

Nevada State Division of Public and Behavioral Health (DPBH)
Child Care Licensing Advisory Council
Draft Meeting Minutes

Date: March 10, 2015 Time 1:30 PM

Division of Public and Behavioral Health
727 Fairview Drive, Suite E
Carson City, Nevada 89701

Division of Child and Family Services
6171 West Charleston Blvd. Building 8,
Conference Room A Las Vegas, NV
89146

Division Child and Family Services
1010 Ruby Vista, Suite 101
Elko, Nevada 89801

Also available via teleconference
CALL IN NUMBER: 1-888-398-2342
ACCESS CODE: 153072

Committee Members Present

Diane Nicolet, Co-Chair, E.L. Cord Child Care Center, TMCC (Carson City)
Carrie Paldi, Co-Chair, Creative Kids Learning Center (Las Vegas)
Sara Kreutz, Noah's Ark, (Elko)
Mary Rocha, Peas and Carrots (Carson City) (via phone)
Lori Ciardullo, Roots and Wings (Las Vegas)
Rachel Perez, Kids Quest (via phone)
Tiffany Alston, Sunrise Children's Foundation (via phone).
Andrea Davis, Kids Kottage (Reno)
Christine Stern, YMCA

Members Not Present

Sue Joyner, Dayton Valley Learning Center
Austin Olson, Adolescent Treatment Center

Child Care Licensing Staff Present

Donna McCafferty, Health Care Quality and Compliance, HCQC, Deputy Bureau Chief, LV
Latisha Brown, Child Care Program Manager (Las Vegas)
Terri Buster, Supervisor (Las Vegas)
Anna Lisa Acosta, Supervisor (Carson City)
Tammy Hutchinson, Child Care Licensing (Carson City)
Jessica Lamb, Obesity Prevention Coordinator Division of Public and Behavioral Health,
(Carson City)
Rachel Netz, Surveyor (Elko)
Lisa Roberts, Surveyor (Carson City)
Tiffany Kaplan, Surveyor (Carson City)

Elko Attendees:

Sara Krentz, Noah's Ark
Sarah Carone, The Children's Cabinet

Las Vegas Attendees:

Lenore Budyacar, City of Henderson
Laurie Ciardullo, Roots and Wings Daycare
Jan Rhodes, Miss Jan's Family Child Care
Jayne Mazurkiewicz, City of Henderson
Terri Rouster, CCC
Itzel Siu-Johnson, Challenger School Foundation
Christine Stern, YMCA of Southern Nevada
David Walton, Challenger School

Carson City Attendees:

Sherry Waugh, UNR CFRC

Teleconference

Abby Badolato, Washoe County Social Services
Joetta Forsty, Nevada Registry
Angela Triche, Sunrise Children's Foundation
Shelly Gulotta, Clark County Parks and Recreation
Elise Henriques, Washoe County Social Services
Karen Micklis, Washoe County Social Services
Denise Tanata Ashby, Children's Advocacy Alliance (Las Vegas)

Opening remarks, Introductions, and Roll Call *Carrie Paldi, Co-Chairperson*

Carrie Paldi, Co-Chair announced there was quorum present (eight members were present out of eleven.)

Jessica Lamb said that she would get a contact list out for the workgroup regarding nutrition as soon as possible.

In response to a question regarding a handout that was passed out, Donna McCafferty explained the handout is a template which is an example of what is used in other advisory councils for regulation review. She said that she would ensure that the Council would receive a template specific to their work for reviewing the Child Care Licensing regulations.

Donna McCafferty noted that the title of this committee is the "Child Care Licensing Advisory Council."

Approval of meeting minutes from December 9, 2014

Carrie Paldi asked if there were any other questions regarding the minutes. There were no questions.

**A MOTION WAS MADE TO APPROVE THE MINUTES BY DIANE
NICOLET. THE MOTION WAS SECONDED BY SARA KREUTZ.
MEETING MINUTES WERE APPROVED UNANIMOUSLY.**

Review current member makeup.

