

Reduce risk
of disease
and improve
health during
COVID-19—
and beyond

Summary of Child Care Regulations¹

LET'S GET OUTSIDE!

The COVID-19 pandemic has highlighted the urgent need to provide safe, healthy child care settings for young children so they can be supported by teachers and caregivers, and so that parents can get back to work. Early childhood regulators and providers are understandably focused on reducing risk for children and providers in the indoor child care setting. However, the social-emotional and physical health benefits of time outside and the potential reduction in pathogen transmission suggest that improving and utilizing outdoor play environments may be a valuable tool for operating child care during the pandemic, and beyond.

In response to the pandemic, state and local agencies are providing procedures and expectations for child care program operations, which may influence allowable time and activities in outdoor settings. To understand the influence of state and local guidelines on outdoor child care settings, the National Wildlife Federation's Early Childhood Health Outdoors (ECHO) program, in collaboration with the Natural Learning Initiative (NLI) of North Carolina State University, conducted a cursory examination of state-level licensing approaches to early childhood outdoor environments to:

- Gain a better understanding of what guidance was being given.
- Inform strategies for providers, regulators, and community stakeholders to facilitate safe and healthy outdoor play and learning during the pandemic.

¹ *This document is one of a series produced by the National Wildlife Federation's Early Childhood Health Outdoors (ECHO) program and North Carolina State University's Natural Learning Initiative (NLI). It presents the case for outside time as a broad strategy for reducing risk of COVID-19 spread for children and accompanying adults, and links the reader to documents in the series for child care providers and regulators.*

PROCESS

Between June 18 and July 6, 2020, the project team interviewed 16 individuals who represented child care licensing, child care and public health regulatory agencies, early childhood councils, program managers and specialists, university extension educators, public health experts, and state affiliates of the National Association for the Education of Young Children. Six states were represented in the interviews: Colorado, Nebraska, North Carolina, South Carolina, Texas, and Washington. These states were selected based on existing relationships that could expedite the process. In addition to detailed interviews, the project team reviewed the online child care regulatory guidance of 18 states, selected at random, to further understand how the use of outdoor settings during COVID-19 was or was not addressed (Appendix A).

ONLINE SCAN FINDINGS

The online scan of child care regulatory guidance conducted in August 2020, revealed that seven of the 18 states reviewed had not created their own guidance or rules at the time of the scan in response to COVID-19 that are applicable to child care outdoor areas. All seven exclusively referred to guidance provided by the Centers for Disease Control and Prevention (CDC). Eleven states had created some tailored guidance or requirements for child care outdoor areas beyond what the CDC had proposed as part of a larger guidance document or webpage aimed at child care providers. Texas was among the states that have not just issued guidance but minimum requirements for the use of outdoor space in child care in response to the pandemic. Additional information for each state may be found through the links provided in Appendix A.

INTERVIEW FINDINGS

The following are general takeaways from the series of interviews conducted with state-level early childhood regulatory experts during the summer of 2020, with mention of particular exceptions or discrepancies. In general, regulatory guidance for using early childhood outdoor spaces during COVID-19 was found to be limited, mainly relying on CDC directives. Individuals who were interviewed believed that most providers were following CDC guidance and any standing regulatory requirements from licensing agencies, but local variations and frequent changes in national, state, and local guidelines or mandates around COVID-19 were difficult to keep up with, and can lead to various interpretations by providers.

Most COVID-19 guidance that was being provided by state regulatory agencies primarily focused on indoor environments, although more outdoor time was generally being encouraged. This outdoor guidance often had very little specificity other than encouragement to spend more time outdoors. Several states indicated that sand play, or more generally “sensory play,” was questionable, with some providers adapting by providing individual and/or disposable sensory play materials for children. There appeared to be general confusion and inconsistency about if or how often outdoor portable equipment, wheeled toys, and stationary play structures needed to be sanitized. Generally, those interviewed expressed a need for greater clarity on regulatory expectations for child care outdoor settings that are informed by public health experts.

When asked what child care outdoor guidance or regulations were being enforced by state regulatory agencies, most experts interviewed indicated that cleaning and sanitizing practices were of primary concern for COVID-19, especially between uses by different groups of children. In addition, regulations in place before COVID-19 continued to be enforced, such as providing shade and water for drinking in outdoor settings. Again, there existed local variation in guidance, including how to apply indoor sanitation protocols to the outdoor space. One state indicated that there was an emergency waiver process in place to allow providers to spend additional time outdoors with children while being able to increase capacity. Significantly, and not surprisingly, almost all state experts indicated that the limits on capacity severely impacted most child care centers’ financial situations and that their ability to continue operating and retaining staff was an urgent and critical issue.

