



TEXAS
Health and Human
Services

Additional Reopening Guidance to Child Care Providers

On May 18, Governor Abbott issued [Executive Order GA-23](#), which allows child day care operations, except those located in Deaf Smith, El Paso, Moore, Potter or Randall counties, to resume providing care to children of all families, not just children of essential workers.

Child Care Regulation has developed the following guidance regarding the Executive Order and the [Open Texas Checklist for Child Care Operations](#), however, please make sure to review the entire checklist carefully as the guidance provided below does not cover every aspect.

If my child care operation is located in Deaf Smith, El Paso, Moore, Potter or Randall counties, should I continue to follow previous guidance?

Yes, you should continue to serve only eligible children based off the [New Executive Order Ga-18 Guidance](#) issued on April 30, 2020, through at least May 29, 2020.

Do parents have to attest to their child's eligibility to receive child care?

No, [Executive Order GA-23](#) allows child care operations, except those located in Deaf Smith, El Paso, Moore, Potter or Randall counties, to serve all children. Parents no longer need to attest to their child's eligibility to receive care, unless the operation is located in Deaf Smith, El Paso, Moore, Potter or Randall counties.

Must I keep any previously completed attestation forms?

Yes, you must keep the completed attestation form as part of the child's record for three months. Child Care Regulation will enforce Minimum Standards related to Record Keeping.

Which types of operations does the [Open Texas Checklist for Child Care Operations](#) apply to?

The checklist uses the term “child care center” and refers to:

- Child Care Centers;
- Before and After School Care Programs;
- School Age Programs;
- Temporary Emergency Child Care Operations;
- Licensed Child Care Homes; and
- Registered Child Care Homes.

How should I implement the [Open Texas Checklist for Child Care Operations](#)?

The checklist should be interpreted and implemented as recommended guidelines based on public health information in an effort to limit your liability and to protect the children in your care and your staff and their families from the spread of COVID-19. Because of the hidden nature of COVID-19, you should, to the extent possible, follow the practices specified in the checklist, all of which facilitate a safe and measured reopening of Texas. The virus that causes COVID-19 is still circulating in our communities.

Should I follow the modified child care ratios?

Yes, to the extent possible, you should follow the modified child care ratio chart on page 6 of the [Open Texas Checklist for Child Care Operations](#). Modified ratios will allow you to implement social distancing strategies and help to reduce the close contact exposure should a child or caregiver test positive at your operation. We recommend group sizes be stable, with the same children and caregiver in the same group every day, this includes all age groups. These groups can be in the same room but caregivers, to the extent possible, should enforce the separation of the groups.

Will I be cited if I do not follow the modified child care ratios?

No, the modified child care ratios are not Minimum Standards nor Emergency Rule and cannot be cited. Child Care Regulation will enforce Minimum Standards related to Child/Caregiver Ratios and Group Sizes.

Who am I required to notify if COVID-19 is confirmed in a child or employee at my operation?

Minimum Standards requires you to report communicable diseases, including COVID-19, to Texas Department of State Health Services (DSHS). DSHS has established a listing of [Coronavirus Disease 2019](#)

[\(COVID-19\) Local Health Entities](#) informing you how to report to your local health authority. You are also required to notify Child Care Regulation and you can do so by contacting your Licensing Inspector or emailing MSC@hpsc.state.tx.us. Minimum Standards also requires you to notify all parents in writing and within 48 hours of becoming aware that a child or employee has contracted an illness deemed notifiable by the DSHS. Child Care Regulation will enforce Minimum Standards related to Administration and Communication.

What steps do I need to take if COVID-19 is confirmed in a child or employee at my operation?

You should follow your local health authority's instructions and health protocols found on page 4 of the [Open Texas Checklist for Child Care Operations](#). The confirmed COVID-19 child or employee should self-quarantine for 14 days. If you have two or more confirmed COVID-19 cases in your facility, you may consider closing and following the CDC Guidance on how to [disinfect your building or facility](#). The health department may also require you to close for a period of time.

Am I required to use a disinfecting solution approved by the Environmental Protection Agency (EPA)?

Yes, Minimum Standards requires you to use a disinfecting solution that is registered by the EPA. You must follow the product's labeling instructions for sanitizing. For EPA-registered sanitizing product or disinfecting solution, such as a bleach solution, that does not include labeling instructions for sanitizing, you must follow the four step sanitizing process in the Minimum Standards. Child Care Regulation will enforce Minimum Standards related to Health Practices.

