

**NYS Office of Children & Family Services  
Division of Child Care Services  
Statewide Child Care Disaster Plan  
Revised May 28, 2020**

**Purpose:**

This plan has been drafted to formalize the manner in which the New York State (NYS) Office of Children and Family Services (OCFS) will address the needs of children in child care services provided through programs authorized under the Child Care Development Block Grant of 2014 (CCDBG Act of 2014,) 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)), or any such event that, at the discretion of agency leadership warrants implementation of some or all components of this plan.

**Scope:**

This plan applies to all Licensed, Registered and enrolled legally-exempt child care programs and providers receiving monies under the CCDBG Act of 2014. It is considered as a supplement to the OCFS Continuity of Operations Plan and is intended to be a resource which can be used to support ongoing operations for the Division of Child Care Services (DCCS) in a disaster situation.

**Coordination of Activities and Collaboration:**

OCFS will work with partner agencies to the degree necessary to implement some or all portions of this plan. Specifically, OCFS is a standing member of the NYS Disaster Preparedness Commission (DPC) which is comprised of the commissioners, directors or chairpersons of 28 State agencies and the American Red Cross. The responsibilities of the DPC include: the preparation of State disaster plans; the direction of State disaster operations and coordinating those with local government operations; and the coordination of federal, State and private recovery efforts. The DPC is chaired by the Commissioner of the Division of Homeland Security and Emergency Services (DHSES). The NYS Office of Emergency within DHSES is the operational arm of the DPC and shall be responsible for implementing the rules and policies adopted by the DPC. OCFS is a member of the Emergency Support Function 6 which has four core mission groups, Mass Care, Emergency Assistance, Housing and Human Services. OCFS serves as co-lead of a major recovery function with the NYS Office of Temporary and Disability Assistance. The two agencies are responsible for establishing Disaster Assistance Service Centers (DAC) and Disaster Recovery Centers (DRCs). DRC's are generally opened jointly by FEMA and the State following a Federal Disaster Declaration that includes Individual Assistance (IA) eligibility for residents of the respective county. The group coordinates activities to provide individuals with access to State, Federal, Local and Non-governmental disaster assistance programs available. In the absence of a Federal declaration, the State may open a DASC. Common events that prompt the need for disaster assistance centers may include flooding, hurricanes, aircraft/ mass casualty incidents, ice storms, tornadoes, earthquakes, or other natural, technological or manmade hazards.

Through the work with the DPC, OCFS has been able to address the considerations of child care in to the New York State Comprehensive Emergency Management Plan- Emergency Support Function 6 Annex, which has been developed in conjunction with the DPC members. The DHSES Individual Assistance section is the Coordinating agency for ESF6, and OCFS, Department of Health, Office of Mental Health, Office of Temporary and Disability Assistance, DHSES IA and the American Red Cross are leaders in the group and collaborate on ESF 6 planning,

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preparedness and response. This includes participating in quarterly meetings facilitated by State Office of Emergency Management. OCFS supports ESF 6 during State Emergency Operations Center Exercises. Additionally, ESF 6 works closely with state agencies in ESF 8, Public Health and Medical Services, and ESF 11, Agriculture and Natural Resources. During a State EOC activation, OCFS will participate in interagency calls with other Human Services agencies in ESF 6 and the Local Departments of Social Services in the impacted counties to discuss needs, plans and coordination to support the programs that the people affected by the emergency rely on. OCFS and its partner agencies will collaborate with other community based agencies not included in the DPC based on identified need.

An additional area of coordination has occurred through a commitment to allow OCFS staff to be trained to serve as part of the NYS Department of State Division of Code Enforcement and Administration's Code Enforcement Disaster Assistance Response (CEDAR) Program. Participation in the CEDAR program is limited to OCFS staff who have training as Code Enforcement Officials as the program provides post-disaster assessment and assistance as part of the statewide coordinated effort under the leadership of the Division of Homeland Security and Emergency Services Office of Emergency Management, and in accordance with Executive Law 2-B. The program's initial disaster response focuses on performing Rapid Evaluation Safety Assessments of damaged structures in affected communities for use as part of the application process to request federal disaster assistance through FEMA.

**New York State Children's Issues Task Force**

As a best practice from the Superstorm Sandy response, ACF and OCFS, participated in the New York Children's Issues Task Force. The New York Children's Issues Task Force was a time-limited, action-oriented body that was created to coordinate a response geared towards meeting the needs of children, families, and early childhood programs – both child care and Head Start – impacted by Superstorm Sandy. It is the intention of OCFS to activate this task force in coordination with relevant partners if another large-scale emergency were to impact the state. Participants in the Task Force should include representatives of federal agencies (mostly the Administration for Children and Families, FEMA, the Small Business Administration, and the Substance Abuse and Mental Health Services Administration [SAMHSA]), along with the New York Governor's Office, various State agencies, local Departments of Social Services, Child Care Resource and Referral Agencies, unions representing home-based child care providers, other stakeholder groups, and public and private partners as are relevant to the needs and mission of the group.

