

# Texas Statewide Child Care Emergency Preparedness and Disaster Response Plan

June 2021 Update

## Background

Maintaining the safety of children in child care programs necessitates planning by state and local agencies and child care providers. Child care services are essential to restoring the economic well-being of a community after a disaster because the ability for parents to go back to work depends on the availability of child care services.

The Child Care and Development Block Grant (CCDBG) Act of 2014 requires lead agencies to develop and maintain a comprehensive statewide disaster plan to address emergency preparedness, response, and recovery efforts specific to child care. Under §658E(c)(2)(U) of the Act and 45 CFR 98.16(aa), Child Care Development Fund (CCDF) final rule, lead agencies are required to demonstrate how they will address the needs of children, including the need for safe child care, before, during, and after a state of emergency declared by the Texas governor or a major disaster or emergency (as defined in §102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act) through a statewide disaster plan.

The lead agency must address the following requirements when developing and implementing its statewide disaster plan:

- Coordinating and collaborating with key partners
- Guidelines for continuation of child care subsidies and services
- Coordination of post-disaster recovery of child care services
- Requirements for CCDF providers and other child care providers

## 1. Coordination and Collaboration with Key Partners

The Texas Workforce Commission (TWC) is the lead state agency in Texas responsible for administering CCDF, which provides child care subsidies for children whose families are eligible under federal and state statutes and guidance. TWC administers these funds by contracting with each of the state's 28 Local Workforce Development Boards (Boards) for local planning, management, and oversight. Boards procure child care contractors, who in turn establish agreements with child care providers for placement of children participating in TWC's subsidy program.

The Texas Health and Human Services Commission's (HHSC) Child Care Regulation (CCR) division regulates all child care operations in Texas. CCR is responsible for ensuring that providers meet minimum standards as defined by the state and the CCDBG, including requirements for providers to have emergency and evacuation plans in place. CCR is the primary contact and point of coordination for child care providers in the event of an emergency or major disaster.

TWC coordinated and collaborated with the following agencies and groups in the development of this plan:

- CCR
- Texas Department of State Health Services (DSHS)
- Texas Department of Emergency Management (TDEM)
- The Texas Early Learning Council (TELC)  
(the state's advisory council on early childhood)
- The Child Care Network (CCN)  
(comprises child care program representatives from each of the 28 local Boards)

## 2. Guidelines for Continuation of Child Care Subsidies and Services

### **Continuation of Child Care Operations**

CCR tracks provider closures and reports the information to TWC and other partners. To ensure continuity of care for children, CCR also has processes for the provision of emergency and temporary child care services during and immediately after a disaster.

In the event of a disaster, CCR is responsible for the following processes related to child care operations:

- Promulgation of emergency rules
- Approving waivers and/or variances of rules and standards
- Authorizing temporary relocation for licensed operations
- Providing substitute care organizations with access to submit background checks

Additionally, CCR and TWC collaborate with other agencies and advocacy groups to share information with stakeholders and the public about the impacts of a disaster on child care and efforts to respond.

TWC and CCR also coordinate to take advantage of the [Texas Child Care Availability Portal](#) to communicate the availability of child care slots to the parents searching for care. Providers that are open and operating use the portal to enter information on their openings, and families that may have lost access to child care use the portal to locate available care that meets their needs. TWC can also leverage the portal to collect data to help respond to a disaster, such as needs for personal protective equipment or other supplies.

### **Continuation of Child Care Subsidies**

TWC coordinates with Boards, which are responsible for ensuring communication with and continuing services for affected families receiving child care subsidies and CCDF providers.

As the lead agency for CCDF in Texas, TWC is responsible for approving any waivers to TWC's Child Care Services rules for CCDF-funded care. TWC's three-member Commission (Commission) also may approve special provisions for children in CCDF-funded care as well as for providers affected by a disaster.

In the event of a disaster, TWC staff may direct Boards to implement any or all of the following emergency provisions for families for up to three months without Commission action:

- Extension of CCDF eligibility recertification periods for affected families
- Extension of the three-month period of continued child care for parents who are displaced from employment, education, and/or training
- Exceptions to requirements to report attendance for instances in which the failure to report attendance was beyond the control of the parent
- Exceptions to attendance standards for absences related to the emergency or disaster

Additionally, TWC staff may direct Boards to implement any or all of the following emergency provisions for CCDF providers for up to four weeks without Commission action:

- Continued reimbursements to affected providers in the immediate aftermath of a disaster
- Short-term assistance to affected Texas Rising Star (TRS) providers during recovery
- Exceptions to quarterly screening requirements for affected TRS providers
- Extension of scheduled assessments for affected TRS providers
- Temporary suspension of unannounced monitoring visits for affected TRS providers

### 3. Coordination of Post-disaster Recovery of Child Care Services

#### Communication

In the event of a disaster, CCR has primary responsibility for direct communication with affected child care providers, whether statewide or targeted to specific areas. Direct communication may include the following:

- Alerts to providers and partners before an impending disaster
- Requests for information on the status of providers affected by a disaster or emergency (Program Situation Reports and Agency Situation Reports)
- Information about resources and special provisions for affected providers

In the immediate aftermath of a disaster, providers may not have access to their facilities, and phone lines may be down. Depending on the nature of the emergency or disaster, CCR offers a variety of communication methods for affected providers, such as web-based emergency response surveys. Centralized and flexible communication methods allow for timely assessment of the damage to and status of child care providers within an impacted area.

