

Child Care Providers - Answers to Your Frequently Asked Questions During the COVID-19 Pandemic 3.24.2020/Afternoon

Please note this is NOT an official document from the State of Ohio.

On Sunday, March 22, 2020, Governor DeWine ordered Ohio child care programs to close, effective **Thursday, March 26**, unless the program has a **Temporary Pandemic Childcare license**. **Currently, the closure is in effect until April 30, though the State will continue to monitor conditions.**

Additional rules relating to Temporary Pandemic Childcare Centers were released today, March 23. View them at this [link](#).

Our State leaders are working around-the-clock to provide answers to your many important questions. Much remains in flux. We are sharing your concerns and will pass along information as we get clarification.

You can access the list of approved pandemic child care programs [here](#). **Others will be added as additional licenses are approved.** The list is updated daily at 10 a.m. and 4 p.m.

Pandemic Centers will receive reimbursement from the state only for families enrolled in Publicly Funded Child Care (PFCC). The State reimbursement rate will be the [5-Star Step Up to Quality rate](#). Providers need to establish their own private-pay rates for essential workers who are not eligible for PFCC.

Pandemic child care centers may only serve essential workers, and workers in specified positions should be given priority, based on ODJFS guidance. Details are [here](#).

The following rules will apply to pandemic centers:

- **Family child care providers are eligible to receive a pandemic license. They should submit an [application](#) if they have not already done so. (There is no need to re-apply if you have already done so.) ODJFS will email you approval of your license for a temporary pandemic childcare license.**
- **There may be no more than 6 children in a class. The ratio for infants and toddlers will be 1:4, or 2:6.**
- **Reimbursement for pandemic centers for families enrolled in PFCC will be at the 5-Star Step Up to Quality rate. You will need to establish your own rate for private-pay families.**
- **PFCC reimbursement will be paid based on enrollment, not attendance.**
- **The State will issue guidance regarding how large spaces can be divided to meet the 1:6 (or infant/toddler) ratio. There will need to be separate and defined spaces, but temporary dividers are likely to be acceptable.**

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- Children whose parents are employed by the same entity should be kept together whenever possible.
- The same teachers and children should be kept in the same room whenever possible.
- Shared space or mixing of groups should be limited.
- If shared space is used, a rigorous cleaning schedule must be in place.
- Parent interaction should be limited at drop-off and pick-up.

We'll update this FAQ list as new information becomes available. **Expect that information WILL CHANGE.** This sheet will be updated regularly posted to the Groundwork Ohio [website](#).

ODJFS Pandemic Page: <http://jfs.ohio.gov/cdc/CoronavirusAndChildcare/>

Q: How long will “regular” child care programs be closed?

A: Beginning March 26, only programs approved as a Temporary Pandemic Child Care site may operate. This order will be in effect through April 30, though that date may change. The State will re-evaluate conditions April 6 and continually monitor the situation.

Q: What do I need to know about the State’s Temporary Pandemic Child Care Center license?

A: Ohio released rules about this newly created license on Wednesday, March 18, 2020. [Additional rules](#) were released today, March 23.

Q: Who can be a Temporary Pandemic Child Care Center?

A: All programs — including family child care providers and Ohio Department of Education licensed providers. The State will decide how many childcare programs will be given [licenses](#).

Q: Should I apply for a license?

A: This is a personal decision. Only you can decide. No program is required to apply to become a Temporary Pandemic Child Care Center. You may **only** serve the children of essential workers if you are a pandemic childcare program.

Q: Who qualifies as an essential worker?

A: The list is extensive. Here is the [Governor’s order](#), which outlines what businesses and workers are included. ODJFS has asked programs to prioritize the children they enroll, according to [this list](#). The focus is on medical professionals, first responders and critical direct service personnel.

Q: Do I need additional or different insurance if I am selected as a Temporary Pandemic Child Care Center?

