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COMMUNITY CARE LICENSING DIVISION

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GAVIN NEWSOM
GOVERNOR

12/2/2020

Jennifer Orr

Solana Beach Child Development Center- Solana Ranch Elem.- 375120200831125916
309 N. Rios Avenue
Solana Beach, CA 92075

EMERGENCY CHILD CARE WAIVER NOVEL CORONAVIRUS 2019 (COVID-19)
Extended Day Care Programs (Schools)

EMERGENCY WAIVER

THIS DOCUMENT MUST BE POSTED IN A PROMINENT LOCATION ON THE PROGRAM PREMISES

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) 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 and homes within CDSS’ jurisdiction.

Pursuant to the Governor’s Proclamation, CDSS is waiving certain licensing requirements as described herein.

Reason for waiver request:

The program requested a waiver for 84 school age children (K thru 6th grade) to attend the before and after school program during traditional school hours.

This temporary emergency waiver involves a waiver to:

- California Code of Regulations, Title 22, Division 12, Section(s) 101158 Subsection 8 which requires: Exemption from Licensure for public and private schools that operate a program before and/or after school for school-age children.
- Health and Safety Code section 1596.792(h) which requires: Exemption from licensure for extended day care programs operated by public or private schools.
- Education Code section 8484.3, which requires: These license-exempt programs are eligible to waive existing requirements needed to qualify for license-

exemption to operate during normal school hours as long as all conditions for a COVID-19 waiver are met.

A waiver from this requirement allows the program to:

Operate the before and after school program during traditional school hours from 7:30am to 4:00 pm.

CDSS grants this waiver to Solana Beach Child Development Center- Solana Ranch Elem. located at 13605 Pacific Highlands Ranch San Diego, CA 92130 subject to the terms and conditions set forth below.

TERMS AND CONDITIONS OF THE WAIVER:

- 1) The program shall distribute a copy of the 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 child's file within 5 calendar days of the issuance of this waiver.
- 2) The program shall immediately obtain a CDSS criminal record clearance or exemption for TrustLine registration association or transfer a current CDSS criminal record clearance or exemption, for all adults working or volunteering prior to that individual's presence in the program. The program shall retain documentation of proof of the CDSS clearance or exemption. If the program does not have a current TrustLine Agency number, the program should go to trustline.org to obtain a TrustLine Agency number for staff to use for LiveScan and to associate each individual to the program. The form to transfer an existing TrustLine registration or CDSS criminal record clearance or exemption is found at trustline.org
- 3) At least one on-site staff member shall have a current certification for Pediatric First Aid and CPR during hours of program operation.
- 4) The program shall comply with CDSS group size limitations, The program shall comply with CDSS group size limitations and cohort guidance, which is no more than 16 individuals per cohort and [Guidance Related to Cohorts](#). Children should remain in groups as small as possible. Should state cohort guidance differ from local health ordinances, follow the stricter guidance.
- 5) The capacity shall not exceed the approved capacity as per the local fire authorities and Health and Safety Code section 1596.807 and 1596.792.
- 6) The program shall develop and implement a consumer protection and emergency disaster plan.
- 7) The program shall maintain documentation from the local school district or equivalent for approval to operate on school grounds, if applicable, and will maintain coordination of services with local public health and the school.

- 8) Digital resources shall be made available to support distance learning activities, if applicable.
- 9) The program shall notify parents or guardians of policies impacted by the waiver.
- 10) The program shall have age appropriate equipment and supplies, such as sleeping, bedding, learning and play materials, and provide special needs care and supports for children in care, if applicable.
- 11) The program shall comply with [Industry Guidance for child care providers including but not limited to physical distancing & face coverings](#), and comply with COVID-19 guidance in all applicable [CDSS PINs](#).
- 12) The program shall comply with [local health department](#) guidelines and directives for providing a healthy and safe child care environment. If there are differences between state and local guidance, the program will comply with the strictest requirements.
- 13) The program shall comply with reporting requirements as described in Title 22, Division 12, California Code of Regulations section [101212](#).
- 14) The program shall obtain the approval of the CDSS Child Care Licensing Program prior to implementing any changes to this waiver.
- 15) If a current license holder, program will maintain compliance with all licensing standards that are not waived and remain in good standing with licensing.
- 16) The program shall comply with oversight and shall not restrict access by government authorities, including CDSS, and shall accommodate oversight by remote means including video/telephonic conferencing.
- 17) A copy of this waiver shall be posted in a prominent location visible to anyone who utilizes the child care setting.
- 18) If applicable, the provider shall work with the CDSS Child Care Licensing Program to develop pathway to licensure.

CDSS may rescind or modify a program's authorization for use of this waiver based upon new federal, state or local directives or guidance, if it determines a program does not meet the terms and conditions of this waiver, or for a failure to comply with the terms and conditions of the waiver.

EFFECTIVE DATES OF WAIVER

This waiver expires in 90 days from the date of the waiver, on 3/2/2021. If the provider needs to continue to provide care after 90 days, it is provider's duty to request

a waiver renewal prior to expiration of the waiver. CDSS may renew this waiver upon request from the provider and after evaluation of need and compliance history.

This waiver shall automatically terminate upon the Governor's termination of the State of Emergency. Once the waiver expires, all licensing requirements shall be reinstated.

Approved by:

E. Maria Valencia for,

SHANICE ORUM
Child Care Program Administrator
Community Care Licensing Division