

ACF Administration for Children and Families	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES	
	1. Log No. ACF-IM-HS-19-01	2. Issuance Date: 03/06/19
	3. Originating Office: Office of Head Start	
	4. Key Words: Disaster Relief; Recovery Efforts; Displaced Families; Homeless; Hurricanes; Natural Disasters; Wildfires; Tornadoes; Typhoons; Earthquakes; Tropical Storms; Cyclones; Volcano Eruptions; Mudslides	

INFORMATION MEMORANDUM

TO: All Head Start and Early Head Start Agencies and Delegate Agencies in Areas Affected by Disasters

SUBJECT: General Disaster Recovery Flexibilities

INFORMATION:

The Administration for Children and Families (ACF) and the Office of Head Start (OHS) are very concerned about the devastation resulting from disasters affecting Head Start programs, children, families, and staff. In the event of a significant disaster, such as a hurricane, wildfire, or tornado, OHS is removing barriers to make it easier for Head Start agencies to meet the needs of affected children and families, especially newly homeless children and families. Head Start programs serve a critical role in the recovery of impacted communities.

First, Head Start programs are urged to begin taking steps to resume services. Even if facilities are inoperable, program staff can support families in meeting their basic needs, including nutrition, health, and mental health support, and alternative care for their children. Second, programs that have operable facilities are encouraged to allow displaced Head Start families supervised access to those facilities, including kitchens, rest/napping areas, computer labs, bathrooms, laundry, and power sources for recharging phones and other communication devices. Grantees are encouraged to support families in accessing local, state, and federal relief and leveraging their community partnerships and resources to support other relief efforts.

Serving Additional Eligible Head Start Families

Grantees near impacted areas are encouraged to assess how their services and resources might be used or shared to assist others affected by these disasters. Please consider your physical resources (e.g., facilities, equipment, supplies) and your human assets (e.g., staff, physicians, social workers, mental health personnel) that might be of assistance. In some cases, Head Start-eligible children and their families might relocate to your community from other communities or close by states that were devastated by disasters.

Administrative Flexibility

OHS will rely on the judgment of governing bodies and program administrators at the community level to determine the most expeditious steps necessary to resume services. Individual states may waive some aspects of licensing requirements post-disaster, and programs are encouraged to contact their state licensing representative or Regional Office for guidance.

In some circumstances, if a grantee is unable to comply with a Head Start standard as a direct result of a disaster, OHS will consider a waiver of that standard to the extent allowable by law. However, no Head Start standard or requirement will be waived where failure to comply endangers the health and safety of children or constitutes fraud or misuse of federal funds. Grantees must be able to assure the safety of children and financial accountability for funds and property.

Safe Environments

Grantees are encouraged to be sure that services are resumed only when children can be safely served in their centers and outdoor play areas. Programs must also ensure safe work environments for staff, including in administrative offices.

The following resources are available to provide information on best practices for disaster clean-up and safety practices.

[Flood Cleanup to Protect Indoor Air Quality](#) provides basic information from the Environmental Protection Agency (EPA) about how to clean up after a flood and prevent indoor air problems.

[A Brief Guide to Mold in the Workplace](#) bulletin assists employers in providing a safe and healthful workplace. Pursuant to the Occupational Safety and Health Act, employers must comply with hazard-specific safety and health standards and regulations from the Occupational Safety and Health Administration (OSHA), or by a state with an OSHA-approved state plan. In addition, pursuant to Section 5(a)(1), the General Duty Clause of the Act, employers must provide their employees with a workplace free from recognized hazards likely to cause death or serious physical harm.

[OSHA Fact Sheet: Mold Hazards during Disaster Cleanup](#) offers information on clean-up procedures, personal protective equipment (PPE), and practices to protect workers in moldy environments.

[Mold Remediation in Schools and Commercial Buildings](#) provides printable instructions from the EPA for clean-up and remediation of molds and moisture-related problems in schools and commercial buildings.

