

Tracking Costs for Disasters

OF INTEREST TO

The Office of Early Learning (OEL) and Early Learning Coalitions (ELCs)

SUMMARY

This guidance addresses changes to the methods for tracking the costs associated with disasters and declared states of emergency. It also addresses the use of quality funds for repairs and renovations of programs after a disaster.

RELATED FEDERAL REGULATIONS

Child Care and Development Block Grant

1. Section 658E(c)(2)(I) Establishment of Health and Safety Requirements –

Certify that there are in effect within the State, under State or local law, requirements designed to protect the health and safety of children that are applicable to child care providers that provide services for which assistance is made available under this subchapter. Such requirements shall include the following:

- The prevention and control of infectious diseases (including immunization) and the establishment of a grace period that allows homeless children and children in foster care to receive services while their families (including foster families) are taking any necessary action to comply with immunization and other health and safety requirements.
- Prevention of sudden infant death syndrome and use of safe sleeping practices.
- The administration of medication, consistent with standards for parental consent.
- The prevention of and response to emergencies due to food and allergic reactions.
- Building and physical premises safety, including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic.
- Prevention of shaken baby syndrome and abusive head trauma.
- Emergency preparedness and response planning for emergencies resulting from a natural disaster, or a man-caused event (such as violence at a child care facility), within the meaning of those terms under section 602(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195a(a)(1)).
- The handling and storage of hazardous materials and the appropriate disposal of biocontaminants.
- For providers that offer transportation, if applicable, appropriate precautions in transporting children.
- First aid and cardiopulmonary resuscitation.
- Minimum health and safety training, to be completed pre-service or during an orientation period in addition to ongoing training, appropriate to the provider setting

involved that addresses each of the requirements relating to matters described above.

2. Section 658E(c)(2)(U) Disaster Preparedness –

- (i) **In General** — The CCDF 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.

Federal Regulations provide the following direction when determining whether a repair is an allowable expense.

45 CFR 98.54 Restriction on the Use of Funds

(b) Construction.

- (1) For State and local agencies and nonsectarian agencies or organizations, no funds shall be expended for the purchase or improvement of land, or for the purchase, construction, or permanent improvement of any building or facility. However, funds may be expended for **minor remodeling**, and for upgrading child care facilities to assure that providers meet State and local child care standards, including applicable health and safety requirements.
- (2) For sectarian agencies or organizations, the prohibitions in paragraph (b)(1) of this

section apply; however, funds may be expended for minor remodeling only if necessary to bring the facility into compliance with the health and safety requirements established pursuant to Sec. 8.41.

Florida Statutes related to disasters and emergencies

Section 252.34, F.S.

- (1) “Disaster” means any natural, technological, or civil emergency that causes damage of sufficient severity and magnitude to result in a declaration of a state of emergency by a county, the Governor, or the President of the United States.
- (3) “Emergency” means any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage or loss of property.

Child Care and Development Fund State Plan for FY 16/18 (effective 6/1/2016)

Section 1.8 Disaster Preparedness and Response Plan

The CCDBG Act of 2014 added a requirement that States and Territories must include a Statewide Child Care Disaster Plan for coordination of activities with the State/Territory human services agency, emergency management agency, child care licensing agency, State/Territory local resource and referral agencies, and the State Advisory Council (SAC) or other state-designated cross-agency body if there is no SAC. (658E(c)(2)(U))

The Statewide Child Care Disaster Plan must include:

- Guidelines for continuing CCDF assistance and child care services after a disaster, which may include provision of temporary child care, and temporary operating standards for child care after a disaster.
- Requirements that child care providers receiving CCDF have in place 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.
- Requirements that child care providers receiving CCDF have in place procedures for staff and volunteer emergency preparedness training and practice drills.

OVERVIEW

When states of emergency are declared, school readiness and Voluntary Prekindergarten programs may need to temporarily close. Once a provider or school reopens, a child may still be prevented from returning due to conditions in the aftermath of the emergency. Such closures and absences are reimbursable according to Rules 6M-4.500, 4.501 and 8.204, F.A.C. These circumstances may also be eligible for supplemental federal funding provided for disaster relief, should it be made available. This guidance explains the flagging of these records in EFS to allow the later tracking of costs associated with a disaster.