The EPA has created a product list (List N) which you can search a product by their EPA registration number to determine if the product meets [EPA's criteria](#) for use against SARS-CoV-2, the virus that causes COVID-19. To learn more, visit [EPA Pesticide Registration](#).

Where can I find free COVID-19 online trainings for my staff?

Texas A&M AgriLife Extension has developed free COVID-19 online trainings for child care providers. In order to increase staff's understanding of the public health recommendations and how they can provide quality experiences in their classrooms during this time, they should complete the following two trainings as outlined on page 2 of the [Open Texas Checklist for Child Care Operations](#):

- [Providing High Quality Experiences during COVID-19 for Emergency Child Care Settings](#)

- [Special Considerations for Infection Control during COVID-19](#)

You can also find two additional free COVID-19 online trainings at Texas A&M AgriLife Extension:

- [When & How to Provide Child Care During COVID-19](#)
- [Navigating Child Care Systems During COVID-19](#)

Who do I contact if I have a question regarding training for my staff?

You can contact your Licensing Inspector if you have a question regarding CPR/First Aid, Pre-Service or Annual Training. Child Care Regulation will consider variances for any minimum standard in 26 Texas Administrative Code (TAC) Chapters 744, 746 or 747. Individual variances may be requested through your online [Child Care Licensing Account](#). Child Care Regulation will review each variance and provide approvals on a case by case basis.

Pre-Service Training is a requirement in Statute or 26 TAC Chapter 745 and cannot be approved for a variance.

Review the Technical Assistance document, [Child Care Regulation: Professional Development](#) to find additional training information.

If you do not have contact information for your inspector, email MSC@hpsc.state.tx.us. Child Care Regulation will enforce Minimum Standards related to Personnel.

Are the emergency rules for child care operations still in effect?

Yes, all child care operations must continue to follow the [emergency rules](#) regarding restricting entry to the operation, screening requirements, pick-up and drop-off procedures, and prohibition of family style meals. Child Care Regulation will enforce the Emergency Rules in 26 TAC Chapter 745 Subchapter X.

Are parents allowed to enter the child care operation to swipe their subsidy attendance card?

Yes, the [emergency rules](#) allow parents who have children enrolled and present at the operation to enter for a legitimate need, such as swiping their subsidy attendance card. Parents will be required to be screened prior to entering as provided in subsection (c) of the emergency rules. Providers should make an effort to take attendance outside the operation and must disinfect the card swipe machine after each use. Child Care Regulation will enforce the Emergency Rules in 26 TAC Chapter 745 Subchapter X.

Are single skilled providers, such as dance, karate, math, etc., allowed to start offering extra-curricular activities at my operation?

No, [emergency rule](#), §745.10001(b)(3), restricts entry to:

- operation staff,
- persons with legal authority to enter,
- professionals providing services to children,
- children enrolled in the operation, and
- parents who have children present at the operation.

For the purposes of HHSC Licensing policy, qualified professionals include doctors, nurses, psychologists, and workers in Early Childhood Intervention (ECI), and Texas Rising Star (TRS) staff who are present at the child care operation in an official capacity. Child Care Regulation will enforce the Emergency Rules in 26 TAC Chapter 745 Subchapter X.

Do I need to notify Child Care Regulation if I am reopening?

Yes, you are required to notify CCR of changes regarding your child care operation. You can complete the [Emergency Response Survey](#) or contact your Licensing Inspector of a change in your operating status. If you do not have contact information for your inspector, email MSC@hhsc.state.tx.us. Child Care Regulation will enforce Minimum Standards related to Administration and Communication.

The virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms. Even if an infected person is only mildly ill, the people they spread it to may become seriously ill or even die, especially if that person is 65 or older with pre-existing health conditions that place them at higher risk. **Child care staff and children attending child care, should practice social distancing and stay at least 6 feet from anyone 65 or older, including not touching anything that person may come into contact with.** These preventative measures will protect the health of your loved ones and others by reducing the close contact exposure and spread of COVID-19.

Thank you for continuing to provide a vital service to families as Texas continues to reopen in a safe and measured way. For additional guidance or information, please contact your Licensing Inspector or email MSC@hhsc.state.tx.us.