

**CHILD CARE ADVISORY COMMITTEE
MEETING MINUTES**

**April 23, 2014
1:30 PM**

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

Health Care Quality and Compliance
4220 S. Maryland Parkway Bldg. D Ste. 810
Las Vegas, Nevada 89119

Division of Public and Behavioral Health
1010 Ruby Vista, Suite 101
Elko, Nevada 89801

Teleconference:
Dial-In Toll Free Number:
1-888-398-2342
Access Code: 1530727

Board Members Present

Diane Nicolet, Co-Chair, EL Cord (Carson City)
Carrie Paldi, Co-Chair, Creative Kids Learning Center (Las Vegas)
Andrea Davis, Kids Kottage (Carson City)
Sara Kreutz, Noah's Ark (Elko)
Stephanie Moye, Caring 4 Cubs (Spring Creek)
Tiffany Alston, Sunrise Children Foundation (via phone)
Rachel Perez, Kids Quest (via phone)
Austin Olson, ATC (via phone)

Child Care Licensing Staff Present

Chad Westom, Bureau Chief, (Las Vegas)
Latisha Brown, Child Care Licensing Manager (Las Vegas)
Anna Lisa Acosta, Supervisor Child Care Licensing (Carson City)
Lisa Roberts, Child Care Surveyor (Carson City)
Tammy Hutchinson, Child Care Surveyor (Carson City)
Tiffany Kaplan, Child Care Surveyor (Carson City)
Terri Buster, Child Care Surveyor (Las Vegas)
Rachel Netz, Child Care Surveyor (Elko)

Others Present

Joy Douglas, Dayton Valley Learning Center on behalf of Sue Joyner, Dayton
Shelly Martinez, Roots and Wings, Stateline

Members Not Present

Kyle Lairmore, Kyle's Home Day Care, Las Vegas
Sue Joyner, Dayton Valley Learning Center, Dayton

1. Opening remarks and Introductions

Meeting was started at 1:34 PM. Introductions of attendees were made.

2. Public Comments

No public comments were made.

3. Discussion, recommendation and appointment of person to take minutes

It was determined that Lisa Roberts would take notes and prepare the meeting minutes.

4. Approval on minutes from March 25,2014 meeting

There was discussion regarding consistency with the use of names in the minutes. It was requested that first and last names be used in all meeting minutes.

MOTION: **Tiffany Alston** made a motion to approve the minutes as amended

SECOND: **Rachel Perez**

PASSED: **UNANIMOUSLY**

5. Update from Child Care Licensing

Latisha Brown provided an update of the Board of Health Meeting held on March 28, 2014. Proposed regulations regarding changes in director qualifications and increased training hour requirements in response to AB 109 and changes regarding background checks in response to AB 93, as well as assessing fines on facilities. The proposed regulations passed with no opposition so Child Care Licensing (CCL) will move forward to final implementation.

Carrie Paldi asked when the effective date would occur. Latisha Brown answered that the last step will be to go to Legislative Council Bureau (LCB) for final approval and possible implementation on July 1, 2014. The language in AB 93 and AB109 states that they are already effective so it is the fines that would be possibly implemented July 1 or once LCB approves. Chad Westom stated that this could happen as early as April or May, but Child Care Licensing (CCL) will be notifying facilities regarding effective dates.

Carrie Paldi questioned if the charge for the background check was included with this legislation. Latisha Brown replied that the NRS 432A.170.4 already gives CCL authority to impose a cost for background checks so it does not have to go through the same process. Carrie Paldi asked if this would also be implemented on July 1. Latisha Brown stated that CCL is still fine tuning to make sure we are on the right track and getting feedback from those it would effect to ensure it is as fair across the board as possible, but CCL is looking to implement the cost on July 1.

Diane Nicolet reported that she attended the Board of Health meeting and introduced the Child Care Advisory Committee (CCAC) and explained that she stated that the group wants to help and move the industry forward in ways that are appropriate as well as work as a team.

A memo that Diane Nicolet reported was distributed at the Board of Health Meeting was discussed regarding CCL offering technical assistance, guidance, consultation and trainings. Latisha Brown stated that technical assistance has always been built into the survey process and explained different trainings that are offered or being developed. Latisha Brown expressed that CCL has a commitment to work with the industry and see it flourish and CCL wants to be a part of that.