All state child care licensing requirements related to re-opening centers post-disaster must also be met before service in centers is resumed. Consult local and state health authorities for further information and be aware of flood recovery information available from the U.S. Centers for Disease Control and Prevention (CDC), which includes information and helpful links to other resources: <https://www.cdc.gov/features/flood-safety/index.html>

Eligibility, Recruitment, Selection, and Enrollment

Grantees in impacted areas that offer both Head Start and Early Head Start may serve eligible impacted children ages birth to 5 within their overall funded enrollment and are not restricted to the current funded enrollment slots assigned to each program. Grantees in impacted areas that do not currently offer Early Head Start but have appropriate space and staff qualified to serve infants and toddlers may contact their Regional Office about the potential to serve displaced infants and toddlers. Head Start programs that do not have qualified infant/toddler staff are encouraged to work with local programs that may have space for infants and toddlers or offer home visiting programs. As we work together to serve affected children and families, we must do so in ways that do not put children at risk.

Any age-eligible child from a family that has had to abandon their home because of the disaster should be considered homeless under the definition of "homeless children" in the McKinney-Vento Homeless Assistance Act. These children are eligible for Head Start services due to loss of housing or the fact they are living in emergency shelters or sharing housing with family or friends.

If a displaced family does not have the eligibility documentation in-hand, programs should be flexible in accepting signed statements from the family attesting to necessary eligibility information.

Program Options and Hours of Program Operations

In the event of a disaster, OHS will, for the remainder of the school year, allow any grantee in or near the affected area to serve impacted or displaced children in any program option or options without obtaining advance approval. This applies to a conversion of a program segment, such as a center, to another program option so programs can accommodate as many children as possible. This time-limited exception to required procedures for obtaining OHS permission to convert services to a different program option as a "change to the scope or objectives of a program" under 45 CFR §75.308(c)(1)(i) is based on the need for programs to act quickly in response to a large-scale and widespread emergency situation in order to ensure children's safety and well-being. Also for the remainder of the current school year, significantly affected programs may add or reduce hours or days of program operations without obtaining prior approval as long as the changes can be justified. Finding creative ways to reach out and serve these families is encouraged.

Grantees are required to notify their Regional Office of the actions taken as soon as it is practical using the Head Start Enterprise System (HSES) correspondence.

Space, Class Size, and Ratios

Adequate classroom space may be a challenge post-disaster as programs strive to serve children displaced by the disaster. In order to provide grantee services within an area subject to an emergency or disaster designation under applicable local, state, or federal law, it's required to be as responsive as possible to these children and their families. This communication constitutes waiver approval, as described under [45 CFR §1302.24\(c\)\(1\) and \(2\)](#), for such grantees to exceed the class size and group size requirements of [45 CFR §§1302.21\(b\)](#) and

[1302.23\(b\)](#). This is in effect as long as grantees maintain appropriate adult to child ratios and comply with state and local licensing requirements, except when the state or local licensing agency waives these requirements, in which case grantees would not need to comply with the waived requirements.

In cases where grantees cannot comply with square footage requirements for centers in 45 CFR §1302.21(d)(2) during a temporary disaster recovery period, compliance with a less stringent state or local standard will be regarded by OHS as evidence of a good faith effort to comply with the Head Start standard to the degree possible.

Grantees are required to notify their Regional Office of the actions taken as soon as it is practical to do so using HSES correspondence.

Additional Classroom Staffing and Teacher Credentials

When using funds from existing operating budgets, programs may temporarily open additional classrooms to serve displaced children now considered homeless under the McKinney-Vento Act or children whose Head Start programs have closed due to damage. In addition, programs are encouraged to give priority to hiring staff displaced from other programs when hiring new classroom staff. All staff working directly with children must be eligible for employment under applicable criminal background check requirements under the Head Start Act and state childcare licensing requirements.

Health and Mental Health Services

Addressing the health and mental health of children, families, and staff impacted by a disaster is critical to the recovery process. Children, families, and Head Start staff may experience stress and even trauma related to a hurricane or other disaster. These effects can be short- or long-term, and responses may vary across individuals. Grantees are encouraged to work with local agencies and partners to assure that all affected children receive needed health and mental health services as quickly as possible. When enrolling newly homeless children, programs must make best efforts to ascertain children's health status and immediate needs. Programs are also encouraged to work cooperatively to share children's records with local health care providers and those who may be serving displaced children in other locations.