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A: Talk to your attorney and your insurance provider. Do not make assumptions. Get clarification in writing from your agent and legal counsel. It's possible your existing policy would NOT cover your operations as a pandemic childcare program.

Q: When will I know if my program has been approved to be a Temporary Pandemic Child Care site?

A: Here is the [link](#) listing programs by County that have been approved. It is updated at 10 a.m. and 4 p.m. daily.

Q: Will Temporary Pandemic Child Care Centers be required to meet *Step Up to Quality* standards?

A: No.

Q: What should programs do regarding children and staff who have underlying conditions that put them at high risk?

A: Children and staff with high-risk conditions should not be in your buildings. Of course, that creates tremendous hardships for all concerned. But the threat is just too great to expose people to a life-threatening virus. Take the necessary steps to keep your staff and families safe.

Q: What if a child or staff member tests positive for COVID-19?

A: Consult with your local public health department. Detailed guidance will be posted at the ODJFS web site where there will be a risk assessment to follow. If a child or staff member exhibits symptoms or is ill, send them home.

Q: Will staff at Temporary Pandemic Child Care Centers be required to undergo background checks?

A: Yes. They must [submit to that process](#) within 7 days of being hired. Individuals may work in the center prior to the background check being completed, but they may not be alone with any children. The state will be running the checks related to sex offenders and abuse/neglect for all potential employees in your pandemic childcare program. Here is [additional information from ODJFS](#).

Q: Will I be paid for my PFCC children whose families are not considered essential workers and were previously enrolled?

A: The State has committed to reimbursing programs (including those that are not pandemic centers) for their families currently enrolled in PFCC as long as funding allows. The State's plan is to choose an historically representative week and pay providers that weekly rate for each week of mandatory closure.

Q: What will the reimbursement rate be for Temporary Pandemic Child Care Centers?

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A: The State will reimburse pandemic centers at the [5-Star Step Up to Quality rate](#) for families who qualify for PFCC. You will need to establish a rate for your private-pay families. Again, state reimbursement is available only for PFCC families.

Q: Why did the State create Temporary Pandemic Child Care Centers for “essential workers” when existing centers could provide care for their children?

A: Hospitals particularly and understandably are concerned that they have child care for their workers. In some communities, hospitals are the largest employer, and there are too few existing centers to meet their needs. That situation will be compounded if too few providers apply to be a pandemic center.

Q: What if I’m opening a pandemic center in a new space that does not have a permit to operate as a child care center?

A: Here are [regulations](#) from the Board of Building Standards and the State Fire Marshal. This language is important:

“In summary, if an operator intends to open a licensed Temporary Pandemic Child Care Centers to address the day care needs of first responders and health care professionals during the current state of emergency, the building must be approved by the building official of the jurisdiction for this temporary use. Some buildings may already be approved for this use, so operators are encouraged to check with the building official about its current approval. If a time limited occupancy is needed, the owner of the building (or their authorized representative) must submit an application for approval of a change of occupancy to the building department with jurisdiction.”

Q: Where do I call to get information regarding becoming a Temporary Pandemic Child Care Center?

A: Call the Child Care Policy Helpdesk at 1-877-302-2347, option 4 or email: ODJFS_CHILDCARE@ifs.ohio.gov. Please know that ODJFS is receiving an incredible number of inquiries. Staff are doing their best to reply.

Family Childcare Providers

Q: Are family care providers required to close?

A: Yes, on March 26, unless they become a [pandemic center](#).

Pandemic Days

Q: What are pandemic days?

A: If you serve PFCC families, you may request pandemic day reimbursement for days through Saturday, March 28. Currently, programs are eligible to receive up to 21 pandemic day reimbursements, depending on when they closed. If you are a Temporary Pandemic Child Care

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site, you should submit pandemic days in the TAP system for Thursday, Friday and Saturday of this week (March 26-28). Beginning March 29, providers will be paid for PFCC essential workers' children based on enrollment, at the 5-Star rate category for their County.

