

West Virginia Department of Health  
and Human Resources  
Division of Early Care and Education  
Statewide Child Care Emergency Plan



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## Background

The West Virginia Department of Health and Human Resources, Bureau for Children and Families, (WV DHHR,) Division of Early Care and Education (ECE) Statewide Child Care Emergency Plan is designed to assist state-level leaders, child care providers, and emergency management personnel in handling phases of emergency management during a man-made or natural disaster. In September 2014, the federal Child Care Development Fund and Block Grant (CCDBG) was reauthorized. The CCDBG Act of 2014 provides funding to support child care; through the Administration for Children and Families, Office of Child Care to the WV DHHR Division of Early Care and Education. These funds, along with the required matching State funds, support child care regulatory functions, child care subsidy and the State's quality initiatives. A key component of the CCDBG Act of 2014 reauthorization requires participating states to develop and disseminate a Statewide Child Care Emergency Plan. Section 658E(c) (2)(U) of the CCDBG Act of 2014, requires Statewide Child Care Emergency Plan to include:

- Guidelines for continuing Child Care Development Fund (CCDF) assistance and child care services after a disaster, which may include provision of temporary child care, and temporary operating standards for childcare 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.

In order to fulfil the requirement of Section 658, ECE has developed the following Statewide Child Care Emergency Plan with the intent to identify and communicate the processes and supports for child care in the event of an individual, local, regional or statewide emergency or disaster occurs. It outlines recommendations for planning preparedness, response and recovery from a disaster and the role the office will play in providing supports. The document provides guidance regarding Child Care Centers, Family Child Care Facilities, and Family Child Care Homes licensed and/or registered by the WV DHHR and also strives to provide information relevant to all other early learning programs in terms of recommendations and resources.

## Assumptions

The following assumptions we considered in the development of the plan:

- The West Virginia Department of Homeland Security and Emergency Management (DHSEM) has an operational and exercised Emergency Operations Plan.
- The DHSEM is responsible for coordination of state agencies in a disaster.
- The best way to prepare for a disaster is planning and practice.
- Child care is a necessary component for families and should be restored as quickly as possible.

- All licensed child care providers are required to develop, provide staff orientation, share with parents and file an individual emergency plan with their local emergency management agency.
- All registered family child care providers are required to develop, share with parents, and keep their plan on file for regulatory review.
- This document is a supplement to existing DHSEM plans and does not serve to address the full scope of community or state response to a disaster or emergency.

## Overview of Child Care Services

The Division of Early Care and Education, in the Bureau of Children and Families under WV DHHR, provides oversight, support, and funding for child care subsidies, quality initiatives, and child care provider regulation. The WV DHHR is the lead agency for the administration of the Child Care and Development Fund Block Grant. Additionally, ECE receives funding through the Office of Head Start for the Head Start State Collaboration Office.

- Child Care Licensing – The regulatory requirements for protecting the health, safety and rights of children in licensed care are found in WV Code 49-2B and Legislative Rules 78 CSR 1, 78 CSR 21, and 78 CSR 18 for Child Care Centers, Out of School Time Centers, and Family Child Care Facilities, respectively. All regulations include the requirement of a facility emergency plan and the provision of that plan to the local emergency management agency.
- Registered Family Child Care - The regulatory requirements for protecting the health, safety and rights of children in registered care are found in WV Code 49-2B and Legislative Rules 78 CSR 19 and 78 CSR 20 for Registered Family Child Care Homes and Informal and Relative Family Child Care Homes, respectively. All regulations include the requirement of a facility emergency plan.
- Child Care Subsidies – West Virginia’s child care subsidy program provides financial assistance to income-eligible families participating in a qualifying activity such as work, training, or Temporary Assistance for Needy Families (TANF) activities. Subsidies are administered by local Child Care Resource and Referral (CCR&R) grantees, in conjunction with ECE. Each CCR&R, as a condition of their grant approval, must have a continuity of operations and emergency plan in place.