This guidance describes the process of enrolling these new clients into EFS.

When providers require minor renovations or repairs to reopen for business, quality funds may be used to bring the programs in line with the health and safety requirements of their program. This guidance details the requirements and limitations of using quality funds for disaster recovery.

FISCAL ISSUES

The possibility of supplemental federal funding requires alternative tracking of cost for clients served as a result of a declared state of emergency. This includes clients currently eligible as well as potential clients made eligible due to the resulting disaster.

PROGRAM GUIDANCE

The following guidelines should be used for families in a Florida county where a state of emergency is declared to exist by the county government, the Governor, or the President of the United States. Some of the guidelines apply to out-of-state families who are seeking services in Florida because a state of emergency is declared in their county of residence.

Temporary Closures

1. School Readiness Program

Rule 6M-4.501, F.A.C., addresses the reimbursement of providers during temporary closures in accordance with the coalition's Continuation of Operations Plan (C.O.O.P.). During periods of temporary closure, the provider certifies their enrollment/attendance rosters to reflect the dates of closure. Current clients maintain their established billing group. However, the coalition or contractor must utilize the Mass History Insertion (CC134) screen to flag records in EFS that could be used to claim reimbursement of potential disaster related funds during the disaster period.

When the child remains at home and does not attend another school readiness provider, the payment for the child is included in the reimbursement for the temporarily closed program. The number of approved days will be determined by Florida's Office of Early Learning.

When the child is temporarily enrolled with another school readiness provider, due to disaster related conditions at the original provider's facility, the child record must be updated with the original eligibility codes to show enrollment with the temporary provider for the period the child is in attendance. Only the temporary provider will receive the payment for the child during this period.

Payments for the transferred child must not be included in the reimbursement for the original provider who is a temporarily closed provider until the child is reinstated with a provider other than the one providing temporary child care services.

2. Voluntary Prekindergarten Program

Rule 6M-8.204(4), F.A.C., addresses the conditions for reimbursement of providers during temporary closures. Because the VPK program is funded through state revenues, there is no requirement to complete a Mass History Insertion to flag existing records in EFS.

Child absences related to disaster conditions after a temporary closure

When a child, due to disaster related conditions, is unable to return to a school readiness or Voluntary Prekindergarten program, the absences will be reimbursed following Rules 6M-4.500 and 6M-8.204, F.A.C. Only absences recorded for the school readiness program will require a Mass History Insertion to flag EFS records as disaster related.

Determining eligibility for disaster impacted families

The CCDF State Plan for FFY 16/18 extends eligibility to families impacted by disasters. Such a family

may be already enrolled in school readiness services or may be eligible for the first time because of the disaster.

In accordance with s.1002.84(8) F.S., a coalition may choose to waive the copayment for an at-risk child or temporarily waive the copayment for a child whose family experiences a natural disaster or an event that limits the parent's ability to pay, such as incarceration, placement in residential treatment, or becoming homeless, or an emergency situation such as a household fire or burglary, or while the parent is participating in parenting classes. This may also apply to evacuees from other areas (including other states) where a state of emergency has been declared. For example a child who is deemed homeless due to the disaster could need shelter and supervision during the day to ensure his or her protection.

No change in individual records is required for disaster impacted families currently receiving school readiness services. A Mass History Insertion must be used to capture the time period when the disaster related eligibility applies for these existing families.

Fee Waivers

In accordance with Rule 6M-4.400(9) F.A.C. a coalition may temporarily waive a co-payment on a case-by-case basis for families with income at or below 100 percent of the federal poverty level during an event that limits a parent's ability to pay in accordance with Section 1002.84(8), F.S. The request for the co-payment waiver must be documented in the case file during the initial authorization for care and at each redetermination. Each coalition must include a list of such qualifying events in its coalition plan and outline the procedure for obtaining a waiver of a co-payment.

Use of Quality Funds

Funds that have been set-aside for quality may be used to provide material building grants, i.e. books, educational toys, playground equipment etc.