6. Update from advisory members

Updates included information provided by Diane Nicolet about a pertinent online training on Norovirus she obtained through a Technical Bulletin from the Division of Public and Behavioral Health (DPBH). She hoped to see more such trainings and for them to be approved through the Nevada Registry so providers can get credit for the trainings. There was discussion regarding ways to get the information to providers and that providers would probably not take the training without getting Nevada Registry hours which must be a minimum of one hour. It was brought up that perhaps the training could be added to the Signs and Symptoms of Illness training class. Diane Nicolet requested that DPBH keep in mind child care providers training requirement the next time training is created.

Tiffany Alston reported that an email could be sent to Lisa Roberts to share with committee members regarding events taking place for National Infant's Immunization Week in Clark County.

Latisha Brown reported that information regarding the Listserv has been gathered and it was found that there was a high rate of providers that subscribed to the Listserve in Southern Nevada, but a very low rate in Northern Nevada. Latisha request the committee suggest ways to increase participation. Carrie Paldi suggested committee members informing providers about the Listserv or surveyors handing out cards inviting providers to subscribe. She also suggested that committee members speak about it at other committees they serve on or perhaps putting something on the Nevada Registry.

Carrie Paldi reported on a free science expo occurring on May 3, 2014 at Cashman Field in Las Vegas. She also voiced her concern about background checks for providers of Out of School time programs that operate throughout the summer. Latisha Brown reported that most programs do background checks, but they are not the same background checks completed with child care providers. She also stated that the Out of School programs are in

a pilot project . They are currently doing a checklist and part of it is background checks. They are doing some type of background check, but not as intensive as CCL requires for child care providers

7. Discussion and finalization of member terms

Carrie Paldi identified the terms that were selected by the members at last meeting and asked those not present at the last meeting their preferred term. Terms are as follows:

Diane Nicolet: 3 years

Carrie Paldi: 2 years with option to renew

Sue Joyner: 2 years with option to renew

Tiffany Alston: 2 years with option to renew

Kyle Lairmore: 2 year term. Not present for second meeting

Stephanie Moye: 3 years

Rachel Perez: 2 years

Andrea Davis: 3 years

Sara Kreutz: 3 years

Austin Olson: 3 years

Beth Kolacki: 2 years Beth Kolacki is no longer on the committee, but her position will have a 2 year term.

Carrie Paldi suggested in order to solidify the terms, she recommended that the two members not present be given terms of two years since that was the minimum. No one objected to this. She then called for a motion.

Andrea Davis made a motion to approve the member terms as they have just been designated.

MOTION ANDREA DAVIS

SECOND AUSTIN OLSON

PASSED UNANIMOUSLY

8. Discussion of sections of the By-Laws to develop policies and procedures and next steps discussion

Diane Nicolet worked on Section 5 subsection C and suggested a policy could be: The Child Care Advisory Committee (CCAC) shall operate with co-chairs. Carrie Paldi suggested co -chairs would serve terms that would not expire concurrently. This would be a procedure under that policy. The same language for the membership could be used, just worded slightly different. There was discussion about the group having flexibility and if there were vacancies at the same time. It was suggested that we will fill co-chair positions as emergencies arise Co-chair vacancies will be filled by an election of members of the committee. It would be someone that is already an existing member. Sara Kreutz brought a sample of a church's constitution with wording that may work for the CCAC. The wording that was worked out was:

“Should a Co-chair’s place on the committee be declared vacant, the committee shall elect by a quorum vote a successor until completion of that member’s term.”

Carrie stated that if the CCAC does only one policy at each meeting it will take too long to complete the process she said in order to move forward at the next meeting members need to come prepared with particular policy or procedure areas and suggestions and then assign a policy and procedure workgroup, even though we would have to follow the public open meeting law. A workgroup with 3 - 5 hours outside of this meeting when people have brought information to them could come back with something to another meeting with something to present to the group. The workgroup could meet sometime between that meeting and the next CCAC meeting and at that next meeting there would be policies and procedures that the members could review.

All were willing to commit to a portion of the policies and procedures.