## Disaster

Disasters can be man-made or natural catastrophes. The most common disasters in West Virginia are floods and winter weather related occurrences, such as blizzards and ice storms. West Virginia is also vulnerable to chemical disasters such as spills and releases. Individuals, families, businesses, communities, and all levels of government have a responsibility to establish basic emergency planning.

## Preparedness

Preparedness is fundamental to the success of any emergency plan. It allows for the consideration of the risks an individual provider, community or region could be exposed to; identification of

internal and external resources to assist during an emergency or disaster; and designates critical roles for staff and volunteers to fill in the execution of an emergency or drill.

### Child Care Providers

- All child care providers are required through regulation to develop an Emergency Plan. Licensed child care providers must file their plan with their local emergency management agencies. ECE has provided templates for plan development for both licensed and registered child care providers.
- The templates help providers in identifying their individual plan procedures for evacuation, relocation, shelter-in-place, lock-down, communication and reunification with families.
- Programs looking to identify the Emergency Manager for their municipality can do so by following this link.

<https://dhsem.wv.gov/Important%20Contact%20Numbers/Pages/default.aspx>

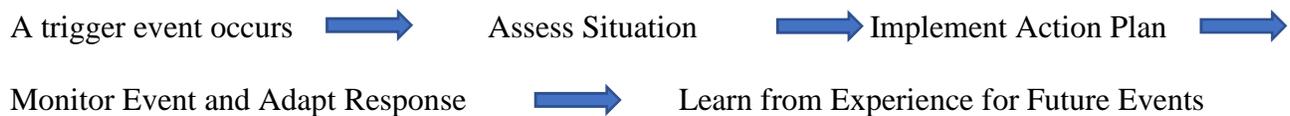
- Periodic Test & Readiness Activities- It is not sufficient to develop and file a plan. All staff should be oriented to the plan annually. Periodic emergency drills should be incorporated into the program activities. The types of drills should be varied so that staff, children and families have a level of comfort in responding to a variety of potential risks.

### The Division of Early Care and Education

- ECE will incorporate this Statewide Child Care Emergency Plan into the WV DHHR Continuity of Operations Plan (COOP) developed for the office.
- Ongoing, ECE will identify internal and external supports and determine the role they will play in execution of the plan.
- ECE will conduct an annual review of the plan and make revisions as needed.
- The Statewide Child Care Emergency Plan will be posted on WV DHHR's website for public access and review.

### Response

Response is identified as the time period immediately before, during, and after an emergency event. Immediate emergency or disaster response and recovery operations will be accomplished at the lowest level of government, and local jurisdictions will be responsible for all operations up to their capability. ECE will use the following basic response model in an event:



## ECE Operations

1. Trigger event – interagency notification of the event from WV DHHR leadership to Division Director, to program managers, to field staff.
2. Notification of grantees – The appropriate Program Manager will convene a conference call with CCR&R grantees to assess the situation and determine a course of action.
3. CCR&R grantees will communicate plans and any necessary actions with their affected local child care providers and parents.
4. ECE Field staff will communicate plans and assess individual child care provider situations.
5. As appropriate, ECE will communicate directly using phone, email, listserv or in person as necessary to share information with providers in the affected area.
6. ECE will collect and provide updates to the Secretary or designee as to the impacts of the disaster/emergency throughout the response period.

## CCR&R Agencies

1. In the event of emergency CCR&R agencies should execute the portions of their plan that best address their needs in the immediate circumstances. Related to an emergency, a decision must be made to act on one of five paths. Should the program: lockdown; immediately evacuate; shelter in place; or evacuate to a relocation facility.
2. As soon as it is safe to do so, but no later than 24 hours after the emergency, CCR&R agencies should communicate with the Child Care Program Manager regarding actions taken and recovery plans.

## Recovery

Recovery is defined as the period after an emergency or disaster where individuals or the community is attempting to return to normal activities. Recovery can vary in duration length.

