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D.H.S. Announces Licensing Requirements and New Rules and Regs for Reopening Child Care Programs and Summer Camps

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Department of Human Services (DHS) has released its statutory, licensing requirements, rules, and regulations regarding the re-opening of child care programs and summer camps.

“It is critical, especially as we continue to evaluate the safety of group activities and settings during this COVID-19 Pandemic, that anyone or any entity planning to re-open or operate any kind of child care program or summer camp be aware of and in compliance with the USVI statutes, licensing requirements and regulations for operating,” stated DHS Commissioner Kimberley Causey-Gomez.

According to V.I. Code Title 34 Section 383, “No person may operate a child day care facility for three or more unrelated children unless he or she holds a valid license issued by the Department of Human Services.” Individuals and entities operating out of compliance will be subject to statutory fines and immediate closure.

In March 2020, in accordance with CDC guidelines and to help stop the spread of the COVID-19 Pandemic, the Department of Human Services Office of Child Care and Regulatory Services informed all licensed child care facilities that they were required to reduce the number of children they were providing care for. Additionally, centers were informed that no more than ten people could be in the facility at any time. Most childcare facilities opted to totally close operations during April and May 2020, D.H.S. said.

Re-opening Guidelines

In anticipation of meeting the needs of families as people are going back to work, the DHS Office of Child Care and Regulatory Services held meetings for all childcare facilities to share the re-opening guidelines considering COVID-19. All Child Care Operators are required to submit their re-opening plans to the Office of Child Care and Regulatory Services prior to re-opening on a larger scale.

A mandatory Summer Camp Guideline Meeting will held via teleconference on Tuesday, June 30, 2020, at 10:00 a.m. for the St. Thomas District and 3:00 p.m. for the St. Croix District. The purpose is to discuss the detailed summer camp guidelines and requirements. It is critical for providers and intended providers to call in.

Summer Camps operating according to the guidelines will be allowed to open in July. “To help reduce the transmission of COVID-19, the Department of Human Services will require all Child Care Providers to follow new space requirements to be in line with social/physical distancing guidelines distributed by the Centers for Disease Control. Additionally, all staff will be required to wear masks, follow cleaning and sanitization requirements, and take mandatory daily temperatures of all adults and children entering the child care facilities,” explained Commissioner Causey-Gomez.

There are civil and criminal penalties for any person / entity who violates any provision of the Child Day Care Facility Licensure Law. Per V.I. Code Title 34 Section 396, “Any person who operates a facility without a license or certification as required under this chapter, or who places a public advertisement for an unlicensed facility, is subject to civil penalty of not more than \$1,000 for each day of violation and for each act of violation, as the court may deem proper.” Title 34 Section 397 cites, if an unlicensed facility is found guilty by the Court of a misdemeanor, the Child Care Operator can also face imprisonment not to exceed three months, or a fine.

The licensing of child care facilities helps to protect the health, safety and well-being of the children of the Territory who require child care services. Parents and guardians who leave their children in child care facilities should feel confident that their children are in safe and regulated programs. DHS encourages all parents and guardians to ensure the child care facility they select is fully licensed by the Office of Child Care and Regulatory Services.

Child Care Facilities

In the U.S. Virgin Islands, child day care facilities, which provide care for children ages 0-14 and require licensing by the Department of Human Services, include day care centers, also called nurseries, preschools, prekindergarten, after school centers and child development centers.

Children's Camp

Additionally, child care facilities meeting the definition of Children's Camp in the V.I. Code Title 34 Section 382, means a recreational, educational, or cultural program operating on a daily basis and providing care for three or more unrelated children between the ages of 3 and 14. These facilities are also required to be licensed by the Department of Human Services. Children's Camps include Summer Camps and After-School programs.

For details on licensing requirements and updated operational guidelines, please refer to the DHS website (www.dhs.gov.vi) or contact:

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