

Tip Sheet: CCDF Flexibilities in Disaster Response and Recovery



CHILD CARE

State Capacity Building Center

Your statewide Child Care and Development Fund (CCDF) disaster plan is your best resource when a disaster is declared in your state, territory, or Tribal service area. It describes how you will continue the subsidy program and make decisions about the health and safety of temporary child care arrangements while gathering information about which providers are open, closed, or damaged. During coronavirus disease 2019 (COVID-19), CCDF Lead Agencies faced an emergency situation. While some had experienced emergency and disaster situations before, others had not. They needed to make immediate decisions to ensure that families, children, and child care staff and providers were safe, and essential workers had access to child care.

In April of 2020, the Office of Child Care (OCC) provided guidance to states, territories, and Tribes about CCDF flexibilities. They also supported Lead Agencies in understanding what flexibility is available and how to use it to continue child care services. OCC released a document that offered information about these flexibilities, including changes as covered by Coronavirus Aid, Relief, and Economic Security Act funding.

This tip sheet updates that document for use following natural or human-made disasters when children, families, and their child care providers and staff have been affected. It includes new fiscal year 2022–2024 CCDF Plan citations for your reference and to support discussions with your OCC Regional Office. Following a disaster, this tip sheet may provide options for response, but you can also use it to review and refine your statewide CCDF disaster plan.

Questions to Consider When Determining Where You Need Flexibility

When seeking flexibility, consider the following important questions:

- What needs are within the jurisdiction and impacted area?
- What child care is available for essential personnel such as health care workers, grocery store staff, and emergency workers who need child care to continue to work?
- Can you increase capacity within child care centers, or do you need to create temporary or emergency centers?
- Will families who become homeless because of this disaster be eligible for the subsidy program?



Lead Agencies have flexibility. Consider how each of these options will help your disaster response. You might do the following:

- Expand partnerships—or the focus of your existing partnerships—to meet identified needs for child care.
- Expand the information provided on consumer education websites and partners’ websites.
- Choose to enhance the referral services provided to families, especially those of essential workers who are looking for available child care.
- Change payment practices for impacted providers—for example—by paying based on enrollment rather than attendance.
- Develop emergency, temporary, or simplified licensing processes.
- Promote license-exempt care in a child’s or provider’s home.
- Expand funding to move part-day school-age programs to full-day school-age programs.
- Streamline procedures to determine eligibility.

Note: These flexibilities apply to ‘regular’ CCDF funds. Other supplemental funds, as applicable, may add additional flexibilities specific to the use of those funds. Your OCC Regional Office can help you explore possibilities and identify options.

The following table shows some examples of policy changes that you may consider after a declared disaster. Add questions and current policy citations in the **Notes** section to support conversations with your agency team and your discussions with OCC. They will help you decide if you need an amendment.

Examples of Types of CCDF Policy Changes

Provision	Reason for Action	Element of State or Territory FFY 2022 2024 CCDF Plan	Notes
Change the statewide disaster plan.			
Modify the statewide disaster plan.	Lead Agencies have the flexibility to modify their statewide disaster plans to cover activities for continuing emergency and temporary services during and after a disaster.	1.8.1.	



Provision	Reason for Action	Element of State or Territory FFY 2022 2024 CCDF Plan	Notes
Change CCDF eligibility criteria or priority rules for children and families.			
Broaden the definition of “working.”	Lead Agencies have the flexibility to define “working” to include families who are seeking employment or are participating in community service, recovery efforts, or a similar activity.	3.1.2.a.	
Waive the income limit for children in protective services on a case-by-case basis.	Lead Agencies have the option to waive the income eligibility requirements for children who receive or need to receive protective services—if determined to be necessary—on a case-by-case basis.	3.1.2.c.iii.	
Broaden the definition of protective services.	In emergency situations, Lead Agencies have the option to deem children affected by a federal or state declared emergency (such as children of health care, essential, and emergency workers) to need protective services. Therefore, child care providers could waive eligibility requirements (such as income threshold and work or training requirements) on a case-by-case basis.	3.1.2.c.i. and 3.1.2.c.	



Provision	Reason for Action	Element of State or Territory FFY 2022 2024 CCDF Plan	Notes
<p>Raise the income eligibility limits or redefine what the Lead Agency counts as income.</p>	<p>Lead Agencies have the flexibility to define income and set the income limit for CCDF eligibility. Lead Agencies could raise the income eligibility limits or change what counts as income, or both. For example, the Lead Agency could exclude disaster relief or other forms of temporary assistance from counting as income.</p>	<p>3.1.3.a. and 3.1.3.b.</p>	
<p>Add additional priority rules.</p>	<p>As long as income is below 85 percent of the state median income, a parent is engaged in an eligible activity as defined by the Lead Agency, and the child is under age 13, Lead Agencies can add additional eligibility conditions or develop priority rules. For example, a Lead Agency may prioritize the children of health care sector employees, emergency responders, sanitation workers, and other essential workers.</p>	<p>3.1.5. and 3.3.3.</p>	
<p>Allow for different eligibility conditions in different parts of the jurisdiction.</p>	<p>There is no “statewide” requirement for eligibility or priority criteria in the law. This can allow child care providers to focus resources on areas most affected by a federal or state declared emergency.</p>	<p>3.1.5.</p>	



