

ACF Administration for Children and Families	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES	
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INFORMATION MEMORANDUM

TO: All Head Start and Early Head Start Agencies and Delegate Agencies located in the states of Connecticut, New Jersey, and New York and other areas affected by Hurricane Sandy and recovery efforts

SUBJECT: Hurricane Sandy

INFORMATION:

The Office of Head Start (OHS) is very concerned about the devastation resulting from Hurricane Sandy. Historically, Head Start programs have played a significant role in aiding and assisting children and families following a disaster. Consistent with Head Start Performance Standards (i.e., 45 CFR §1304.40 (b)(1)(i)), the Administration for Children and Families (ACF) and OHS urge Head Start programs once again to begin taking steps to open your doors to displaced families in your community or nearby communities. And to the extent possible, we urge you to support families in getting their basic needs met, including nutrition, health and mental health support, and care for their children.

Head Start and Early Head Start programs are encouraged to provide Head Start and Early Head Start services to children ages birth to five and their families displaced by Hurricane Sandy. Programs are further encouraged to extend to displaced families available facilities, including kitchens, bed space, and bathrooms. In addition, ACF and Head Start leadership encourage grantees and program directors to leverage all their community partnerships and resources to support other Federal, state, and local relief efforts.

Unaffected, geographically adjacent grantees are encouraged to conduct an inventory of the services and resources currently available to determine how they might be used to assist those affected by this disaster. Please consider your physical resources (facilities, equipment, supplies) and your human assets (staff, physicians, social workers, mental health personnel) that might be of assistance.

ACF is seeking to remove barriers in the following areas to make it easier for you to meet the needs of those children and families affected by Hurricane Sandy, especially newly homeless children and families.

Administrative Flexibility

While programs are recovering from this large-scale and widespread disaster, OHS understands that Head Start and Early Head Start programs will be responsive to affected children and families while also serving children in safe and quality conditions. To the extent possible, given the post-storm conditions

and recovery efforts in their communities, programs should give best efforts to comply with usual program requirements. In reviewing program performance during the post-storm period and the large-scale recovery efforts currently underway, OHS will give great weight to the judgments of program administrators at the community level about the steps necessary to continue Head Start and Early Head Start service in a safe and effective way. In cases in which a program can not comply with the Head Start standard, compliance with a less stringent applicable 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. If a state offers waivers of current standards due to the storm, grantees should contact their Regional Office for guidance.

If a grantee is unable to comply with a Head Start standard as a result of the impact of the storm, we will consider the standard not to have applied during the period of the violation because compliance is not possible. This principle will not, however, apply in situations where the violation endangered children or constituted fraud. A grantee that chooses to operate must at all times be able to assure the safety of children and financial accountability.

Space, Class Size, and Ratios

Adequate classroom space may be a challenge due to storm damage and as programs strive to serve children displaced by the storm. To allow grantees to be as responsive as possible to these children and their families, OHS will authorize waivers to grantees as provided under 45 CFR §1306.37 to exceed the class size requirements of 45 CFR §1306.32(a), as long as grantees maintain appropriate adult to child ratios and comply with state and local licensing requirements. Grantees should take appropriate action and notify their Regional Office of the action(s) taken that require waivers as soon as it is practical to do so. In cases where grantees cannot comply with square footage requirements in 45 CFR Part §1304.53(a)(5) during a temporary period during the recovery, 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.

Eligibility

Any age-eligible child from a family that has had to abandon their home because of the storm's effects should be considered homeless under the definition of "homeless children" in the McKinney-Vento Homeless Assistance Act due to loss of housing or the fact they are living in emergency shelters. Section 637(11) of the Head Start Act makes the McKinney-Vento Act definition applicable to Head Start and Early Head Start programs; under section 645(a)(1)(B)(ii) of the Head Start Act, "homeless children" are eligible for Head Start and Early Head Start services. Homeless eligibility covers families that had been served in another Head Start program or child care program but who are now residing with relatives or in shelters in communities outside their home communities. If a family does not have the documentation ordinarily required for new enrollments, the family may provide a signed statement attesting to the child's age, which should be included in the child's file.

Program Options and Hours of Service

OHS will, for the remainder of the school year, allow any impacted grantee to serve children in any of the program options without obtaining advance approval for conversion of a program segment, such as a center, to another program option so programs can accommodate as many children as possible. We are recognizing this exception to ordinary 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 §74.25(c)(1) or 45 CFR §92.30(d)(1) due to the need for programs to act quickly in response to this large-scale and widespread emergency situation to ensure children's safety and well-being.

Also for the remainder of this school year, affected programs can add or reduce days or hours so long as changes can be justified without obtaining prior approval.

Staffing and Teacher Credentials

Using funds from existing budgets, programs may open additional classrooms to serve displaced children now considered homeless under the McKinney-Vento Act. In addition, programs are encouraged to give priority to hiring displaced Head Start teachers when hiring new classroom staff to cover classrooms enrolling additional homeless children.

For the remainder of this program year, if you are unable to hire teachers with Head Start-required credentials to staff new classes, inform your Regional Office.

Health Services

When enrolling newly homeless children, programs must make best efforts to ascertain children's health status. We will work with affected programs to assure all children affected by this emergency are provided required health services as quickly as possible. Programs should, where possible, acquire any relevant records about health services previously provided to any enrolled child and assist parents with any necessary sharing of such records with health care providers.

Children with Disabilities

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

Infants and Toddlers

As we work together to serve affected children and families, we must do so in ways that do not put children at risk. To that end, only Early Head Start and Migrant and Seasonal Head Start programs will be permitted to serve infants and toddlers. Grantees not operating one of these two programs should refer infants and toddlers to child care programs in their community or other Early Head Start programs in adjacent communities. In these very vulnerable times, it is important to assure that only those with expertise in serving the youngest of our children are authorized to do so.

Other Important Updates

We know that many Head Start facilities have been damaged and we ask that affected programs assess the damage as it is safe to do so and prioritize those repairs that must be done before the facilities can reopen. Please notify your Regional Office as soon as you have determined the scope and projected costs of these repairs.

Given the extensive power outages, OHS will also grant extensions to those grantees affected by Hurricane Sandy and recovery efforts in submitting SF-425s, End of Month Enrollment Data, and November 1 refunding applications. As soon as practical, please notify your Regional Office of the need for such an extension.

Closing Comments

ACF and OHS will assist you 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 in your

state, as well as the Federal, state, and local entities with which you partner. If programs encounter other barriers to responding to children and families in need or to partnering with Local Education Agencies or child care agencies, aside from those included in this Information Memorandum, please let your Regional Office know so we can work together to resolve those barriers.

Should you have any questions related to helping families in your community affected by Hurricane Sandy, please contact your ACF Regional Office.

Thank you so much for doing all you can to help those children and families that have experienced such disruption and loss.

/ Yvette Sanchez Fuentes /

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Office of Head Start