the number of children who are together as much as possible.

Scenario 3: Implementation of Mitigation Measures

Measures to be taken if one child, family member, visitor, licensee, or staff member tests positive for COVID-19 and exposed others at the facility.

If one child, family member, licensee, visitor, or staff member tests positive for COVID-19, the licensee of a child day care facility should immediately implement the following measures:

- In consultation with the local public health department, the licensee may consider if closure of the child care facility is warranted and what length of time is appropriate based on the risk level within the specific community, as determined by the local public health officer.
- Immediately notify your Child Care [Licensing Local Regional Office](#).
- Implement communication plans for facility closure including outreach to parents, authorized guardians, staff, and the community.
- Maintain regular communications with the [local public health department](#).
- Consult CDC guidelines (see [Environmental Cleaning and Disinfection Recommendations](#) and [Reminders for Using Disinfectants at Schools and Child Cares/Spanish](#)) for facilities to determine what additional cleaning protocols, if any, should be used at the facility, prior to reopening.
- Determine the timing of return for children, staff, and if any additional steps are needed for the child care facility to reopen, in consultation with the local public health department.
 - Closing facilities is a difficult decision as it has impacts on families and employers. The state will continue to assess the situation and provide information as needed.
- Provide guidance to parents, teacher and staff reminding them of the importance

of community social distancing measures while the facility is closed, including discouraging students or staff from gathering elsewhere. Community social distancing measures include canceling group activities or events.

**Scenario 4: Implementation of Mitigation Measures – Multiple Facilities
Measures to be taken if multiple facilities within an organization have a child, teacher, or staff member test positive for COVID-19.**

Please refer to the California Department of Public Health [School Guidance on Novel Coronavirus or COVID-19](#).

WORKFORCE NEEDS

CDSS understands the impact the Novel Coronavirus has had on child care and the school systems. A temporary workforce is needed. If you are interested in working at a child care site please visit our website at:

<https://www.surveymonkey.com/r/emergencychildcareworker>.

As a reminder, all temporary and permanent employees should have a background clearance.

EMERGENCY WAIVER
For Operation of Temporary Employer Sponsored Child Care

On March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency (“Proclamation”) in response to a rising number of cases of COVID-19 in California. The Proclamation permits the California Department of Social Services (CDSS) to waive any provisions of the Health and Safety Code (HSC), Welfare and Institutions Code (WIC), accompanying regulations, interim licensing standards, or other written policies or procedures with respect to the use, licensing, or approval of licensed facilities.

Pursuant to the Governor’s Proclamation, **CDSS is announcing a statewide waiver.**

The waiver will help ensure that child care services are available for working families in need while schools are closed to prevent the spread of COVID-19.

An employer that needs to immediately provide temporary employer sponsored child care as defined in Health and Safety Code section 1596.771 as a result of the spread of COVID-19, may do so using this waiver, provided all terms and conditions below are met:

1. Prior to operation, the employer shall contact their [Child Care Regional Office](#) for approval.
2. Care shall be available exclusively for the care of children of that employer, and of the officers, managers, and employees of that employer.
3. The employer shall immediately create emergency authorization cards for each child with emergency contact information, adults authorized to pick up, consent for emergency attention and if applicable, documentation of the administration of medication, identification of allergies or special needs including developmental or behavioral, and any dietary restrictions. The emergency authorization cards shall be placed in a child’s file within 5 calendar days of the issuance of this waiver.
4. The employer shall distribute a copy of this waiver to parents or legal guardians of all children in care, obtain a signed acknowledgement of receipt from them, and retain a copy in each child’s file. Acknowledgements shall be placed in a child’s file immediately once a child starts attending the program.
5. The employer shall create a file for each child in care to maintain emergency authorization cards, acknowledgement of receipt of the waiver, and any additional information pertinent to the care and supervision of the child.
6. The employer shall immediately obtain and retain documentation of proof of criminal background clearances for all adults working or volunteering at facility or TrustLine approval.
7. Adhere to a child to caregiver ratio of no more than 10:1.