**Coordination of Activities and Collaboration with local resource and referral organizations, the State resource and referral system, and the State Advisory Council on Early Childhood Education and Care:**

The DCCS Deputy Commissioner serves as a member of the NYS Early Childhood Advisory Council (ECAC.) Participation in the ECAC promotes the building of connections among state, regional, and community organizations, by integrating resources into a unified system focused on meeting the needs of children and families. Consultation with the ECAC allows DCCS to receive feedback from stakeholders and integrate recommendations into the planning process, and an overview of the plan was presented to the ECAC for discussion and feedback in January of 2018.

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The Early Care and Learning Council (ECLC) is the statewide, not-for-profit membership organization that represents the 35 Child Care Resource & Referral (CCR&Rs) programs across New York State. This statewide network of Child Care Resource and Referral (CCR&R) agencies is an integral component of the New York State child care service system. The core mission of these agencies is to assist families in locating child care, and building child care capacity within the local community. CCR&R's also provide training and technical assistance to programs and providers which can support preparedness as well as recovery. When NYS faces emergency situations, the CCR&Rs are seen as a vital partner because they are located in the community, and having a community based organization that has established lines of communications with parents and child care providers is vital to understanding the impacts of an event on a community as well as to helping to foster recovery. DCCS considers the CCR&Rs as one of the primary resources when help is needed for child care communities and will continue to rely on them as a community partner. This work is supported through the CCR&R contracts, as well as regular meetings with these organizations. In addition, an overview of this plan was presented to the ECLC membership in January of 2020 which provided an opportunity for discussion and feedback.

**Requirements for Providers:**

Regulations for Family Day Care and Group Family Day Care implemented May 1, 2014 require programs to establish an emergency plan for the child care site which includes information on evacuation, relocation, shelter-in-place which includes lock-down procedures, procedures for communication and reunification with families, continuity of operations, training of staff, and accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions.

Regulations for Day Care Centers and School Age Child Care Programs implemented June 1, 2015 require programs to establish an emergency plan for the child care site which includes information on evacuation, relocation, shelter-in-place and lock-down procedures, procedures for communication and reunification with families, continuity of operations, training of staff, and accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions.

Regulations for Legally-exempt Child Care Programs implemented September 25, 2019 require programs to establish an emergency plan for the child care site which includes information on evacuation, relocation, shelter-in-place and lock-down procedures, procedures for communication and reunification with families, continuity of operations, training of staff, and accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions.

A mandatory pre-service health and safety training covers basic information regarding emergency preparedness. In addition, OCFS offers a computer based training on emergency preparedness and accepts completion of FEMA sponsored courses related to emergency planning and preparedness such as IS-36: Multi-hazard Planning for Childcare.

**Continuation of Care and Child Care Subsidy:**

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DCCS has identified essential functions related to continuation of care. These include the ability to continue subsidy payments to child care providers; to make or extend eligibility determinations for families, process enrollments of legally-exempt providers, and continue the child care licensing and registration process, regulatory oversight of, and technical assistance and support to providers.

Guidance has been established on actions that Local Social Services Districts may take, related to child care services for those families that are eligible under the New York State Child Care Block Grant that have been affected by emergency or disasters. This includes information on what options districts may take to assist providers and families in receipt of subsidy and includes options such as the ability to extend the eligibility period, expand the definition a child needing protective services, expand the amount of time a district can pay for child care for families seeking employment, expand the number of allowable absences, expand the number of allowable program closures, raise the income threshold up to 85% SMI, waive or reduce family share for families impacted by a disaster, or request other waivers necessary for administration of the subsidy program based on local needs and allowable procedures relating to intake, recertification verification of eligibility and documentation requirements.

DCCS also has procedures in place for assessing the safety of a program location which allows OCFS to triage site visits and rapidly determine what programs can continue to safely operate following a disaster. This process is standardized through the use of a 15-point Program Assessment Tool (PAT) to determine whether programs can continue to operate, guidelines and procedures for expediting the application process when permanent relocation is necessary as well as guidelines to waive requirements which would or allow for temporary relocation of a program when operation in a temporary space is a necessity following an emergency or disaster. *(See Annexes A-K for additional information)*

**Reference Documents (attached):**

Annex A- Local Social Services District Fact Sheet

Annex B- Provider Fact Sheet

Annex C- District Request for Waiver

Annex D- Program Assessment Tool Cover Page

Annex E- Program Assessment Tool FAQ

Annex F- Program Assessment Tool

Annex G- FDC/GFDC Emergency Plan

Annex H- DCC/SACC Emergency Plan

Annex I- [DPC Information and List](#)

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Annex J- [NYS Executive Law 2-B](#)

Annex K- CCR&R Directory

**Reference Documents for Internal Use Only\*:**

NYS OCFS Continuity of Operations Plan (COOP) Activation and Notification Checklist

NYS OCFS COOP Essential Functions- DCCS

NYS OCFS COOP Quick Reference Sheet- DCCS

NYS OCFS COOP Unit Resources- DCCS

NYS OCFS DCCS COOP

NYS OCFS COOP DCCS Emergency Phone Tree

NYS OCFS Mission Essential Functions

- Child Abuse Report
- Child Care Facility Inspections
- Child Care Subsidy Provider Subsidy Payments
- Complaint and Information Line
- Intake and Assessment of Complaints
- Safety Assessments

\* Internal documents cannot be released outside OCFS