### Early Care and Education (ECE)

- During Recovery, ECE or its business partners, the CCR&R agencies will be collecting data on the impacts of the disaster on the availability of child care in the impacted community.
- Using email or the WV DHHR website, ECE will communicate information related to Recovery Efforts.
- Licensing and regulatory staff will support providers impacted by the event and assist with licensing and/or registration of temporary or relocated facilities.
- After community level disasters, ECE will conduct after action assessment to determine what factors should be considered for future events and modify the Statewide Child Care Emergency Plan accordingly.

## CCR&R Agencies and Subsidy Critical Activities

- Continuity of Operations – CCR&R agencies are the hub of child care information. They are the local offices based in counties where low-income working families can get assistance with paying for child care. Additionally, they provide families with information on quality child care and personalized child care referrals to child care providers based on specific needs or preferences. Currently there are six local CCR&R agencies contracting with ECE to support families. To support continuity of operations during an emergency, the CCR&R agencies' grant requires the CCR&R agency to have an operations plan in place. On a daily basis, the grant requires the CCR&R agency to provide comprehensive information on all agency services which includes resource and referral services. CCR&R agency staff often provides additional resource and referral information for other community services available to individuals. In an emergency, the CCR&R agency staff will continue to make parent services available to the general public and all families who may be eligible for subsidized child care. The CCR&R agency staff will continue to provide all the services they provide on a daily basis, which includes resource and referral services. In the event a CCR&R agency's office is impacted by an emergency or disaster, the CCR&R agencies can work from locations other than their home offices. They can work from local state agencies, such as local DHHR offices or local community services, such as libraries. The CCR&R agencies can work with their local DHHR office to address the child care needs of families receiving TANF and SNAP.
- Continuity of Services – Families in the aftermath of an emergency or a disaster, may find their need for child care or circumstances for eligibility of care impacted. Below are some clarifications related to subsidized child care during an emergency or disaster:
  - Changes – Changes to location, number of hours, additional children to be served – Parents may request a change in provider, hours and days of care at any time. Parents may self-declare their need for additional days and hours of care for up to 30 days; then they must provide verification of the need. If parents are having difficulty producing verification, the CCR&R agencies must help parents verify information. The CCR&R may not deny or terminate subsidy when the parent has cooperated but is unable to provide the required verification. The parent may choose any regulated provider, including a provider who may be operating at an emergency location, approved by licensing or regulatory staff.
  - Parents may request care for additional children living in the home. The children can be added to the family composition and can receive care.
  - Increased Wages – A procedure is in place to address increased earnings should a family work overtime should a parent's employer increase the number of hours worked during a disaster. Parents do not have to report increased earnings unless they will permanently earn more than 85 percent of the state median income. Increased earnings based on temporary overtime do not have an impact on eligibility.

- Maintenance of Eligibility - Families maintain eligibility for child care for a period of no less than 12 months. If a parent is temporarily unable to meet the work requirement due to a loss of work, the family's eligibility continues to the next redetermination date.
- Modification of Co-payment – During a family's 12-month period of eligibility, co-payments may be decreased based on the family's income. Co-payments may not be increased between redeterminations, even if the family's annual income increases.

#### Temporary and Emergency Child Care Definitions:

The following words used in this protocol have the following meanings (Merriam-Webster Online Dictionary):

- Emergency - an unforeseen combination of circumstances or the resulting state that calls for immediate action
- Temporary - lasting for a limited time

#### Communication from ECE

ECE uses information provided by child care and other affiliated early learning program facilities to communicate on an individual basis. To the greatest extent possible, it is critical that phone numbers and email addresses are provided to the primary contact for each facility.

- In the event ECE is informed of an emergency or a disaster, where appropriate individual contact would be made to programs.
- In the event ECE is informed of a widespread emergency or disaster, ECE will use listserv, public announcement and website postings to inform child care and other early learning providers of relevant information.
- During an emergency or disaster, ECE or its business partners will collect local or regional information as to the status of the event for the intent to keep the Secretary and Deputy Secretary informed and to assist in prioritizing follow up activities.