The quality funds may not be used for major renovations (as defined in 45 CFR 98.2) at a program. Such unallowable major renovations include structural changes to the foundation, roof, floor, exterior or load-bearing walls of a facility. Any extension of a facility's floor area or an extensive alteration that significantly changes the facility's function or purpose is also not allowed. However, quality funds may be used for minor remodeling, and for upgrading a provider's facilities (repair and maintenance) after a disaster to make sure providers meet state and local child care standards, including applicable health and safety standards. For example, a mini-grant is allowed to restore a provider to a state that meets health and safety standards.

Minor remodeling of a facility to its original state and purpose is an allowable expenditure of the quality funds as long as it is not considered a major renovation by definition. A facility must be restored in a manner that ensures the health and safety of children in care, consistent with 45 CFR 98.41(a)(2). This may include the purchase of equipment, labor, materials and services necessary for the functioning of a facility. Equipment may include fencing, kitchen equipment, playground equipment, etc. Quality funds may be used to cover the cost of the insurance deductible, but may not be used for costs recoverable from property insurance.

When quality funds are used to bring a program up to health and safety standards after a disaster,

documentation is required. This documentation should include estimated costs recoverable from insurance and proof of application for appropriate state and federal relief grants. A general business plan outlining the steps and timetable for re-opening is needed along with invoices related to repairs and remodeling. Documentation is also needed to link the improvements to the appropriate health and safety standards.

INSTRUCTIONS

Coding

The following codes are used for flagging disaster related costs. For those children already enrolled under another eligibility code, these codes will be used as part of the Mass History Insertion. The Mass History Insertion will also include the date range the disaster codes remain in effect.

History Code	Short Working Definition
TCPD	Temporary closure of a provider due to a declared state of emergency or the impact of a disaster. The temporary closure period may include the 24 hours preceding the declaration of a state of emergency
History Code	Short Working Definition
ABSD	Absence of child impacted by a disaster. This history code is used for a child who, due to the impact on the family, is unable to attend a re-opened or unaffected program. This code is used for children who will return to the program. Payments for allowed absences must follow 6M-4.501, F.A.C. (for school readiness programs).

The following codes are used when entering purpose of care in EFS for clients made eligible due to the expanded definition of protective services during times of disaster.

Parent Purpose of Care Code (2 Characters)	Purpose of Care Descriptions (25 Characters)	ACF 801 Purpose of Care Codes	ACF 801 Purpose for Care Descriptions
OJ	EMERGENCY, EMPLOYMENT, OJT	6	Emergency, Employment, OJT
TE	EMERGENCY, TRAINING, ED	7	Emergency, Training, Education
DS	EMERGENCY, EMPLOYMENT, T&E	8	Emergency, Employment & T&E
PS	EMERGENCY, PROT. SERVICES	9	Emergency, Protective Services
OT	EMERGENCY, OTHER	0	Emergency, Other

Invoicing

Extension of Invoicing Deadline

For coalitions and contractors impacted by a disaster, Florida's Office of Early Learning will review and approve written requests to extend the submission of the monthly invoices. An extension will only be granted for a period up to 60 days beyond the original invoice due date. The request must include language explaining that the coalition/contractor will be unable to meet the 25-day requirement due to the disaster.

Estimated Invoices

Florida's Office of Early Learning will review and approve estimated invoices submitted in lieu of the regular monthly reimbursement request invoice for coalitions and contractors affected by a disaster. Coalitions are responsible to ensure that estimates are lower than expected actual costs to avoid refunds owed to the state. Coalitions may submit an estimated invoice of no more than 80% of its previous monthly invoice or 1/13 of the grant award whichever is less. Sufficient detail and supporting documentation must be attached to the estimated invoice identifying the amounts (by OCA) that are estimates. The invoice package, which may be submitted digitally, should also include a statement signed by the executive director indicating the invoice submitted is an estimated invoice, the basis of the estimate, and the reason it is needed.

HISTORY

This program guidance replaces Fiscal Support Guidance 07.03 (Tracking Cost for Disasters) and OEL Fiscal Guidance 12.03 (August 2012). Reissued November 26, 2014. Revised and reissued June 1, 2016; Effective July 1, 2016.

Please direct questions and comments to the Office of Early Learning at 850-717-8683 or email oel.questions@oel.myflorida.com