



## **Old Dominion Association of Church Schools**

### **IMPORTANT UPDATE FOR COVID-19 REOPENING, PHASE II VDSS Childcare Guidance, Advice about Summer School, and Thoughts About School Opening in the Fall**

June 3, 2020

Dear ODACS Friends,

Yesterday, Governor Northam issued Executive Order 65, announcing Phase II of reopening along with the relaxation of many COVID-19 restrictions. Phase II will take effect this Friday, June 5. Also yesterday, the Virginia Department of Social Services published an important memo with updated childcare guidance for Phase II. You can find the entire VDSS document online by following this link.

<http://vaodacs.com/assets/Uploads/PDF-Files/Childcare/6.2.20-Child-Care-Letter-Phase-Two-VDSS-Guidelines.pdf>

ODACS has read both the executive order and the childcare guidance carefully and encourages its ministries to take note of the following highlights.

1. **The updated VDSS childcare guidance includes a significant relaxing of group size restrictions.** Beginning Friday, the 10 per group rule will no longer apply, and age-appropriate staff-child ratios will be reinstated. In order to help you to understand the new ratios and group size regulations, please refer to the following chart.

<b>PHASE II: REDCD Staff-Child Ratios</b>		
<b>Age Group</b>	<b>Legal Ratio/Room Limit</b>	<b>Phase II Ratio/Room Limit</b>
Ages 0-16 months	1:4, room limit based on square footage	1:4, no more than 12 individuals per group/room
Ages 16-24 months	1:5, room limit based on square footage	1:5, no more than 12 individuals per group/room
Ages 24-36 months	1:8, room limit based on square footage	1:8, no more than 12 individuals per group/room
Age 3 years	1:10, room limit based on square footage	1:10, no more than 12 individuals per group/room
Ages 4-5 years	1:10, room limit based on square footage	1:10, no more than 22 individuals per group/room
Ages 5-9 years	1:20, room limit based on square footage	1:20, no more than 22 individuals per group/room
Ages 9-12 years	1:25, room limit based on square footage	1:21, no more than 22 individuals per group/room

2. **Beginning Friday, face coverings in the childcare setting are not mandated, but they are strongly recommended under certain circumstances.** Please refer to the VDSS Phase II guidance document for more details.
3. **The VDSS reopening guidelines instruct childcare centers to continue to follow the CDC's Guidance for Schools and Child Care Programs.** You can find the CDC guidance by following this link.

<http://vaodacs.com/assets/Uploads/PDF-Files/Childcare/CDC-Guidance-for-Child-Care-Programs-that-Remain-Open-During-COVID-19-Pandemic.pdf>

4. **To the best of our knowledge, other temporary VDSS procedures for COVID-19 childcare remain in effect.** These would include informing Child Care Aware of your intent to reopen, following temporary procedures for licensing inspections, and obtaining fingerprint background checks. More information is available on the Child Care Issues page of the ODACS web site. <http://vaodacs.com/child-care-issues/>  
*Important Note* – The Child Care Aware online survey that was published earlier during the pandemic is no longer active. Childcare providers can update their program status by visiting this web site. <https://vachildcare.com>
5. **ODACS childcare centers are encouraged to continue to communicate with their local VDSS licensing office and with their local health department regarding any childcare questions that may arise during Phase II.** Proactive communication with government officials during the pandemic will continue to be an important way to maintain a good relationship with and a good testimony before those officials.
6. **The question has arisen about whether it is permissible to hold onsite summer school classes or tutoring sessions for K-12 students.** The governor's executive order and the VDSS guidance are silent on this question. However, Executive Order 65 does allow for institutions of higher learning to hold in-person classes over the summer, provided that basic COVID-19 precautions are in place. The governor's order closing schools for K-12 applied expressly to the remainder of the 2019-2020 academic school year. Given the fact that neither VDSS nor VDOE has any legal purview over our K-12 schools, and given the fact that the governor's orders are silent on the issue of summer school for K-12 students, ODACS has arrived at the following opinion. ***In Phase II, it is permissible for private schools to offer onsite, in-person academic tutoring or summer school sessions. ODACS recommends that for children ages 12 and under, the summer school voluntarily comply with VDSS childcare ratios, despite the fact that VDSS had no legal purview. ODACS also recommends that for children ages 13 and up, the summer school voluntarily follow the 22-person limit per group/room as well as the 50% of capacity limit that is common for other establishments under Phase II. ODACS believes that the state will deem the face mask mandate to apply to a summer school setting, especially for children ages 13 and up. Basic COVID-19 safety practices, consistent with Phase II practices for public gatherings and for childcare settings, should be published and implemented. ODACS further recommends that prior to opening the summer school, the school consult with the local law enforcement agency (rather than with VDSS or with VDOE) so that they are aware of the plan to reopen and of the safety precautions that will be in place. While ODACS believes that this advice is sound, a school may also wish to consult an attorney prior to opening a summer school or tutoring program.***

7. **The million dollar question is this. Will our K-12 school be allowed to reopen in the fall?** Our understanding through one of our reliable contacts in Richmond is that the governor was originally scheduled to make an announcement about this question in yesterday's press conference; however, the announcement was necessarily delayed because of the recent civil unrest. We have also heard that the governor may make an announcement as soon as tomorrow, June 4. Also, the same source indicates that schools will reopen in the fall, and that private schools will continue to enjoy a great deal of autonomy for the 2020-2021 school year. While I have given a lot of thought to the possibility of a worst-case scenario, I personally have believed that the governor will have no choice but to allow schools to reopen. Of course, we will not know for sure until we receive an official word, but I do think that it is far too early to assume that schools will not reopen and to begin making plans based on that assumption. Please pray with me that the governor will be reasonable on this matter and that our schools will be able to open their doors to students this fall!

I hope that this information will prove helpful to you, and I am continuing to pray for all of our churches and schools during this challenging time. God bless you as you continue to minister to students and parents!

Sincerely,

Dan Zacharias  
Executive Director