#### Family Reunification

Children are the responsibility of their caregiver until such time as their parent or approved guardian is able to retrieve them from the child care facility. Reunification includes identifying the correct parent/guardian, verifying their identity, and documenting the child's release to their custody.

- In the event that a child's custody is unclear or when multiple persons seek to claim a child, all information will be turned over to DHHR Child Protective Services staff or Law Enforcement for their investigation and determination of custody.
- Under the Emergency Support Function 6 (ESF-6), one of the four primary functions is: Mass Care: Congregate sheltering, feeding, distribution of emergency supplies, and reunification of children with their parent(s)/legal guardians and adults with their families.

- DHSEM is the state lead for ESF-6 and is therefore the coordinating agency to assist local reunification efforts should they be overwhelmed.
- During a disaster, there may be children who will need short or long term placements if their parents/guardians become incapacitated, die, or cannot be located. If an unaccompanied minor housed in the shelter cannot return home and needs suitable living arrangements, DHSEM will notify law enforcement and the DHHR Child Protective Services within 24 hours. The child will remain with DHHR Child Protective Services until the child's parent/legal guardian, DHHR Child Protective Services or law enforcement takes custody of the child.

### Reaching Child Care Centers, Out-of-School Time Programs, Family Child Care Facilities, and Family Child Care Homes ('Providers') During Emergencies

Child care providers are advised to seek out and follow all state and local emergency communications in the event of an emergency or disaster; doing so is critical to saving lives. Emergency communications could include information about voluntary or mandatory evacuations or shelter-in-place orders, disease outbreaks, environmental conditions creating water supply concerns requiring boil water recommendations, or road closures. Child care providers are encouraged to build relationships with local emergency departments (fire, health and emergency management) to have the most current information to aid prevention and preparedness, response and recovery for their child care operation.

In addition to the state and local emergency communication systems used to reach the community, the Division maintains a list of child care programs that are licensed and certified. Information about emergency conditions can be emailed, mailed, or telephoned to providers through these lists depending on emergency conditions. Email messages may be sent out to coordinate response and recovery efforts to request providers in the affected area to report back their operational status in order to properly evaluate the loss of child care services, disclose disruption in issuing licenses, or share information about any local, state or federal aid available to programs based on the event. Child care providers are encouraged to keep their contact information current with Child Care Regulatory Specialists to ensure timely communication.

### Coordination of Post-Disaster Recovery of Child Care Services

From the beginning of any disaster situation, WV will implement systems to support essential functions to the child care system during and through recovery. Providers should also have a plan for how to recover from a disaster event, including proper insurance should materials need to be replaced or repairs are needed to a building or home. In addition, providers may choose to keep updated copies of children and staff records as well as financial and business paperwork on back-up computer systems and/or paper copies and securely stored off-site. Recovery plans should include the contact numbers for insurance companies, health department, building officials, licensing, social services and other resources such as financial programs for loans and/or grants.

In the recovery phase of the disaster, Child Care Regulatory Specialists may contact providers through phone, mail, email or text in the affected areas with updates on critical functions that are

offline and the estimated time frames those services will be restored. Information on any state or federal funds made available to providers in response to the disaster may also be sent as they are issued. Information may be posted on the Department of Early Care and Education website at <https://dhhr.wv.gov/bcf/Childcare/Pages/default.aspx>. Regulatory units will collect data from state and local emergency offices and providers to evaluate the number of operational child care providers.

### Required Emergency Procedures for Providers

Providers will have a written emergency preparedness plan, that addresses staff responsibility and facility readiness with respect to emergency evacuation, communication, relocation, and reunification based on the types of disasters most likely to occur in or around the program area. The plan shall address but is not limited to fire, flood, wildfire, severe winter weather, hazardous material spill, and hostage/active shooter emergencies, or other situations that may require evacuation, lockdown or shelter-in-place.

