



The Commonwealth of Massachusetts

Department of Early Education and Care

Temporary Policy	
Closures and Days of Operation in Exempt Emergency Child Care Programs	Field Operations – Exempt Emergency Child Care
Effective Date: April 1, 2020	

Through this policy, EEC seeks to offer guidance to Exempt Emergency Child Care Programs (EECCP) in understanding the requirements for Days of Operation, Approved Closures, and Non-Approved Closures.

Applicable to: All EECCP providers, unless otherwise exempted or approved by EEC.

Days of Operation

A “Day of Operation” is determined when a program is verified by EEC Licensing staff as open and available for Emergency Care. A program shall be considered verified when the program is open and available to receive and accommodate requests for emergency care, whether children are in attendance on that day or not.

An approved EECCP must be open for at least two (2) days of operation in the initial week of starting operation. After the initial week of operation, an approved EECCP must be open for at least five (5) days of operation **or** a combination of days of operation and Approved closure days that total five (5) days to receive the applicable full week reimbursement. Programs that operate for less than 5 days will be paid a prorated portion of the applicable weekly reimbursement rate.

Verification of EECCP Days of Operation

In addition to maintaining the required daily attendance records, EECCPs will report daily attendance numbers to EEC through a daily attendance call. Assigned EEC staff will call each EECCP once per day to confirm daily attendance, expected attendance for the next care day, and to receive questions or concerns from programs. EECCPs that are open and available for care should make every effort to answer daily attendance calls and should call back as soon as possible, if the initial call is missed. Failure to participate in daily attendance calls may compromise a program’s eligibility for reimbursement for all Days of Operation.

Closures

An Approved Closure is determined when an EECCP has followed the proper EEC notification protocol to request closure days *and* has been notified and received acknowledgment from EEC that it is approved to close the program. The determination of allowable closures shall be defined by EEC staff.

Approved Closures shall include:

- A program that closes temporarily due to COVID-19 related reasons. This refers to all types of COVID-19 related closures, whether it is mandated or the program chooses to proactively suspend operations. Such closures shall include:
 - closures due to staff illness, including that which may compromise staffing numbers and negatively impact ratios and supervision of children;
 - child illness;
 - closures to sanitize the location¹;
 - program closures following advisement by the local board of health; and
 - other COVID-19 related reason, as approved by EEC.
- Other emergency closure, only as approved by EEC
- Holiday closures, only as approved by EEC and in compliance with the limitations and restrictions outlined below

EEC does not require that EECCPs close for holidays and programs are encouraged to remain open whenever possible to promote access to backup emergency child care for the duration of the State of Emergency. While single days of preplanned time off will be permitted, holiday and vacation days should be minimized and will not be allowed in consecutive weeks. Programs taking more than one closure day per week will be at risk of non-payment of the applicable weekly reimbursement.

Unapproved closures will include any days that the EECCP has not received an acknowledgement of Approval for Closure and is found to be not open and available for emergency care or when the program requests to close for a reason not included as an approved closure. EECCPs that close without following the proper EEC notification protocol below to obtain EEC approval for closure may not be reimbursed.

Process for Approving a Closure

EECCPs intending to temporarily close must notify EEC by calling the program's Licensor within 24 hours of the anticipated closure or sooner. If the program's Licensor is not available, EECCPs should contact the appropriate regional office to speak to the Regional Director. Requests for approval of closure days may also be accepted through the Regional Team Member during daily attendance calls.

Following approval of a requested closure day, EEC staff shall email the EECCP point of contact with the following acknowledgement:

- Approved reason for closure;
- Days approved for closure;
- Maximum capacity of children allowed; and
- Any additional conditions or notifications required.

Please note that closure days shall not be considered approved until EEC sends out an acknowledgement. EEC reserves the right to request additional information when determining approvals for closure days.

Whenever possible, EECCPs requesting a COVID-19 exposure- or illness-related closure must inform the following entities within 24 hours in advance of the anticipated closure or as soon as possible after obtaining EEC approval:

- Local board or department of health; and

¹ A program that closes to sanitize the location may be reimbursed for no more than 3 consecutive days (note: the CDC recommends that cleaning procedures begin one day after a program has suspended operations). There is nothing that restricts more than one round of 3-day closures for sanitization.

- The parents of all children in care.

Families whose children are scheduled to attend the EECCP on the approved closure days should be encouraged to visit the EEC Emergency Child Care Directory or to contact the EEC regional office for assistance in identifying alternate care for such periods of time to avoid any interruption in emergency care services.

Resuming Care Following an Approved Closure²

EECCPs shall resume care on the first care day following the last approved date of closure. For example, if the EECCP operates on a Monday – Friday schedule and has been approved for closure on Wednesday and Thursday, care shall resume on Friday. EECCPs that are unable to resume care on the established day must notify their EEC Licensor immediately to obtain approval. EECCPs that remain closed without following the proper EEC notification protocol above to obtain EEC approval for additional closure days may not be funded for the week of services.

If an approved EECCP has questions or concerns regarding their eligibility for reimbursement, they should contact EEC Fiscal at eec.emergency.childcare@mass.gov. EECCPs should not contact the CCRR to discuss payment amount or discrepancies.

² EEC may require documentation from the local board of health prior to approving the reopening of an EECCP following COVID-19 related exposure. Programs unable to reopen on the anticipated date due to COVID-19 related reasons will not be penalized.