Provision	Reason for Action	Element of State or Territory FFY 2022 2024 CCDF Plan	Notes
Adjust application policies to allow for quicker approval of child care for siblings.	A Lead Agency has the flexibility to—for example—allow the addition of a school-age child under age 13 to a provider who is already caring for their younger siblings via a streamlined process.	3.1.5.	
Change CCDF eligibility redetermination periods.			
Lengthen eligibility determination periods.	Lead Agencies may lengthen the minimum 12-month eligibility period to a longer period. Lead Agencies may also lengthen the minimum 3-month period of continued assistance (for job search) to a longer period.	3.4.1, 3.4.1.c., and 3.4.2.b.	
Waive or reduce CCDF family copayments for impacted families.			
Reduce copayments.	Lead Agencies may revise their sliding-fee schedule to reduce copayments for some or all families.	3.2.3. and 3.2.4.	
Waive copayment requirements.	As long as copayments are not waived for all CCDF-eligible families, Lead Agencies have the option to waive family copayment requirements for a subpopulation of families who meet criteria established by the Lead Agency. This may include families directly impacted by federal or state declared emergency situations.	3.2.4.	



Provision	Reason for Action	Element of State or Territory FFY 2022 2024 CCDF Plan	Notes
Establish slots funded by grants or contracts.			
Fund slots through grants and contracts.	To build the supply of child care providers, Lead Agencies may consider funding subsidy slots through grants or contracts rather than certificates or vouchers. For example, Lead Agencies may establish contracts with providers to care for children of health care, emergency, and other essential workers, or Lead Agencies may establish contracts with hospitals to provide onsite child care for staff.	4.1.6.	
Change child care subsidy payment practices.			
Pay based on enrollment rather than attendance, or increase the number of absence days allowed.	Lead Agencies may support providers by paying based on enrollment rather than attendance, or they may amend their absence day policies to be more generous.	4.4.1.b.	
Adjust health and safety requirements.			
Adjust adult-to-child ratios or group size.	A Lead Agency might decrease adult-to-child ratios or group size to encourage smaller groups in a child care setting. A Lead Agency has the flexibility to—for example—allow the addition of a school-age child to a family	5.2.2.	



Provision	Reason for Action	Element of State or Territory FFY 2022 2024 CCDF Plan	Notes
	home provider already caring for their younger siblings.		
Shift health and safety training requirements from pre-service to orientation.	CCDF requires child care providers to meet initial training requirements for staff either before employment (pre-service) or within 3 months of employment (orientation).	5.3.1.b.–5.3.12.a.	
Adjust annual inspections schedule.	Lead Agencies have the option to alter or postpone their annual inspection schedule for a temporary period for existing facilities during the state-declared emergency period without a waiver. While the requirements say that child care programs must receive an annual inspection, this does not necessarily mean that inspections must occur at exact 12-month intervals. The Lead Agency has the flexibility to schedule the inspections within the calendar year.	5.4.2., 5.4.3., 5.4.4., and 5.6.4.	



Provision	Reason for Action	Element of State or Territory FFY 2022 2024 CCDF Plan	Notes
<p>Make provider and staff employment eligibility decisions without all comprehensive background check components completed.</p>	<p>A Lead Agency has the flexibility to make employment eligibility decisions if not all comprehensive background check components are completed within 45 days.</p>	<p>5.5.3.d.</p>	
<p>Use CCDF quality dollars to improve and maintain quality and supply.</p>			
<p>Use quality dollars to support impacted providers.</p>	<p>Lead Agencies may use existing quality improvement dollars to provide retention or supply-building grants or contracts to providers for purchasing equipment and supplies (including cleaning supplies or deep cleaning services), establishing virtual professional development opportunities and staffing, or handling other costs. Lead Agencies may use this flexibility to target support to providers who experience a disruption in subsidy receipt due to an emergency. Providers are eligible for support, even if the families served do not receive CCDF subsidies.</p>	<p>7.2.1. and 7.10.1.</p>	

Source: Office of Child Care. (n.d.). *Child Care and Development Fund (CCDF) Plan FFY 2022-2024*. U.S. Department of Health and Human Services, Administration for Children and Families. https://www.acf.hhs.gov/sites/default/files/documents/occ/FFY2022-2024_CCDF_Plan_Preprint_for_States_and_Territories.pdf



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