The following resources are available to assist programs in responding to a disaster, as well as preparing for any future emergencies.

The [Emergency Preparedness Manual for Early Childhood Programs](#) addresses response and recovery as well as preparation.

[Psychological First Aid \(PFA\)](#) is an evidence-informed approach for assisting children, adolescents, adults, and families in the aftermath of disaster. The field manual includes handouts for parents, caregivers, as well as children birth to 5.

[Children's Responses to Crises and Tragic Events](#) is a tip sheet identifying what behaviors young children may display after a tragic event. Knowing what to look for can help programs determine when to get children the support they need.

[Helping Your Child Cope After a Disaster](#) provides families and staff with tools to help a child after a disaster or crisis. Children benefit when adults assure them that they are safe and help them learn how to cope effectively.

Nutrition

Following disasters, the U.S. Department of Agriculture (USDA), Food and Nutrition Services (FNS) may provide additional flexibilities for Child Nutrition Programs, including the Child and Adult Care Food Program (CACFP). For example, FNS has the authority to consider requests from state FNS agencies to waive meal pattern requirements for CACFP for a period of time following a disaster. For the latest information on disaster-related flexibilities in your service area, please visit <https://www.fns.usda.gov/disaster/>.

Children with Disabilities

When serving displaced children, programs should acquire the Individualized Education Plans (IEPs) or Individual Family Service Plans (IFSPs) to assure the least possible disruption of these critical services.

Fiscal Management

Recovery Costs:

Grantees are expected to seek out and apply for all available national, state, and local disaster recovery funding. Insurance policies should be carefully reviewed to determine the extent to which losses may be covered. Insurance claims should be submitted promptly with regular follow-up on claims status. Insurance proceeds received because of losses related to Head Start-funded property must be spent on allowable program and recovery expenses.

If necessary, affected grantees may use funds already awarded for program operations and training and technical assistance (T/TA) to support needed recovery efforts (see Budget Modifications below). If OHS receives disaster relief funding, that funding may be used to replace program operation and T/TA funds re-directed to post-disaster recovery and resumption of services. Grantees should be mindful of budget consequences when using the program and T/TA funds for recovery activities to assure sufficient program operations and T/TA funding remains available for ongoing provision of services.

Budget Modifications:

It is anticipated that funds awarded for program operations may need to be re-directed to different budget categories to address post-disaster clean-up, repairs, health and safety issues, replacement of damaged equipment, furnishing and supplies, and other costs associated with resumption of services. Within a fiscal year, grantees may re-budget up to the lesser of \$250,000 or 25 percent of their annual funding between budget categories without prior written approval. In the event that re-budgeting in excess of the noted amount is needed, a revised standard form (SF)-424 and prior written approval is required per 45 CFR §75.308(b). Equipment purchases covered by 45 CFR §75.308(c)(1)(xi) require prior written approval.

Staffing and Wages:

Program staff and volunteers may have suffered personal and property losses because of the

disaster. Employees may not be able to reach their work locations and centers may be closed for extended periods of time. Grantees should consider federal and state labor laws to determine whether they are required to compensate staff unable to work on account of inclement weather. The U.S. Department of Labor website provides helpful information about disaster related benefits and support: <https://www.dol.gov/general/hurricane-recovery>

Laid-off employees should be encouraged to apply for unemployment compensation benefits and any other financial assistance available to support dislocated workers. With tasks that can be performed off-site, employees may be allowed to temporarily work from home during the disaster recovery period. Employees who take on new job responsibilities during the disaster recovery period, such as contacting parents or cleaning up centers, can be paid their regular wages for such work. Reasonable amounts of overtime may be paid if necessary to support recovery activities. Employees and volunteers should engage in clean-up and other on-site recovery activities only with appropriate supervision and safety gear.

To facilitate the retention and availability for recall of employees when services resume, employees laid off on account of the disaster may be paid their regular wages (allocated for shared employees) from Head Start funds for up to two weeks (80 hours for hourly employees, one half of the regular monthly salary for salaried employees) if they are unable to engage in other employment activities, such as those noted above.