The emergency preparedness plan shall contain evacuation procedural components for:

- Scenario applicability;
- Methods to alert staff and emergency responders;
- Designated routes out of the building;
- Designated assembly points away from the building;
- Designated Relocation Site #1 nearby the program area;
- Designated Relocation Site #2 a further distance away from Site #1;
- Methods to ensure all children are evacuated from the building, and if necessary, moved to a relocation site;
- Methods to account for all children at the assembly point and relocation site;
- Method of communication with parents after the evacuation or relocation;
- Accommodations or special requirements for infants, toddlers, and children with special needs to ensure their safety during evacuation or relocation;
- Method to ensure essential documents, including emergency contact information, attendance records, medications, and supplies are taken to the assembly point and relocation site;
- Procedures to address reuniting children with parents or authorized person designated by the parent to pick up the child;

Providers are also required to provide verification of:

- Staff and volunteer training requirements, drill frequency, and plan review and updates;
- Other special procedures developed with local authorities;
- Emergency evacuation and shelter-in-place procedures or maps are posted in a location conspicuous to staff and children on each floor of each building, as applicable;
- Staff and volunteers receive training regarding emergency evacuation, relocation, shelter-in-place and lockdown procedures.

### Emergency Response Drills

#### Child Care Centers:

- Evacuation procedures shall be practiced with staff members two times per year;
- Procedures for moving to a safe location within the center shall be practiced two times per year;
- Procedures for maintaining a written record of the dates and times when practice sessions are conducted;
- Fire drills will be conducted at least two times a month during regular hours of operations and a written record kept of the dates and times when conducted;
- When a center offers evening or night time care, a fire drill will be conducted at least once a month during the evening or night time hours of operation;

#### Out-of-School Time Programs:

- Conduct and document an evacuation drill at least one time each month during program's regular hours of operation and keep a written record of the dates and times the drill is conducted;
- Conduct a shelter-in-place drill one time during the school calendar year.

#### Family Child Care Facilities and Homes:

- Conduct monthly fire evacuation drills and maintain a written record of when conducted.

#### Required Training for Providers

Child care providers that operate or work in a child care program are required to participate in Preservice Training that includes information on emergency and disaster planning in the "Emergency Preparedness" segment.

#### Emergency Planning Model Forms

To assist child care providers in emergency planning, ECE has model forms available. These forms are accessible at the ECE website: <https://dhhr.wv.gov/bcf/Childcare/Pages/Emergency-Preparedness-.aspx>

Child care providers are required to review plans annually to verify that listed information is accurate should it become necessary to evacuate. Updated plans need to be provided to the Director of Office of Emergency Services by county location.

#### Compliance

Providers are assessed for compliance with emergency requirements during an annual on-site monitoring visit by Child Care Regulatory Specialists from the child care center licensing and family child care regulatory units of ECE. If a provider is found to be in non-compliance with a regulation during the monitoring visit, the violation(s) are listed on a Corrective Action Plan issued to the provider. The provider will address deficiencies identified during the monitoring visit by indicating the actions to be taken to bring the violation(s) into compliance. Child Care Regulatory Specialists conduct subsequent monitoring visits to follow-up on the Corrective Action Plan in the appropriate time frame to ensure provider correction.

## Special Circumstances – Waiver Process

The Division of Early Care and Education has implemented a waiver process that applies to Child Care Centers, Out-of-School Time programs, Family Child Care Facilities, and Family Child Care Homes. In order for child care programs to meet the needs of families affected by an emergency or disaster, and to assist volunteers participating in any follow-up efforts or services, programs are permitted to submit a waiver request to exceed program capacity. The waiver will be in effect until rescinded by the Division of Early Care and Education.