The by-law sections were discussed and assignments were made to the different sections

Section 1: Name of the committee. No policies and procedures needed

Section 2: Authority. No policies and procedures needed

Sec 3: Mission. It was discussed that this is the meat of what the group is doing and it needs to be thought out concretely. It is going to be ongoing and evolving, which is why policies and procedures around it are needed. Policies and procedures are easier to change than by-laws. The CCAC members were challenged to take all 5 areas (subsections A – E) listed in Section 3 and name at least one thing the group should be doing in each subsection. The ideas may overlap, but it would provide a beginning foundation. In addition, the committee members were encouraged to get input from their colleagues regarding this section of the by-laws.

Section 4: Membership composition. Policies and procedures are needed if someone from a particular sector left they would need to be replaced by someone from the same sector. Diane Nicolet volunteered to look at Section 4 subsection A & B; Carrie Paldi volunteered to take subsections C – F.

Section 5: Officers. Austin Olson was asked to take this section after volunteer to take on any section. Language previously discussed at this meeting could be included.

Section 6: Meetings. Andrea Davis volunteered to take the meetings section. The next two meetings have been scheduled but CCAC will need to look at future meetings and determine if meetings will be held quarterly, every other month, etc. A consistent schedule needs to be set. The by-laws state the meetings must be at least quarterly, but as was discussed with the roll out of new regulations the group may need to meet more frequently for the time being.

Section 7: Amendments of by-laws. Tiffany Alston volunteered to take this section.

9. Discussion and recommend communication methods (Listserv posting and possible sharing committee contact information)

Carrie Paldi requested thoughts and ideas. Sara Kreutz expressed that the contact list sent to the committee members was okay for the committee members to have, but not the public. She would be willing to have the facility contact information available to the public.

Diane Nicolet developed a draft of a child care advisory information form. There is a list of names, sector, person, and place of employment. Diane will email all members draft form the member information form. Members can complete it and bring to next meeting.

Diane Nicolet reported that she has been working with Shelly Nye and the CCAC is already on the Nevada Registry and also has a blog. She encouraged everyone to look at the information on the Nevada Registry, especially Latisha Brown and Chad Westom as administrators.

10. Discussion of nutrition/physical activity regulations

Latisha Brown stated that the Children's Advocacy Alliance (CAA) is heading up a group that are proposing changes to NAC 432 A.380 and CCL wanted to make the CCAC aware so they could provide feedback. All members were emailed the proposed regulation changes to review. Latisha Brown stated that she wanted to take the group's feedback to the CCA when she meets with them.

Chad Westom explained that the proposed regulations originated when CCA partnered with a different bureau within the division; they came to CCL with a request to draft regulations. Discussion followed. CCL studied the proposed regulations and shared concerns. The group wasn't overly familiar with the regulation process. Successful regulation passage involves a lot of public processes. The group proposing the regulations is outside the division and does not fully understand the steps, so it was determined that the proposed regulations should be brought to the CCAC to get feedback. There is nothing to prevent the CCAC from developing a memo with thoughts on the proposed changes; if concerns are not put in writing sometimes regulations move forward quickly. These proposed regulations are at the very beginning of the process. CAA felt that they had the providers' support, but 91 survey responses is a fraction of the total number of facilities. CAA said they sent out surveys to all providers; a few of the CCAC members received it, but the majority did not. If the regulations are not passed, CAA, like any citizen can talk to their elected officials to see if there is support to change the law. Chad Westom recommends that the CCAC review it, study it and understand it and let CCL know what their perspective is on this concept.

Rachel Perez questioned if the regulation changes would affect accommodation facilities or only child care centers. Latisha Brown answered that currently the proposed regulations would only affect centers, but it may move to include accommodation facilities if food is served. Family and group homes are in a different category so those facilities are not being looked at.

There was extensive discussion about the proposed regulations. Consensus was that all are supportive of improved nutrition and exercise, but not sure it needs to be in regulations. The proposed regulations are well intentioned, but unrealistic and providers will find it difficult and challenging to implement. One has to be respectful of people's individual and cultural beliefs as well as mindful and respectful of people's choices even though they may not be the healthiest.

Concern was voiced that items in the proposed regulations must be feasible in order to regulate. Nutrition and physical activity is a community issue and not necessarily a regulatory issue; facilities can do a better job about meeting the intent without it being so cumbersome.