QUESTIONS FROM PROVIDERS

In terms of the common themes that state regulatory experts were hearing from child care providers, there was consistent interest in outdoor activities that adhered to CDC guidelines, but with outstanding questions, including:

- What **physical distancing** looks like in outdoor settings (e.g., How to avoid combining groups in the playground? How this applies to different age groups?).
- Clarity on **cleaning and disinfection** needs and routines in the outdoors, especially regarding play structures, toys, and natural materials (e.g., Can sunlight disinfect? Do natural materials need cleaning? How long can the virus persist on materials?).
- What **outdoor features** are allowable, and with what restrictions (e.g., play structures, mud kitchens, sand play, water play, gardening)
- Other outdoor **safety precautions** that should be taken (e.g., whether there should be an increase in shade requirement with kids outside more; the role of masks for children and providers; best strategies for handwashing while outside; and adjustments to guidance by season or with changing local COVID-19 infection rates).

Generally, regulatory experts indicated that providers were looking for things to do outside with the children in their care while meeting regulatory requirements and maintaining quality standards. However, child care providers have many additional concerns, including financial viability, so any guidance encouraging and defining safe use of outdoor settings must be consistent, easy to apply, affordable, and backed up by CDC and the local state health agency.

BARRIERS TO USE OUTDOOR SPACES

When asked about what barriers the early childhood sector was facing with respect to the use of outdoor spaces during the pandemic, major themes included:

- Basic safety as a primary concern, including safe infrastructure, adequate shade, and COVID-19-related safety considerations.
- A lack of resources to make changes to outdoor spaces.
- A lack of adequate training for child care staff to effectively utilize outdoor settings.
- A lack of clear and consistent messaging—clarity around what was being enforced at any given time, backed up by CDC and the local state healthy agency guidance.

RESEARCH NEEDS

Research needs that were highlighted by state regulatory experts as being of particular importance included: the effect of sunlight on the virus in outdoor settings, the viability of the virus on natural materials, and the virus' ability to transmit through water play.

RESOURCES

When asked what else state regulators need at this time related to safe outdoor play in early childhood

settings, several mentioned resources and ideas on outdoor activities that sustain social distancing and other COVID-19 guidance as well as more messaging to elevate the value of outdoor play for healthy childhood development. Some states mentioned that they are working to develop more detailed guidelines and that the focus of this project was important as there was a need for more awareness on the value of the outdoors in early childhood settings during and after the pandemic.

CONCLUSION

In response to the COVID-19 pandemic, most states reviewed in this analysis are encouraging more time outside, some are discouraging the use of outdoor play equipment, while still others are generally silent on the issue. With many child care outdoor play areas typically containing stationary manufactured equipment and little else, providers across the country may struggle to maximize (or increase) time outdoors and provide an enriching experience while also keeping children and staff safe. There is a window of opportunity to provide more clarity for policy-makers and child care providers in order to foster and encourage best practices that will improve and activate outdoor spaces as a healthy strategy during COVID-19 and beyond.



Colorful, light, transparent, suspended textile provides a playful division between settings.—NLI"

APPENDIX A: REVIEW OF OUTDOOR CHILD CARE COVID-19 GUIDANCE BY STATE

Information pulled between June 6, 2020 and July 7, 2020. Colorado, Nebraska, North Carolina, South Carolina, Texas, and Washington were intentionally researched while the other states were chosen at random.

CDC

- [Guidance for Child Care Programs that Remain Open](#)
- [Community, Work & School Cleaning and Disinfecting](#)

Colorado

- [A Resource Guide for Child Care Providers During COVID-19](#)
- [Child Care Guidance](#)

Texas

- [Minimum Standard Health Protocols: Checklist for Child Care Centers](#)

North Carolina

- [Interim Guidance for Child Care Settings](#)
- [Child Care Strong NC](#)

South Carolina

- [Guidance for Schools and Out-of-Home Child Care Centers](#)

Nebraska

- [Nebraska Guidance Documents](#)

Washington

- [Child Care, Youth Development, and Summer Day Camps During the Covid-19 Outbreak](#)

Michigan

- [Guidelines for Safe Child Care Operations During COVID-19](#)

New Mexico

- [Health and Safety Guidance for New Mexico: Child Care Centers and Early Childhood Professionals](#)

Illinois

- [Childcare/Daycare Guidance](#)

Florida

- [Schools and Child Care Programs, Florida Health](#)

Kansas

- [Interim Guidance for Child Care Facilities Licensed by the Kansas Department of Health and Environment](#)

Arizona

- [Child Care COVID-19 Guidance](#)

California

- [Social and Physical Distancing Guidance and Healthy Practices for Child Care Facilities](#)
- [COVID-19 FAQ for Child Care Licensees and Providers](#)

Wisconsin

- [COVID-19 Child Care Resources](#)
- [Frequently Asked Questions on Scaling Down Operations](#)

South Dakota

- [COVID-19 Guidance to Childcare Facilities](#)

Oregon

- [Safety Procedures and Guidance for Child Care Facilities and Other Early Learning Programs Operating During COVID-19](#)

Nevada

- [Child Care Guidance and Resources](#)

Georgia

- [Coronavirus Disease 2019, Georgia Department of Early Care and Learning](#)

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