8. A copy of this waiver shall be posted in a prominent location visible to anyone who utilizes the child care setting.
9. To seek anything further than what is authorized under this waiver, the child care setting shall obtain the approval of the [Child Care Regional Office](#) prior to implementing the changes.
10. The child care setting should have age appropriate equipment, such as sleeping, bedding, learning and play materials. If care involves children under 12 months, a crib or play yard shall be provided and adherence to safe sleep best practices is required
11. The employer shall adhere to the local public health department's guidelines for providing a healthy and safe child care environment and incorporate policies and procedures provided by CDSS, in consultation with the Department of Public Health, to support prevention, containment and mitigation of COVID-19.
12. The employer shall comply with directives of a local health department officer and shall not restrict CDSS, CDPH, local health department officials, healthcare providers, and essential government authority from entering or conducting investigations at the facility.
13. Persons who have a travel history over the course of the last 14 days to an area identified by the CDC as Level 3 Travel Health Notice shall not be allowed on site (see Evaluating and Reporting Persons Under Investigation by the CDC).
14. Persons who have been in close contact with someone diagnosed with COVID-19 shall be excluded from the site for 14 days from the day of their last exposure.
15. The employer shall immediately notify parents and send a child home immediately if the child presents with fever and/or respiratory infection symptoms.
16. The employer shall separate sick infants, children, and staff from others until they are able to leave the site, by designating a "sick room" that is separate from the rest of the child care site and through which others do not regularly pass.
17. The facility shall engage in regular cleaning and sanitation practices, including the following, when feasible:
 - a. Sinks for preparing food and washing hands shall be separate.
 - b. Food shall be handled in areas separate from toilets and diaper-changing tables.
 - c. Frequently used surfaces, bathrooms, door handles, sinks, drinking fountains, play areas and toys shall be regularly sanitized throughout the day.
 - d. Disposable paper towels shall be used instead of cloth towels.

18. The employer shall require caregivers to self- screen for respiratory infection symptoms each morning before interacting with children.

CDSS may rescind or modify an employer's authorization for use of this waiver if it determines the employer does not meet the terms and conditions of this waiver, or based upon new federal, state or local directives or guidance. The Child Care Regional Office will be conducting a site visit as soon as possible after an employer has started operation and will be available to provide technical assistance as needed.

**STATEWIDE WAIVER OF LICENSING STANDARDS
FOR LICENSED or TRUSTLINE CHILD CARE PROVIDERS**

[PIN 20-04-CCLD](#) notified all community care licensees that Governor Newsom issued a March 4, 2020, Proclamation of a State of Emergency (“Proclamation”) in response to a rising number of cases of COVID-19 in California. The Proclamation permits the CDSS to waive any provisions of the Health and Safety Code (HSC) or Welfare and Institutions Code (WIC), accompanying regulations, interim licensing standards, or other written policies or procedures with respect to the use, licensing, or approval of licensed facilities.

Pursuant to the Governor’s Proclamation, the Department is announcing a statewide waiver for Child Care facility and TrustLine provider licensing requirements. Facilities or providers do not need prior approval from CDSS to implement the following waivers. Use of these waivers is subject to the Waiver Terms and Conditions set forth in this PIN:

Staff to Child Ratio Waiver

A family child care home, day care center, school-age child care center or infant care center may waive adult-to-child, teacher-child, or staff-infant ratios as necessary for prevention, containment, and mitigation measures, as long as the health and safety of children is not compromised. The ratio of child to staff in a family child care home shall be no greater than 10:1. This waiver shall not apply to staffing for water activities. This waiver applies to a facility’s obligations regarding staff ratios under Title 22, Cal. Code of Regulations, Division 12, sections 101216.3, 101216.4, 101416.5, 101516.5, 101616.5 and 102416.5. Staffing shall remain sufficient to meet the health and safety needs of children in care.

Capacity Waiver

A child care facility, not including a large family child care home, may waive capacity requirements if there is an immediate need for child care in the facility’s area due to school closures as a result COVID-19, as long as staffing remains sufficient to meet the health and safety needs of children in care. Capacity for small family child care homes, shall not exceed 14 children. This waiver applies to a facility’s obligations regarding capacity under Title 22, Cal. Code of Regulations, Division 12, sections 101161, 101216(a), and 102416.5(b).

A TrustLine provider may care for the children of more than one family at a time as long as the provider is able to meet the needs of children in care and capacity does not exceed a ratio of child to provider of 10:1. This waiver applies to obligations regarding capacity under Health and Safety Code section 1596.60.