Carrie Paldi said that all membership has been filled with 11 members currently and a quorum being six.

Diane Nicolet reported that all information is up-to-date on the Nevada Registry.

Update from Child Care Licensing *Latisha Brown, Child Care Program Manager*

- A. Capacity report- Latisha Brown reviewed the capacity report which is a handout that was provided to everyone. All handouts are kept on file and available upon request.
- B. Update on proposed nutrition/physical activity Assembly Bill 152-Latisha Brown said a notice was sent on the listserv to notify those signed up on the listserv of the legislative hearings. She said it was important for everyone to make their thoughts heard.

Latisha Brown reported that AB152 was heard on March 9, 2015. The status of the bill can be seen at leg.state.nv.us. Testimony was heard for and against the bill and those that are neutral.

A general discussion ensued regarding AB152.

In response to Carrie Paldi's question as what version of regulations will be used as the AB152 goes forward, Latisha Brown explained that the bill is what they use as a guideline to build the regulations. Latisha noted that everything that was discussed previously with Child Care Advisory Council was put into account and is within the current draft proposal created. Once the bill is passed, she said the regulations will be distributed to everyone and everyone will have an opportunity to give their input at public workshops and meetings. She suggested that everyone should read the bill and attend a legislative hearing and ask questions about the bill. She stated that it is important that any concerns you have be known and that you keep yourself informed regarding the bill so you can be well informed.

Carrie Paldi asked if the revised potential proposals could be presented to everyone so that everyone can review the regulations before they are adopted. Latisha Brown noted that the regulations will be distributed to everyone before adopted.

Donna McCafferty said that as the bills go forward through the legislative process; what is passed is what will be the law. The regulations have to be developed from what is passed as law. If the law specifies something very specific then the regulations will have to be specific to the law as well if the law is general, the regulations can be general.

Diane Nicolet commented that it is difficult to attend legislative hearings for some and thanked Carrie Paldi and others who attend the hearings and keep up to date and share their concerns with the council is very much appreciated.

Carrie Paldi said the Legislature has a free bill tracking system to keep track of bills that you are interested in and that the Children's Advocacy Alliance listserv sends out all the bills that relates to children. (to sign up, go to www.leg.state.nv.us) Additionally, Carrie Paldi said

that there are some specific bills besides AB 152 that affect child care. She requested that Latisha Brown share those bills with everyone so that they are aware of the other bills that may have an effect on child care.

Latisha Brown stated that getting the information that relates to the bills is easy to access through the Nevada Legislature's web site which is leg.state.nv.us. She added to call her if there are any concerns.

Jessica Lamb said that she has been working with Latisha Brown and that this is an ever evolving process. The bill indicates that the Board of Health would have to adopt those definitions and when placed in *Nevada Administrative Code*, would be a Board of Health decision.

Donna McCafferty said remember as individual members you can lobby but not as advisory council members you are not allowed to lobby on behalf of the CCAC. The state is not allowed to lobby on anyone's behalf. You can go forth and lobby as an individual but not as a member of Child Care Licensing Advisory Council. As a CCLAC member, you would be neutral but as an individual operating you can testify for and against. You can also submit statements from other people.

Donna McCafferty stated that the CCAC is a Council, not a Committee.

Latisha Brown noted that will be up to you whether you should or should not attend a legislative hearing. No one made a comment under Public Comment for this agenda item regarding AB152. All of the following bills have been heard in hearings except AB197.

Latish Brown reviewed other bills related to child care:

- AB 2 Authorizes possession of a weapon in a vehicle that is on the property of certain educational entities or child care facilities in certain circumstances.
- SB 49 Emergency Shelters
- SB88 revises provisions statewide registry concerning abuse and neglect of a child.
- AB 52 revises provisions governing the persons responsible for child's welfare.
- SB141 revises provisions for certain deadly weapons.
- SB143 regarding provisions concerning concealed firearms.
- AB148 revises provisions governing concealed firearms.
- AB 152 enacts certain requirements governing child care facilities.
- AB197 revises provisions governing out-of-school-time and seasonal or recreational programs.