The following provisions are required in order to submit a waiver for consideration:

- The waiver applies to Child Care Centers, Out of School Time, Family Child Care Facilities and Family Child Care Homes;
- Only programs with an initial license, regular license, or certification qualify for waiver consideration;
- A waiver request is to be written, signed, dated and submitted to the child care program's licensing or regulatory specialist within five (5) days of the program enrolling children affected by a disaster or parents volunteering in follow-up efforts or services. A Special Circumstance Medical Emergency-Disaster Waiver Request form is available but not required to request a waiver. Waiver requests submitted via email will be accepted. The written, signed, and dated copy will be submitted to the regulatory specialist at the time of the site visit.
- The waiver will be reviewed and a final, written approval will be given by the regulation unit staff;
- Programs are permitted to care for the affected children and the children of volunteers if all aspects of the waiver are already in place prior to the waiver submission;
- Regulatory unit staff are to be contacted with any questions about the waiver or special circumstances for which the program may need clarification;

Each waiver must include the following information:

- The number of children the program intends to temporarily enroll. How is this going to affect capacity?
- The ages of the children to be temporarily enrolled.
- Verification in writing from the owner/director that the program has on file the children's emergency information, medical information, and immunization records. Child Care Centers and Out-of-School Time programs are required to include a child's Medical Plan of Care, if applicable.
- Will the program take children within age ranges for which they typically do not provide care (i.e. infant care)? If so, how will the needs of the children be met (feeding, sleeping, active play, etc.)?
- Staffing:
  - It is anticipated that programs will work to meet current staff/child ratios. In the event that ratio and capacity are exceeded due to the temporary influx of children because of the disaster, list the anticipated adult/child ratio for each age group being considered for the waiver;

- All staff will be required to have on file, the appropriate background checks including state, federal, state sex offender registry, and child/adult protective services;
- Submit a staffing plan for each age group affected by the increased capacity;
- The square footage in all rooms is to be used;
- Does the liability insurance permit the increase?
- Items required for parents to complete for enrollment – at a minimum:
  - enrollment form
  - emergency form
- Forms are to be submitted with the waiver request.
- Financial charges to parents (is payment going to be required, will services be offered for free, refer to the local Resource and Referral agency, etc., or use other funds, etc.);
- Indicate the anticipated length of time the center will care for these children temporarily (i.e. 1 week, 30 days, etc.).

Child care programs are encouraged to contact the Child and Adult Food Program (CACFP) for guidance regarding the nutrition aspect of their program.

#### Special Circumstances - Waiver Exceptions for Child Care Centers

Pop-up programs such as Teacher Strike Programs that are providing child care during a teacher strike or other emergency situation, are exempt from licensure unless care exceeds thirty (30) days within a calendar year. The exemption, based on WV Code 49-2-113, will apply to programs providing child care during a teacher strike or other emergency situation. The following procedure should be followed in the event of a teacher strike or other emergency situation:

- Regulatory staff will contact any program that is providing specialized care during a teacher strike or other emergency situation;
- Technical assistance will be provided on the definition of a child care center, including the explanation that any care exceeding thirty (30) days requires licensure;
- An Information Packet will be given to the program operator if it is anticipated that child care will exceed thirty (30) days within the current calendar year;
- An Out-of-School Time registration will be provided to complete if it is anticipated that child care will exceed thirty (30) days within the current calendar year.

#### Special Circumstances – Amended Application for Child Care Centers

Programs that need to relocate as a result of an emergency or disaster must submit an Amended Application including at a minimum, an approved Health Department Permit and a positive Fire Marshal Inspection Report for the temporary relocation site. Notification of Approval will be provided by the Child Care Regulatory Unit.

Resources:

County Emergency Management Information:

<https://dhsem.wv.gov/Important%20Contact%20Numbers/Pages/default.aspx>

West Virginia Department of Homeland Security and Emergency Management:  
<https://dhsem.wv.gov/Pages/default.aspx>

Ready West Virginia: <https://ready.wv.gov/Pages/default.aspx>

Save the Children: How to Prepare Children for Disaster:

<https://www.savethechildren.org/us/what-we-do/us-programs/disaster-relief-in-america/preparedness>

Child Care Aware: Emergency Preparedness

<https://usa.childcareaware.org/advocacy-public-policy/crisis-and-disaster-resources/>