Criminal Record Background Clearance Waiver

- a. New staff at a licensed facility, or a new TrustLine provider, may start caring for children immediately upon submission of a request to transfer a current CDSS criminal record clearance or exemption and child abuse clearance. This waiver applies to background check requirements under Health and Safety Code sections 1596.603(d), 1596.605 (b)(1) and 1596.871; and Title 22, Cal. Code of Regulations, Division 12, sections 101170, 101170.1, 102352, 102370, and 102370.1.
- b. New staff at a licensed facility shall be permitted to start caring for children upon submission of proof of both a criminal record clearance and child abuse clearance from a school district, state, or local government agency, so long as the other agency conducted both child abuse background checks and criminal record background checks of the individual. Within 5 business days of starting work the new staff shall LiveScan to associate to the child care facility. This waiver applies to background check requirements under Health and Safety Code sections 1596.603(d), 1596.605 (b)(1) and 1596.871; and Title 22, Cal. Code of Regulations, Division 12, sections 101170, 101170.1, 102352, 102370, and 102370.1.

Personnel Requirements Waivers: A licensed child care facility may waive the following personnel requirements to enable new staff to start caregiving immediately:

- a. Tuberculosis (TB) testing: New staff may start working immediately if they submit proof of a TB clearance, including a certificate of TB clearance or physician's report, within the last year. New staff must make arrangements to obtain a current TB clearance. This waiver applies to obligations regarding TB clearance under Health and Safety Code section 1597.055 and Title 22, Cal. Code of Regulations, Division 12, section 101216(g).
- b. Staff Training: New staff may start work as soon as they provide proof of completion of first aid training, which may be completed online. The new staff shall be trained on the specific tasks they will be performing, prior to performing those tasks, and shall not be left unsupervised while children are present in the facility. Initial training requirements shall be met within 30 days of starting employment. At least one staff on site shall have a current CPR certification. This waiver applies to requirements under Health and Safety Code sections 1596.866 and 1596.8661; see also Title 22, Cal. Code of Regulations, Division 12, sections 101215, 101215.1, 101216, 101216.2, 101216.4, 101415, 101415.1, 101416.2, 101416.3, and 102416.
- c. TrustLine application fees: Application fees for TrustLine registration shall be waived. This waiver applies to obligations regarding capacity under Health and Safety Code section 1596.61.

Terms and Conditions

Child care licensees and TrustLine care providers shall implement the waivers on an as-needed basis, in a reasonable manner and in accordance with any guidance from CDSS, health care providers, CDC, CDPH, and local health departments.

All facilities shall continue to comply with standards that have not been waived in this PIN's statewide waiver or pursuant to a different individual waiver under procedures set forth in [PIN 20-04-CCLD](#). Any approved and pending waiver requests for any of the waiver provisions above shall continue to be in force but shall be replaced by the terms of any statewide waiver. Child care licensees and TrustLine providers may continue to request individual waivers for standards not included in the statewide waiver in accordance with PIN 20-04-CCLD.

Requirements for Ongoing Compliance with Waiver; Rescission or Modification

Continued use of this statewide waiver will be based on each facility's compliance with the following terms and conditions:

1. The child care licensee or TrustLine care provider shall immediately notify their [Child Care Regional Office](#) in writing when implementing a waiver pursuant to the statewide waivers set forth in this PIN, and a child care licensee shall post this waiver in a public location within the facility.
2. A child care licensee or TrustLine provider must inform the parents of children in care of any revised policy impacted by the waiver.
3. A child care licensee's revised policies that are impacted by the waiver shall be developed in compliance with the most recent CDC, CDSS, CDPH, and/or local health department COVID-19 guidance and be readily available for the public's review. The policy must include a justification for the need of a waiver.
4. The licensee shall comply with directives of a local health department officer.
5. The licensee shall not restrict CDSS, CDPH, local health department officials, and healthcare providers, Ombudsman, and essential government authority from entering or conducting investigations at the facility.

The Department may rescind or modify a facility's authorization for use of this waiver if it determines a facility does not meet the terms and conditions of this statewide waiver, or an individual waiver, as applicable.

Effective Dates of Statewide Waiver

This statewide waiver shall be in effect until the Governor's Proclamation of a State of Emergency is no longer in effect, or sooner if determined by the Department. This

waiver may be extended depending on any future guidance from CDSS, [Centers for Disease Control and Prevention \(CDC\)](#), the [Department of Public Health \(DPH\)](#), and [local health departments](#).

Additional Resources

- [Centers for Disease Control and Prevention](#)
- [California Department of Public Health](#)
- [Local County Health Departments](#)
- [California Department of Social Services](#)