Diane Nicolet said she had asked some people to review some of these bills. One of them pointed out that they kept a weapon in their car when they would go to make large deposits at the bank. Up until the lady shared that with her, she had never thought about the practicality from another view point.

Latisha Brown said that AB197 will be looking at some of the programs that are after school programs that are looking to be permitted. Currently, what they have are programs that are privately owned that do not have to be permitted. She said it does make sense to have everyone permitted.

Discussion regarding setting up workgroups for the regulation review, including a workgroup schedule. *Carrie Paldi, Co-Chairperson*

Donna McCafferty explained workgroups must comply with *Nevada's Open Meeting Law (Nevada Revised Statutes 241.010)*. A workgroup still must have an agenda, must be publicly posted, and something that has minutes. Work groups are a great way to review regulations. The template that was sent out is what has been used with advisory councils when reviewing regulations and it can be edited to reflect what Child Care Licensing is looking at.

Donna McCafferty explained that there are questions that the workgroups would be looking at with each regulation. This regulation set was to address unlicensed facilities and set standards and impact of the regulations. The first step for the work groups would be to look at what questions should be asked.

Carrie Paldi said the template will serve as a good guide. The work groups of the Advisory Council will work under the rules stated in *Nevada's Open Meeting Law*.

Donna McCafferty said you can ask for public participation but there must be at least one member to come back to the full advisory council with the workgroup recommendations. By being inclusive and having more participants in the workgroups will be a positive thing.

Donna McCafferty said the chair of each work group would also have to be a member of the Child Care Licensing Advisory Council. She explained that you may need to do some teleconferencing if the meeting rooms are not available. The agendas will be posted and distributed through the listserv. She also recommended that the person who takes the minutes also be a council member and if another person was taking the minutes, they must be reviewed by a council member for accuracy.

Carrie Paldi said there would be two members of the council on each work group and they would keep minutes but they would be summarized minutes.

Donna McCafferty recommended that the minutes of the full Child Care Licensing Advisory Council be moved to more of a summary type minutes where any action items are noted and discussions are summarized which is much more efficient.

Donna McCafferty said that members of the public can be a member of the work group but the head of the workgroup should be a council member and a council member review the minutes for workgroups.

Diane Nicolet suggested that the since the "Standards of Operation" section is so large that the group start with that one and have it broken down first.

In response to David Walton, Latisha Brown said that the block grant is federal money.

Donna McCafferty commented there was enough time left to divide the members into groups.

Carrie Paldi, suggested that if the Child Care Licensing Advisory Group could be done February 28, 2016 to be done with their part, then they can begin their review of regulation.

Latisha Brown liked the February 28, 2016 deadline and said that then they can give it to everyone for review and then have another recommendation by March 31, 2016 so that they can give their recommendation to the Bureau.

Donna McCafferty said that even when recruiting members for an advisory group, there are certain criteria for people. She suggested that the interested people for these groups should be solicited through the Bureau and use the listserv for this. One criteria is that they be in compliance with licensing as you do not want unlicensed people volunteering for these groups. These work groups should begin by the beginning of summer.

Diane Nicolet said that standards of operation have three sets for continuity of review and thinking.

Diane Nicolet said she is concerned about the amount of work in the first item “standards of operations as it is so large. There are three subsets that she sees under general requirements. 240-304 which relates to the facility and director 306 to 326 relates to caregivers and trainers, 340-416 is directed related to children, records, activity. Staffing and number 520-546 and that would have to be a diverse group as it also has a combination of facilities in there.

In response to Diane Nicolet’s recommendation of how to split up the groups, Carrie Paldi said that the subsets would then be:

1. 240 -304 which relates to the facility and director.
2. 306 to 326 relates to caregivers and training
3. 340 to 416 is directly related to children, records, activity and nutrition.
4. 520 to 546 relates to staffing and numbers of staff.

