

Potential Impact of S.1086 on Disaster Preparedness and Response

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Moving Federal Pieces

In 2007, Congress created the National Commission on Children and Disasters, which was tasked with examining and assessing the needs of children in relation to the preparation for, response to, and recovery from all hazards, including major disasters and emergencies. As expected, the Commission found serious deficiencies across many areas, including protection children in child care and early education settings.

In 2010, the Commission submitted a report to Congress and the Administration that included a series of recommendations on how to improve the nation's capability of addressing the needs of children in an event of a disaster.

One of the major recommendations highlighted in the report was directing Congress and the Department of Health and Human Services (HHS) to require that States develop and include disaster planning, training, and exercise requirements within the scope of their minimum health and safety standards for child care licensure or registration. Additionally, the Commission recommended that Congress and HHS require States to develop statewide child care disaster plans in coordination with State and local emergency managers, public health, State child care administrators and regulatory agencies, and child care resource and referral agencies. The Administration has acted on a number of the Commission's recommendations, including codifying child care as an essential service.

When the Commission was originally authorized, only seven states required written disaster preparedness, evacuation, reunification, and recovery plans for child care facilities. While more States have adopted written plans since then, the Child Care and Development Block Grant of 2014 (S. 1086) now mandates that all have a child care disaster plan. Under S. 1086, the child care disaster plan must include the following:

- Procedures for evacuation, relocation, shelter-in-place, lock-down, communication and reunification with families, continuity of operations, accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions;
- Guidelines for continuing CCDF assistance and child care services after a disaster, which may include provision on temporary child care, and temporary operating standards for child care after a disaster; and
- Procedures for staff and volunteer emergency preparedness training and practice drills.

Additionally, States must address the needs of children receiving child care assistance, including the need for safe child care, for the period before, during, and after a state of emergency declared by the Governor or a major disaster or emergency (as such terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195a(a)(1))).

If a State meets the new disaster requirements as defined in S. 1086 by the time of submission of the FY 2016-2018 CCDF Plan (March 1, 2016), then they should indicate it in the report. If a State does not meet the requirements by March 1, 2016, then it will need to submit an implementation plan for compliance (including a target completion date) along with its CCDF three-year plan. According to the new CCDBG law, all states must comply by September 30, 2016.

Disaster Planning: Language in S.1086

SEC. 5. APPLICATION AND PLAN.

“(U) DISASTER PREPAREDNESS.— “(i) IN GENERAL.—The plan shall demonstrate the manner in which the State will address the needs of children in child care services provided through programs authorized under this subchapter, including the need for safe child care, for the period before, during, and after a state of emergency declared by the Governor or a major disaster or emergency (as such terms are defined in section 102 of the Robert T. Stafford

Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)). “(ii) STATEWIDE CHILD CARE DISASTER PLAN.—Such plan shall include a statewide child care disaster plan for coordination of activities and collaboration, in the event of an emergency or disaster described in clause (i), among the State agency with jurisdiction over human services, the agency with jurisdiction over State emergency planning, the State lead agency, the State agency with jurisdiction over licensing of child care providers, the local resource and referral organizations, the State resource and referral system, and the State Advisory Council on Early Childhood Education and Care as provided for under section 642B(b) of the Head Start Act (42 U.S.C. 9837b(b)).

“(iii) DISASTER PLAN COMPONENTS.—The components of the disaster plan, for such an emergency or disaster, shall include— “(I) evacuation, relocation, shelter-in-place, and lock-down procedures, and procedures for communication and reunification with families, continuity of operations, and accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions; “(II) guidelines for the continuation of child care services in the period following the emergency or disaster, which may include the provision of emergency and temporary child care services, and temporary operating standards for child care providers during that period; and “(III) procedures for staff and volunteer emergency preparedness training and practice drills.”

Resources:

Child Care Aware® of America’s CCDBG Reauthorization Resource Page:

<http://usa.childcareaware.org/public-policy/core-issues/ccdbg-reauthorization>

The Office of Child Care’s Fundamentals of CCDF Administration Website:

<https://ccdf-fundamentals.icfwebservices.com/>

Full Text of S.1086, As Amended and Passed by the House of Representatives:

http://docs.house.gov/billsthisweek/20140915/s1086sub_301_xml.pdf

Proposed Regulatory Changes for CCDF:

<https://www.federalregister.gov/articles/2013/05/20/2013-11673/child-care-and-development-fund-ccdf-program>

Contact Information:

Jay Nichols

Director, Federal Policy and Governmental Affairs

Jay.Nichols@usa.childcareaware.org

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