Q: I did not close my program prior to the mandated closure. What do I do now?

A: You can bill the state for the 10 additional absent days that are explained in the [Friday, March 13 temporary procedures](#) posting. This is for children receiving Publicly Funded Child Care (PFCC).

Q: How do I get reimbursement?

A: The TAP system is now updated to reflect the absent day and pandemic day options. Instructions on using Pandemic Days can be found [here](#).

Unemployment

Q: How can my employees get unemployment?

A: Employees should apply for benefits here:

<http://jfs.ohio.gov/ouio/CoronavirusAndUI.stm>

Even if your employees believe they aren't eligible to receive benefits, they still should apply immediately. The 1-week waiting period has been eliminated, and benefit eligibility rules are ever-changing.

Q: What if we are a religious organization and don't pay into the unemployment system?

A: If a religious organization opted to pay into the unemployment fund, employees likely are eligible for benefits. But even if an employer has not been contributing to the fund, laid-off employees still should apply immediately because rules could change. Moreover, employers can participate in the fund retroactively. However, doing so could result in the State seeking reimbursement for unemployment payments paid to former employees.

Q: Are child care owners eligible for unemployment?

A: Definitely apply. Benefit formulas are complicated; whether you receive benefits largely depends on the wages you earned over a requisite period.

Q: Are family care providers eligible for unemployment benefits?

A: Employees working in Type A providers are subject to a 3-prong analysis to determine eligibility. There are requirements related to their earnings, their work history during a set period, and whether the provider has been paying into the unemployment fund. Employees should apply. They have nothing to lose.

Type B providers are essentially self-employed. Whether they receive benefits will be decided on a case-by-case; much depends on the provider's wages. There is no reason not to apply. Let the agency decide.

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Q: What if an employee chooses not to work out of fear of contracting COVID-19? Is she/he eligible for unemployment benefits?

A: If a worker's employer closes or the employee is ordered to stay home by an employer or healthcare provider for health reasons, that employee is considered unemployed and is eligible for benefits. If the employee is out of work voluntarily, he/she is unlikely to qualify under the current rules. Again, today's situation is unprecedented. Rules could change.

Q: Can I pay my employees the difference between their pay and what they receive in unemployment benefits?

A: Laid-off workers must report any wages they receive on a weekly basis (and re-apply for benefits each week). If after they apply for benefits, their earnings from any source are equal or less than 20% of their calculated benefit, their benefits will not be affected. If the earnings or compensation is greater, they are risk of having their benefits reduced dollar-for-dollar. Make sure you don't unintentionally create a situation where a former employee loses benefits or sees a reduction because of your eagerness to assist them.

Q: How much will my employees receive in unemployment benefits?

A: A good rule of thumb is 50% of their previous salary. But the amount depends on each individual's circumstances and complicated benefit formulas.

Q: How does the new Families First Coronavirus Response Act, providing for paid sick leave and family leave, affect me and my employees?

A: Here is an analysis from [The New York Times](#). The law applies to employers with fewer than 500 employees, while employers with fewer than 50 employees may be exempt if compliance threatens a business' viability. The fine print hasn't been worked out yet. The Department of Labor is expected to publish regulations on or around April 2. There is no concrete guidance until then.

Private Providers

Q: What assistance will be available to private providers that don't have PFCC children or have a mix of private pay and PFCC families?

A: This crisis is evolving. The focus so far has been serving essential workers and those families who are most vulnerable. We will advocate for all professionals in the field. We do understand that private providers are critical to families and need to be supported. We know you are facing difficult decisions about tuition for families who do not receive PFCC.

Q: I do not have PFCC children. What should I do about charging my families tuition?

