



**Office of Children
and Family Services**

Interim Guidance Upon Return

From Out of State Travel.

ANDREW M. CUOMO
Governor

SHEILA J. POOLE
Commissioner

Date: September 4, 2020

From: Division of Child Care Services, OCFS

To: Child Care Providers, Licensors, Registrars, and Enrollment Agencies

Summary:

This guidance is related to implementation of Executive Order 205 and the COVID-19 Travel Advisory.

Background:

As COVID-19 transmission has reached a very low level in New York, vigilance must be maintained to ensure that New York does not see a surge from states with increasing community transmission of COVID-19.

Based upon Governor Cuomo's Executive Order 205, issued June 25, 2020, all travelers entering New York who have recently traveled within a state with either:

- a positive test rate higher than 10 per 100,000 residents over a seven-day rolling average; or
- a testing positivity rate of higher than a 10% over a seven-day rolling average,

will be required to quarantine for a period of 14 days consistent with the Department of Health (DOH) regulations for quarantine. Data used to construct the metrics that determine the designated states from which individuals must quarantine is detailed in the tables posted publicly by all 50 states. Analysis of the metrics will be conducted weekly to determine if travelers from other states qualify.

The designated states with significant community spread will be conspicuously posted on the [DOH website](#) and will be updated weekly. Please check the site frequently as the information will change as often as daily, as rates of COVID-19 transmission increase or decrease. Quarantine and any exemptions will be addressed by guidance, found here: <https://coronavirus.health.ny.gov/covid-19-travel-advisory>

Although the COVID-19 travel advisory allows for certain exemptions for essential workers, the nature of child care services makes it extremely difficult to adhere to the guidelines that govern such exemptions. Many children in child care cannot safely wear masks and social distancing is not realistic for child care providers and children, therefore the safest path for children, parents and child care providers is adhering to the quarantine mandate.

Thus, any child care staff, or child enrolled in such program, regardless of role or modality, who travels to a state identified in the Travel Advisory, other than passing through in the course of their travel (e.g. layover, or stopping at rest areas), must quarantine for 14 days upon their return to New York before return to the child care program.

Guidance for Child Care Programs and Staff:

CENTER-BASED CHILD CARE PROGRAMS (Day Care Centers, Small Day Care Centers, School-Age Child Care and Enrolled Legally-Exempt Group Child Care programs)

All staff persons/employees who traveled to an identified high-risk state for more than 24 hours must quarantine for 14 days. As with all staff/employees at all times during the COVID-19 emergency, if they develop symptoms, they must comply with DOH Interim Guidance of June 26, 2020:

<https://ocfs.ny.gov/main/news/2020/COVID-2020Jun26-Day-Camp-Detailed-Guidelines.pdf>.

The one exception to this standard would be for staff in center-based programs where such staff is deemed essential and critical for the operation or safety of the program, by the director in consultation with OCFS or its representatives, the person may return to work as long as they comply with the DOH Interim Guidance. This includes, at this time:

- A. 05-31-2020 Interim Guidance for Public and Private Employees Returning to Work Following COVID-19 Infection or Exposure:
https://coronavirus.health.ny.gov/system/files/documents/2020/06/doh_covid19_publicprivateemployeeereturntowork_053120.pdf
- B. 06-24-2020 Interim Guidance for Quarantine Restrictions on Travelers Arriving in New York State Following Out of State Travel:
https://coronavirus.health.ny.gov/system/files/documents/2020/06/interimguidance_traveladvisory.pdf

All children who traveled to an identified high-risk state, must quarantine for 14 days. As with all children at all times during the COVID-19 emergency, if they develop symptoms they must comply with DOH Interim Guidance of June 26, 2020: <https://ocfs.ny.gov/main/news/2020/COVID-2020Jun26-Day-Camp-Detailed-Guidelines.pdf>.

FAMILY-BASED CARE (Family Day Care, Group Family Day Care, and Non-Relative Legally-Exempt Informal Child Care)

All providers and assistants who traveled to an identified high-risk state for more than 24 hours, must quarantine for 14 days. If they are unable to quarantine away from the child care premises, the child care program must not operate during the quarantine period. As with all providers/staff at all times during the COVID-19 emergency, if they develop symptoms they must comply with DOH Interim Guidance of June 26, 2020: <https://ocfs.ny.gov/main/news/2020/COVID-2020Jun26-Day-Camp-Detailed-Guidelines.pdf>.

Providers of family-based licensed or registered programs can allow an assistant or substitute to operate the program so long as the affected provider or staff are quarantining away from the child care premises for the entirety of the 14 days. Legally-exempt family child care and in-home child providers are not authorized to have substitutes or assistants and thus may not allow others to provide care while they quarantine.

All children who traveled to an identified high-risk state, must quarantine for 14 days. As with all children at all times during the COVID-19 emergency, if they develop symptoms, they must comply with DOH Interim Guidance of June 26, 2020: <https://ocfs.ny.gov/main/news/2020/COVID-2020Jun26-Day-Camp-Detailed-Guidelines.pdf>.

All Household Members (HHM) must follow the same rules as the provider and the assistant, since they would have the same potential impact on other adults and children in the setting. A Household Member is not an employee of the program, but lives in the home where child care is being provided.

ⁱ Relative-only Family Child Care and Relative-only In-Home providers are not subject to these requirements, but must notify all parents if the provider, employee, or a household member is subject to quarantine.