

Subject: Guidance for Serving School-Age Children During Distance Learning

Attention: Executive Directors and Program Directors of All State Subsidized Early Learning and Care Programs

The CDE, ELCD would like to thank local partners and programs for all of your efforts in supporting children and families during this incredibly difficult time. We acknowledge each and every one of you who are continuing to support the children and families of California. Whether you are currently open, preparing to open, or preparing for distance learning, the ELCD acknowledges your need for guidance at this time. We appreciate your efforts and continue to work with the Legislature and the Administration in order to provide the direction you need.

The ELCD knows that many school districts are beginning the school year with distance learning; therefore, school-age children need care during their parent's work hours. The ELCD also knows that questions have arisen about how to interpret *California Code of Regulations*, Title 5 (5 CCR), section 18076.2, which does not allow CalWORKs Stage 2 (C2AP), CalWORKs Stage 3 (C3AP), California Alternative Payment Program (CAPP), California Migrant Alternative Payment Program (CMAP), and Family Child Care Home Education Network (CFCC) contractors to reimburse providers during "scheduled instructional minutes" of a public or private educational program that the child is enrolled and attending.

Since K-12 distance learning does not provide supervision for children, the CDE does not consider it to be scheduled instructional minutes for the purposes of reimbursing providers.

Therefore, providers shall be reimbursed for care during the time a school-age child is participating in K-12 distance learning and attending their childcare program or provider during the typical school hours.

If the child is participating in a hybrid model (in-person instruction and distance learning) the provider may only be reimbursed for the time that the child is not receiving in-person instruction.

Contractors are responsible for budgeting their contract funds to ensure providers will be reimbursed for an increase in the cost of care associated with school-age children that are participating in distance learning.

The ELCD will be revising Management Bulletin (MB) 20-15 to include this clarification. Until that MB is released, the guidance in this listserv should be utilized when making payments to providers.

Please visit our Early Learning and Care Frequently Asked Questions (FAQs) website for the latest updates at <https://www.cde.ca.gov/sp/cd/re/covid19elcdfaq.asp>.