Carrie Paldi said they can set up a schedule for the work groups at the next meeting which will be held on June 9, 2015.

Carrie Paldi said that they would have to develop a flyer to send out through the listserv. She will have a draft for the flyer by March 23, 2015. The deadline for people to respond to the flyer is May 1, 2015.

In response to how soon the flyer could be distributed on the listserv, Latisha Brown commented it could be sent out on the same day.

Shelly Gulotta asked in order to be on the committee and give input, do you have to be a licensed daycare provider. She stated that in the parks and recreation industry, Boys and Girls Club, YMCA, not all of us are licensed directors.

Latish Brown stated a workgroup must be ran by a council member, she said that they are asking for licensed providers, however licensing is working with Parks and Recreation and she did not have a problem with them being part of the workgroup as they are working with permitted activities.

There was a round table discussion on who would be good to be in the work groups. Continuing, Diane Nicolet said that they do not want anyone on the group who is not going to work or someone who does not show up to meetings and then complain later.

Diane Nicolet said it was very efficient to have a licensing surveyor for each group. Latisha Brown said as long as they have a schedule, they will do their best to make sure someone from Child Care Licensing is present.

Jessica Lamb said she works with immunizations, she said that she may be able help provide contact information.

Carrie Paldi said that all work-group members must be licensed providers and that members of the public would be able to attend and provide information and resources.

Shelly Gulotta commented that the City of Henderson, City of Las Vegas, Boys and Girls Club would like value and would Parks and Recreation would like the ability to be on committee and not just be a member of the public attending the meetings.

Carrie Paldi said that the directors there would have preschool directors that are licensed, so those directors have to abide regulation. They would be able to participate but those on safety are not licensed but could attend and provide public comment.

Shelley Gallato commented there are various facilities who are licensed so there are licensed directors who can participate. Shelley said that the directors here are part time of staff. Is there any way, that the committee could make an amendment that would allow someone like herself.

Latisha Brown said that Shelley Gallato should be allowed as she works within a program that has licensed programs and has to abide by the child care licensing regulations.

A council member said that anyone that has permitted programs, that operates under regulations, can participate on these work groups. Latisha Brown said that was correct and that they may have to add some regulations and it all falls under child care licensing.

Donna McCafferty stated that the template discussed to review regulations was developed by LCB and that she will have someone adapt the template for Child Care Licensing.

Diane Nicolet stated it might be a good idea to add a column to the template to include what research backs up the thinking or the rational.

Under Agenda Item 6:

LAURIE CIARDULLO MOVED THAT THE MAKE UP OF THE WORK GROUPS BE MADE OF LICENSED PROVIDERS. RACHEL PEREZ

SECONDED THE MOTION. THERE WERE SEVEN MEMBERS WHO SAID YES. DIANE NICOLET WAS OPPOSED. THE MOTION PASSED.

Diane Nicolet volunteered for Work Group 3 – 240 to 304

Carrie Paldi would lead work Group 4.

Christine Stern would lead work Group 2.

Andrea Davis would lead work Group 3. 340 to 416

- Group 1. 240 -304 which relates to the facility and director.
- Group 2 306 to 326 relates to caregivers and trainers
- Group 3 340 to 416 is directly related to children, records, activity and nutrition.
- Group 4 520 to 546 relates to staffing and numbers of staff.

Donna McCafferty explained that when the workgroups are composed, there will be a secretary from the work group members to take minutes. If the secretary is not a member of the council, the chair of that committee would need to review the minutes.

Carrie Paldi said that members can sit on any committee that they want. She asked that all members participate on one more groups. She asked the people here today to volunteer to be on one more group.

After some discussion the groups were finalized into the following areas:

Group 1. 240-304 which relates to the facility and director. Council member Chair: Diane Nicolet, additional council member representative:

Group 2. 306-326 relates to caregivers and training. Council member Chair. Christine Stearn, additional Council member representative: Tiffany Alston.

