



## Office of Children and Family Services

**ANDREW M. CUOMO**  
Governor

**SHEILA J. POOLE**  
Commissioner

March 17, 2020

Dear Child Care Provider;

In these uncertain times, it can be difficult to manage the influx of information we hear from many sources. Please be aware that child care programs are NOT being ordered to close. In fact, quite the opposite is true. Governor Cuomo and his administration consider child care to be an essential function critical to enabling parents to go to work.

In certain circumstances, however, local authorities, mainly local Departments of Health, have the authority to direct programs to close under quarantine or other emergency orders. In addition, as a child care program, you are free to close your own programs should you wish to do so. We know you will make the right decision for yourself and the families you serve. If your program does close, please remember that you must contact your regulator if you are either closing voluntarily or instructed to close by a local authority.

In a time of crisis, please be mindful that our emergency responders must be able to go to work. If you have openings in your program, please use those openings to service the children of employees who must continue to report to work. Also, remember that the Governor has granted OCFS the authority to waive selective regulatory requirements in order to meet the need for child care services, especially for first responders, health care workers, and other critical staff. The Centers for Disease Control, in its guidance on events and mass gatherings recommends group size to ten or fewer. (See <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/index.html>.) Your licensed capacity, however, remains in effect unless you've been approved for a waiver by OCFS as there may be ways for you to serve a greater number of children while continuing to prioritize their health and safety and that of your employees.

These are unprecedented times. But New Yorkers are resilient, and we will get through this together. We at OCFS are your partners in addressing issues and concerns as they arise and we will do all that we can to be nimble in our response. Thank you for the important work that you do to keep New York going. Without our child care providers, parents would not be able to work. We especially thank you for providing our first responders, health care workers, and other essential employees like Direct Care Workers with the peace of mind they need so they can fully focus on their vital work in addressing this pandemic.

Sincerely,

A handwritten signature in black ink, appearing to read "Janice Molnar".

Janice Molnar, Ph.D.  
Deputy Commissioner  
Division of Child Care Services