#### Response and Recovery Activities

In the aftermath of an emergency or disaster, CCR and TWC coordinate closely with local, state, and federal authorities to identify and address the disaster-related needs of children, families, and providers. TWC supports an agile response model that is tailored to each emergency or disaster. Depending on the nature and scope of the disaster, statewide or regional task forces and interagency teams can help drive effective and efficient response efforts. Composed of a cross-section of state and local officials, advocates, and business leaders, response teams may be formal—such as the governor's Texas Frontline Child Care Task Force, which was established in

response to COVID-19—or they may be informal, such as the group that coordinated response activities after Hurricane Harvey.

Boards also play a key role in assisting communities affected by disasters by providing information, referrals, and access to resources for affected individuals and businesses. Workforce Solutions Offices help connect parents and child care providers with programs that provide assistance, including the following:

- Federal Emergency Management Agency (FEMA) individual and public assistance, including shelter, relocation, emergency child care, and small business aid
- TWC Disaster Unemployment Assistance
- Small Business Administration
- Local, private organizations providing financial assistance or loans
- Health and Human Services (HHS) programs, including the Supplemental Nutrition Assistance Program
- [Texas Child Care Availability Portal](#)
- DSHS emergency preparedness resources ([Texas Ready](#))
- [Help Me Grow Texas \(HMGTX\)](#)
- [Child Care Health Consultants \(CCHCs\)](#)

### Other Recovery Supports

As allowed by TWC's Chapter 809 Child Care Services rule §809.16(b)(1)(B) and 45 CFR §98.56, CCDF funds designated for quality activities may be expended for minor remodeling and improvements to ensure that providers meet state and local child care standards, including applicable health and safety requirements. In the event of a disaster, Boards may use local CCDF quality funds to help providers restore or remediate facilities or to replace damaged and destroyed property such as classroom materials and furnishings.

At the state level, the Commission may also consider allocating CCDF funds for the following situations in response to a disaster or emergency, including, but not limited to:

- Minor facility repairs and replacement of damaged property
- Subsidies for children of parents essential to disaster response and recovery
- Subsidies for children in need of protective care due to a disaster
- Capacity-building to ensure an adequate supply of regulated, high-quality child care

The Commission may grant statewide funds to Boards to carry out these activities or may direct staff to administer new statewide initiative projects that support disaster response and recovery.

## 4. Requirements for CCDF Providers and Other Child Care Providers

As described in CCR's [Minimum Standards for Child Care Centers](#) rules §746.5202, §747.5003(1)(b), and §744.3553(1)(B), and in CCR's [Minimum Standards for Child Care Homes](#) rules §747.5003 and §747.5005, providers are required to have emergency preparedness plans that include written procedures for:

- how children will be evacuated or relocated to the designated safe area or alternate shelter, including specific procedures for evacuating and relocating children who are under 24 months of age, who have limited mobility, or who otherwise may need assistance in an emergency (such as children who have mental, visual, or hearing impairments);
- communication plans, including how the provider will communicate with local authorities (such as fire, law enforcement, emergency medical services, and health department), parents, and CCR;
- how provider staff will evacuate and relocate with the essential documentation including:
  - parent and emergency contact telephone numbers for each child in care;
  - authorization for emergency care for each child in care; and
  - the child tracking system information for children in care;
- how provider staff will continue to care for the children until each child has been released;
- how the provider will reunify the children with their parents after the evacuation, relocation, sheltering in place, or lockdown is lifted; and
- how staff and volunteers will participate in emergency preparedness training and practice drills (monthly fire drills, severe weather drills, and lockdown drills four times per calendar year).

CCR requires providers to maintain liability insurance and distributes information about the [Texas Early Childhood Professional Development System](#) (TECPDS) as a resource to protect records and assets after a disaster.

CCR, TWC, and Boards also provide ongoing technical assistance, training, resources, and support to providers to help them better prepare for emergencies and disasters. Providers are encouraged to take advantage of the following free trainings, which are accessible via HHS's website:

- Texas A&M AgriLife Extension trainings:
  - [Child Care and COVID-19 Courses](#)
  - [Emergency Planning for Child Care Providers](#)
  - [Emergency Preparedness for Children with Special Needs](#)
- [CCDBG Rule Changes: Emergency Preparedness](#)—An interactive presentation about emergency preparedness requirements for child care providers

Additionally, the following technical assistance resources also are accessible via HHSC's website:

- [Hurricane Preparedness Plans for Child Care Providers](#)—A printable checklist.
- [www.TexasReady.gov](#)—A step-by-step guide to building an emergency preparedness plan.
- [Emergency Preparedness Reminder from CCR](#)—information that includes links to aid in making a plan, building a kit, and being informed about emergency situations.