

Dear Child Care Providers,

Like you, we continue to work diligently to understand the impact of COVID-19 for child care providers, families, and communities in Tennessee. Each agency should use its discretion on the decision of whether or not to remain open in response to the COVID-19 situation that is unfolding in their community. There are many factors to consider, and each agency's situation will be different. As a caring citizen and business owner, I encourage each of you to make the decision that will be the best fit for your program, the families you serve, and the larger community

You may have heard that Governor Lee issued Executive Order #14 yesterday. Related to child care, the Executive Order has the following language:

"The relevant provisions of Tennessee Code Annotated, Title 71, Chapter 3, Part 5, and related rules are hereby suspended to the extent necessary to give the Commissioner of Human Services the discretion to waive the child care licensure requirements, including requirements concerning capacity, care categories, grouping, license transfers, and drop-in centers, if necessary to respond to the effects of COVID-19.

The purpose of this language in the Executive Order is to allow for relaxing of child care licensure rules, if needed, so we can stay nimble and responsive to this unfolding situation. It is not an overall suspension of child care rules and regulations. We have asked any child care agency that is impacted by COVID-19 to contact their licensing program evaluator, so they can understand your situation and determine how best to support you. Licensing PEs will work with each agency on a case-by-case basis.

*If your agency is impacted by COVID-19 (such as confirmed case of a child or educator), we ask that you contact your Licensing Program Evaluator via email. The email should include the following:*

- *Agency Name and Address*
- *Contact Name and Contact information*
- *How your agency has been impacted by COVID-19*
- *Plan of action for your agency*
  - *For example: if an educator is sick, will you engage a substitute? close the agency? if your agency is closed due to known contact; how will your agency clean to reduce further risk? policy in place to prevent/mitigate future risk? how long you will be closed, if applicable?*

Overall, as stated in the Executive Order, our PEs are prepared to discuss general program elements such as capacity, care categories, grouping, license transfers, and drop-in centers, as needed. Our staff want to work with you to find solutions that will keep children safe and meet family's needs.

We have received specific questions about staffing. Here is some basic guidance that may be helpful. Substitutes and volunteers who may be assisting in order to meet ratios should only care for children unsupervised if they have completed a background check process. Background checks completed through other systems such as school districts or universities would be acceptable. If the substitute/volunteer does not have a current background check, they must be supervised by an educator/administrator who has been cleared through the background check process. Agencies may want to consider using substitutes/volunteers that have already been screened because they work for another licensed child care provider, Head Start, or school system that happens to be closed.

We will continue to stay in communication as the situation unfolds. We appreciate your continued care and commitment to the children and families you serve.

Thank you,  
Tennessee Department of Human Services