Group 3. 340-430 is directly related to children, records, activity and nutrition. Council member Chair: Andrea Davis, additional Council member representative: Sara Kreutz

Group 4. 435-485 relates to other types of facilities. Council Member Chair. Diane Nicolet was going to ask Austin Olson to lead this group additional Council member representative: Rachel Perez

Group 5. 520-546 relates to staffing and number of staff. Council member Chair Carrie Paldi, additional Council member representative: Laurie Ciardullo

Tiffany said she could not commit until her grant is rolled out. She said she could attend some meetings but would appreciate reminders.

Latisha Brown said that there are already chairs of the sub groups so if you could say you could attend some meetings and give some input.

Carrie Paldi said that the chairs should come back to the next meeting with a proposed agenda and dates of the work groups.

Diane Nicolet said whoever sets up these meetings, what kind of parameters do you want us to use to make it easier to set up. Donna McCafferty said it would have to be coordinated with our calendar and she said she would get an opinion from Linda Anderson if the room is unavailable if you could use teleconference as part of an open meeting. Donna McCafferty said that the template can help guide you.

Carrie Paldi said can we send the template through the listserv to collect opinions. She said she liked the idea of submitting it through the listserv which will show who is willing to put the work in. Does anyone have any questions on the template, or if there is anything missing. While reviewing that, she asked people to volunteer for a work group

Diane Nicolet said they should document what research backs up our rationale.

Carrie Paldi said would someone provide us with the questions plugged. Donna McCafferty responded that the regulations review was developed through the Legislative Counsel Bureau. She can set up some questions for the four work groups and include what research backs up the rationale in the regulation template.

The chair asked for public comment on Item 6.

Sherry Waugh said that Latisha talked about 420 and 425 not being necessary but she was curious about 430 about not needing a review of that.

Latisha Brown said she was putting everything in priority order and that she did not mean at all that 420 and 425 did not need review.

Carrie Paldi said there are some things they might want to add some items to review for this particular group. Sherry Waugh said there were some things in item 430 that should be considered.

Donna McCafferty said it depends how focused the workgroups are that they may be able to expand some groups.

Carrie Paldi suggested that from 420 to 445 be looked at independently, using our own particular areas of expertise – look at that criteria.

Diane Nicolet said she is willing to ask Austin to look at 435 through 485 which could be another work group and to appease my colleague. Andrea would be chair of 340 through 430.

Discussion regarding the review of NAC432A.180 – NAC 432A.416 *Carrie Paldi, Co-Chairperson*

In response to Carrie Paldi regarding when the ten year review is due, Latisha Brown said that would be in 2016. Some participants were unable to rejoin the meeting due to technical difficulties.

Update from Committee Members *Individual Committee Members*

In response to Carrie Paldi regarding that future Child Care Licensing Advisory Council meetings have to be limited to two hours, Donna McCafferty said that since your workgroups are meeting monthly, that the quarterly meetings can be more focused and reduce the amount of time the quarterly meetings are held. She also reported that other advisory groups typically go from one hours to two hours. To ease into this time limit, the next meeting will be from 1:30 p.m. to 4 p.m.

Diane Nicolet stated that she would like to stay aware of Pay for Success. Please start doing your research so that there will be a different sense for doing business. NGA – there are three documents opportunity for Assistance and Grants developing a strategy and education.

Future agenda items *Carrie Paldi, Co-Chairperson*

Carrie Paldi said standing agenda items would remain for the next agenda. Please add discussion of composition, focus areas and discussion of workgroups activities for the upcoming agenda, Latisha Brown give a legislative update and an update on what specific requirements are in a CCD Work Grant.

Public Comments

No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.

There was no public comment from Las Vegas or Elko.

Carson City public comment: Jessica Lamb thanked everyone for letting her participate here in your partnership. She added that Burger King just announced they have removed soda from their children menu options.

Adjournment. *Carrie Paldi, Co-Chairperson*

CHRISTINE STERN MOVED TO ADJOURN THE MEETING, RACHEL PEREZ SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at approximately 4 p.m.