Equipment:

Replacement of equipment needed for classroom operations, transportation, and nutrition services is critical to resumption of services in affected areas. Prior written approval is required for replacement of equipment with a per-unit cost of more than \$5,000. ACF will consider whether to provide blanket pre-approval for purchase of equipment without prior approval. The funding may be increased for grantees in the affected area in order to facilitate faster replacement of damaged or destroyed items. Guidance on any flexibilities related to the purchase of equipment will be released separately.

Procurement:

Programs may experience post-disaster scarcity of materials and labor needed for recovery, particularly in construction services. Grantees are encouraged to seek out reputable, licensed, local contractors to assist in recovery efforts. In consideration of the emergency and the pressing need to move forward with recovery activities, vehicle replacement, equipment, furnishing, materials, supplies, and minor repairs and renovations related to these disasters which do not require compliance with [45 CFR §1303—Subpart E](#) may be undertaken by non-competitive proposals as allowed in 45 CFR §75.329(f)(2) for up to 12 months following the date of this Information Memorandum (IM).

Procurement requirements, as noted in 45 CFR §§75.329–75.335, must be followed and a complete SF-429 in compliance with 45 CFR §1303—Subpart E must be submitted for purchase, construction, or major renovations as defined in [45 CFR §1305.2](#). Please note that the SF-429s must be submitted in the On-Line Data Collection (OLDC) system. Grantees are reminded that the cost of goods and services must be reasonable because of post-disaster conditions. Additionally, they must retain adequate documentation of all disaster recovery expenses and note

their relationship to post-disaster recovery.

Davis-Bacon Act:

Unless waived in disaster relief legislation passed by Congress, the Davis-Bacon Act applies to covered construction activities in excess of \$2,000. Davis-Bacon Act compliance information can be found at <https://www.dol.gov/whd/govcontracts/dbra.htm>.

Information on Damage and Recovery

Collecting accurate data on damages and recovery costs is critical. Impacted Head Start facilities should be inspected as soon as safely possible. Staff is strongly encouraged to use appropriate safety precautions when visiting centers that have experienced flooding, including the use of an N-95 National Institute for Occupational Safety and Health (NIOSH)-approved disposable respirator, gloves, and eye protection. Grantees should prioritize those repairs that must be completed before the facilities can re-open.

OHS Regional Office staff will be in close communication about recovery efforts. It is very important that accurate data is submitted as soon as the projected costs of these repairs are received. The following information will be particularly helpful:

- Did the center experience flooding or other damage?
- Was the structure of the center damaged (e.g., windows blown out, serious roof damage, exterior walls damaged, foundation settled, floodwater over 2 feet in depth at highest point)?
- What non-structural damage did the center experience (e.g., playground flooded, soaked flooring, minor roof damage, floodwater less than 2 feet in depth at highest point, some windows broken)?
- Were supplies and furnishings damaged at the center?
- Were buses or other vehicles at the center damaged directly or submerged over wheel-depth in water? How many?

While information on the potential recovery funds for Head Start is typically not available immediately following a disaster, having accurate information will help to inform federal recovery efforts. In the event of extensive power outages post-disaster, OHS will also grant extensions to those grantees affected by the recent disaster and recovery efforts by submitting SF-425s, SF-429s, End of Month Enrollment Data, and refunding applications due during or shortly after the period of the power outage. Notify your Regional Office to submit an extension.

Next Steps

OHS recognizes the incredible commitment and strength of program staff across the country. ACF and OHS will assist and support in every way possible. National and Regional ACF staff will be available to help coordinate services among the Head Start programs in neighboring communities and the federal, state, and local entities with which you collaborate. If programs encounter other obstacles in responding to children and families in need or to partnering with local education agencies or child care agencies, aside from those included in this IM, please let your Regional Office know so we can work together to resolve those barriers. Additionally, monitoring schedules will be adjusted, as necessary, for programs impacted by a disaster.

Lastly, this IM focuses on what you can do with the funding you have or can leverage through other sources. If Congress appropriates supplemental recovery funds for Head Start, OHS is committed to work expeditiously to communicate the process for applying for relief funding.

Thank you so much for doing all you can to help children, families, and staff who have experienced such disruption and loss.

/ Deborah Bergeron /

Dr. Deborah Bergeron
Director
Office of Head Start