There was further discussion about the annual childhood obesity prevention training that has already been added to the statute. The consensus was that adding additional new regulations seemed overreaching by trying to regulate a specific amount of physical activity. It would be very difficult to track, both for surveyors and teachers trying to track each child's specific activities. The proposed regulations seemed fragmented and were not a holistic approach; it would be as if play was being regulated. If done correctly it occurs naturally. As far as the proposed regulations regarding breastfeeding are concerned, there was agreement that an area to breastfeed infants should be available, but having directors and teachers talk to parents about this topic is beyond their scope. Some mothers are unable to breastfeed and they would not want to make a mother feel inadequate. Members expressed that the information included in the proposed regulations were important education and training issues for the workforce.

Diane Nicolet said she would support going to bat for the industry, not to undermine the importance of this strategy, but it shouldn't be in regulations. Chad Westom recommended the CCAC prepare a memorandum outlining the pros and cons of what the CAA is proposing so all aspects can be considered. Professionally and diplomatically this is a worthwhile concept but it should perhaps be strong education program rather than a regulation.

Questions arose about family group care not being included under the proposed regulations. Members expressed that changes should be the same for all facilities across the board if the goal is to make children healthier. Facilities play an important role in keeping children healthy, however, families are the ultimate source of nutrition and physical activity, and it is not the purpose and mission of early care and education providers and caregivers to dictate to parents what their children should eat.

It was expressed that the soundness of the facts couldn't be argued with; there was good research. But, the research is fragile and changing all the time; the American Academy of Pediatrics is currently reviewing its stance on 1% milk. The proposed regulations are too precise. The industry should honor their intent, but this should not be regulation. It would be difficult to enforce when licensing goes to facilities only twice each year.

The Southern Nevada Early Childhood Advisory Council meets on May 28 and will have a presentation by CAA, Denise Tanata Ashby; this is the same date and time as the CCAC committee will be meeting. It was suggested that we combine or coordinate meetings. CCL will look into the

possibilities regarding the open meeting law and how can get information to the CCAC and the Bureau of Community Health.

It was expressed that it would be beneficial to have Denise Tanata Ashby do a presentation so the CCAC can give direct feedback. Direct dialog is important, but the group was encouraged to also have something in writing. It was determined that Denise Tanata Ashby should do presentation at the CCAC meeting because the CCAC is at the state level, and the Southern Nevada Early Childhood and the Southern Nevada Early Childhood Advisory Council is at the county level.

It was determined that CCAC would invite Denise Tanata Ashby to do a presentation on the proposed regulation and for the group so direct feedback could be provided in person. A homework assignment was given: Make a list of pros and cons or things in the proposed regulations that are of concern. Clarification was given that it is okay to share the proposed regulations document with colleagues to get their input.

11. Schedule of future meetings

Carrie Paldi stated that it would be looked into whether the CCAC could meet with the SNEAC meeting. The next meeting is scheduled for May 28 and the following meeting is scheduled for June 24. The person working on the meeting section of the by-laws will come up with a recommendation of if the group should meet quarterly, every other month, or continue with monthly meetings for the time being. It was suggested that monthly meetings may be in order until September so the group can get through the proposed regulations issues. Members were asked to bring their calendars to the next meeting so future meetings can be scheduled.

12. Future agenda items:

It was discussed that the standard agenda items discussed previously be kept on the agenda and the following items should be added:

- Approval of new members
- Discussion for possible action on policies and procedures
- Discussion for possible action on proposed nutrition and physical activity regulations
- Discussion and recommendation for listserv information
- Presentation by Denise Tanata Ashby from CAA
- Future meeting dates
- Possible formation of workgroup to finalize policies and procedures

It was requested that Christine Stern be invited to the next meeting and that someone contact Kyle Lairmore. This was the second meeting missed. It was requested that she be asked if she felt she could meet the obligations of this committee and to make her aware that the phone in option was an acceptable way to participate. Tiffany Alston volunteered to make contact with Kyle Lairmore.

13. Public comments

Shelly Martinez requested to participate in the discussion or provide input in the the pros and cons of the proposed nutrition/physical activity regulations.

Carrie Paldi stated that Joane Ruppier from Southern Nevada Health district would like to be involved with the CCAC. She is aware that she cannot be a member, but could provide valuable information to the group.

15. Adjournment

The meeting was adjourned at 4:02PM.