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A: This is a difficult decision as you try to hold spaces for children and pay your teachers during closure. We have heard from providers around the state who are handling this in different ways. Some providers are asking families who can afford to pay tuition to keep paying as long as possible so that they can pay their teachers even if they are closed. We understand this is not an option for many of your tuition-paying families who are also losing their jobs. Some providers are asking families to pay a reduced rate such as 50% or 75% of tuition.

Small Business Administration Loans, Financial Assistance

Q: Does my insurance cover the losses I'm incurring?

A: Insurance carriers are still reviewing if the COVID-19 pandemic constitutes a business interruption. Contact your broker, and then submit your claim regardless of what the carrier says. The federal or state government could yet weigh in on what insurers are required to pay their insureds. Conditions are evolving.

Q: How do I get an SBA loan?

A: Detailed information is available [here](#).

Michelle Davis at Dayton's CityWide Development Corp. has volunteered to be a resource.

Reach her at: mdavis@citywidedev.com

Office: 937-853-2565

SBA Disaster Assistance loans for up to \$2 million are available (though this upper limit is for large institutions). The current interest rate is an estimated 2.75% for non-profits, 3.75% for for-profits. You could receive a loan of up to half of your gross profit.

Of course, you'll want to use all other resources before taking out a loan. This assistance is a loan and must be paid back. If you are approved for a loan, you have a 12-month deferral period before you must begin making payments. Unlike most other SBA loans, there are no prepayment penalties — an important benefit if you can get back on your feet quickly.

One complication with Disaster Assistance loans is that they are retroactive and you must prove economic distress — that is, you will need to apply for a loan after you are able to calculate the amount of loss you will endure as a result of the pandemic.

Q: What if I'm denied?

A: There is a 6-month reconsideration period where additional documentation can be provided to support your claim. This period may be extended.

Q: Am I eligible for an SBA loan if I am affiliated with a religious organization?

A: Currently, religiously affiliated organizations are not eligible. But this rule could be waived in the future.

Q: Can Family Childcare Providers apply for SBA Loans?

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A: Family Childcare Providers should be able to apply as long as your income and expenses are reported on Schedule C on your tax returns, or if you are an LLC.

Q: If I already have an SBA Loan, how can I get help if I can't afford to make my payments?

A: You may apply for deferral of payments retroactive to March 1, 2020; you must apply by June 30, 2020. Go to the lender or the CDC that issued your loan to apply for deferment. This applies to SBA 7a and SBA 504 loans. A "catch-up" plan is likely to be put in place that could require paying more than the previously required payment.

Q: What other options are there for financial assistance?

A: If you are a non-profit, you may be eligible to receive emergency grant assistance. There are community foundations across the State that are releasing funds to assist during this crisis. There will be more assistance in the weeks and months to come as our communities learn ways to support each other. Most community foundations require that your organization is located in a certain geography, so check with your local foundations.

The following is not a complete list of potential funding sources. We will update it as we learn of additional resources.

[Akron Foundation](#)

[Cincinnati Foundation](#)

[Cleveland Foundation](#)

[Columbus Foundation](#)

[The Dayton Foundation](#)

[Middletown Community Foundation](#)

[Greater Toledo Community Foundation](#)

[Yellow Springs Community Foundation](#)

[Philanthropy Ohio](#) also has compiled a list of philanthropic resources across the state.

Step Up To Quality

Q: What is happening with Step Up To Quality?

A: The focus during this crisis is creating safe places for children of essential workers to receive child care. The emergency procedures issued by ODJFS March 13, state, "While Ohio is in a state of emergency to address the COVID-19 pandemic, SUTQ rated child care centers and family child care home providers should focus on meeting licensing requirements for health and safety. Additionally, the Ohio Department of Job and Family Services will not be assessing SUTQ standards and submission requirements with the exception of already submitted 1-Star initial registrations, 1-Star rating renewals and already submitted annual reports for 3-, 4-, and 5-Star

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ratings.” We expect the State to release more information about Step Up To Quality in the weeks to come; for now, focus on taking care of your families and staff.