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EXECUTIVE ORDER

Directing the Colorado Department of Human Services to Access Federal Funds for Child Care Services Due to the Presence of COVID-19

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order directing the Colorado Department of Human Services to access federal funds for child care services due to the presence of coronavirus disease 2019 (COVID-19) in Colorado.

I. Background and Purpose

On March 5, 2020, the Colorado Department of Public Health and Environment's (CDPHE) public health laboratory confirmed the first presumptive positive coronavirus disease 2019 (COVID-19) test result in Colorado. Since then, the number of confirmed cases has continued to climb, and there is community spread throughout the State. I verbally declared a disaster emergency on March 10, 2020, and on March 11, 2020, I issued the corresponding Executive Order D 2020 003, as amended by Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, and D 2020 109. On March 25, 2020, I requested that the President of the United States declare a Major Disaster for the State of Colorado, pursuant to the Stafford Act. The President approved that request on March 28, 2020.

My administration, along with other State, local, and federal authorities, has taken a wide array of actions to mitigate the effects of the pandemic, prevent further spread, and protect against overwhelming our health care resources.

The federal Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES Act), Public Law 116-136, allocated $3.5 billion to the states through the Child Care and Development Block grant. These funds may be used by states for all existing allowable Child Care and Development Fund (CCDF) activities as well as a number of purposes related to COVID-19 and child care. Executive Order D 2020 007 directed the Colorado Department of Human Services (CDHS) to access additional federal Child Care Development Funds to reimburse counties that pay providers through the Colorado Child Care Assistance Program (CCCAP) for absences or closures as a result of COVID-19 for the next eight (8) weeks, with the possibility of extension.

This Executive Order directs CDHS, pursuant to C.R.S. § 24-33.5-704(7)(b), to access remaining available CCDF funds allocated by the CARES Act to continue to support child care services during the COVID-19 pandemic to ensure stability and consistency for child care providers and protect the vital role they play for children and families. Accessing and allocating

these available federal funds now will enable the State to continue to support child care services and avoid interrupting support while the economic disruption caused by the pandemic continues.

II. Directives

A. I direct CDHS to access additional federal Child Care Development Funds (CCDF) for counties to reimburse open and operating child care programs through the Colorado Child Care Assistance Program (CCCAP) for increased child absences as a result of COVID-19. I further direct CDHS to access CCDF to support affordable parental fees for subsidized child care as families recover from the impacts of the COVID-related economic recession.

B. I direct CDHS to access additional federal CCDF to fund additional early childhood mental health consultants across the state to support child care providers and families as children transition back into early care and learning environments. I strongly encourage community mental health organizations and early childhood councils to collaborate with early childhood mental health consultants to effectively respond to the health and well-being of children and providers impacted by COVID-19 by addressing trauma, grief, loss, emotional distress, fostering healthy adult-child relationships, and building resilience.

C. I direct CDHS to access additional federal CCDF to establish and administer sustainability grants to assist licensed child care providers to remain open or re-open to enable the State's workforce to return to work. Sustainability grants will be used to support child care providers with costs associated with COVID-19, including but not limited to accommodating lower group sizes, purchasing additional safety and cleaning supplies, and staff retention strategies.

D. I direct CDHS, in coordination with the Colorado Department of Education, to work with local communities, including school districts and the Charter School Institute, to maximize the use of public and private spaces licensed for child care. I strongly encourage school districts to make their facilities available over the summer months for child care, including school age care and summer day camps, to the greatest extent possible.

E. I direct local public health agencies to work with child care providers and preschools to determine whether it is safe to continue operations. If there is a positive or suspected case of COVID-19 in a student, parent of a student, or staff member at the child care or preschool facility, I direct the facility to work in partnership with the appropriate local public health agency to determine whether to close the facility or affected portion of the facility. The facility or affected portion shall close for no less than twenty-four (24) hours, and implement protocol for responding to COVID-19 pursuant to CDPHE guidance and in partnership with the appropriate local public health agency.

III. Duration

This Executive Order shall expire thirty (30) days from June 27, 2020, unless extended further by Executive Order.

GIVEN under my hand and the Executive Seal of the State of Colorado, this twenty-seventh day of June, 2020.

Jared Polis
Governor