

NEVADA STATE DIVISION OF PUBLIC AND BEHAVIOIRAL HEALTH
CHILD CARE REGULATION REVIEW

WORKGROUP #1

Standards and Operations- NAC 432A.240-NAC 432A.304

Date: Wednesday-October 14, 2015

Time: 1:30-3:30 p.m.

Division of Aging
1391 S. Jones Blvd.
Las Vegas, NV 8146

Division of Public & Behavioral Health
4150 Technology Way, Room 153
Carson City, NV 89706

Also available via teleconference

CALL IN NUMBER 1-888-39-2342

ACCESS CODE: 153027

Workgroup Members Present

Diane Nicolet, Chairperson, E.L. Cord Child Care Center, TMCC (Carson City)

Carol Levins, Creative Kids Learning Centers

Dale Furukawa, Acelero Learning PDC

Kelly Holtam, Early Childhood Education Lab Program

Maureen Avery, Creative Kids Learning Center

Sherry Waugh, Child & Family Research Center

Itzel Siu-Johnson, Challenger school - Recorder

Workgroup Members Not Present

Jason Griffith, Kids R Kids 3 NV

Child Care Licensing Staff Present

Anna Lisa Acosta, Supervisor

Kerra Fuentes, Surveyor

Rachel Netz, Surveyor

Other Attendees

Jared Buster, Children's Advocacy Alliance

Linda Alvarado, Academy of Little Learners

Sue Joyner, Childcare Advocacy Council

Shelly Nye, Nevada Registry

Opening Remarks, Introductions, and Roll Call *Diane Nicolet, Chairperson*

To ensure everyone's understanding of open meeting parameters, Diane Nicole, Chairperson, discussed in detail the compliance checklist for Nevada Open Meeting Law as it relates to NRS 241.035.

Diane Nicolet clarified that this workgroup deliberates and makes recommendations but lacks jurisdiction to make independent changes to the regulations. Diane reviewed the structure of the workgroups and their purpose.

Kerra Fuentes provided the memo from Anna Lisa Acosta explaining the project:

The Child Care Advisory Council has formed five workgroups consisting of state licensed providers to complete the task of looking at different areas of the regulations. The workgroups will review each regulation in their section to see if it is necessary and/or needs revision to clarify using a standardized template. The template has been shared with each workgroup chair and will be posted to the Child Care Licensing webpage.

The review process will begin in October 2015 and will be completed in May 2016. Open meeting law will be followed throughout the entire process to ensure that providers, stakeholders, and the public have the opportunity to voice their opinions.

Once the regulation review has been completed, the proposed changes will be submitted to Child Care Licensing where they will be further reviewed to determine if the recommendations are measurable, if they are in regulation language, or if they are contradictory to other regulations. The edited or revised document will be presented to the Child Care Advisory Council for review and discussion.

Diane Nicolet warned that workgroup members cannot have outside discussions or prearranged votes coming into the workgroup meetings.

Diane Nicolet emphasized the importance of becoming completely familiarized with the provisions of the entire NAC section that pertains to the topics being discussed in order for the workgroup members to have the ability to identify duplications.

The communication process regarding meeting announcements, distribution of agendas, and posting of minutes was reviewed and was clarified to be a task undertaken by Child Care Licensing.

In response to a question regarding the level of detail that Child Care Licensing would provide, Anna Lisa Acosta clarified that copies of any requested documents would be provided to any requester, free of charge.

Appointment of primary and secondary workgroup recorders -*Diane Nicolet, Chairperson*

Diane called for volunteers to serve as recorders of meeting minutes.

Itzel Siu-Johnson volunteered to serve as primary recorder.

Dale Furukawa volunteered to serve as secondary recorder.

Discussion of how minutes will be recorded, reviewed, distributed, and archived- *Diane Nicolet, Chairperson*

General discussion on the provisions of NRS 241.035 (1) was held. Participants were reminded to identify themselves for ease of documentation of comments.

Items to be recorded were clarified to include action items and discussion of specifics relating to the pertinent sections of NAC to be revised.

Participants were reminded to maintain discussion limited to relevant items in consideration of time constraints.

Discussion and overview of regulation review process- *Diane Nicolet, Chairperson*

The template provided by the AG's office to aid in regulation review was analyzed line by line. Each of the eight questions was read and explained.

In response to a question from Maureen Avery regarding where she could obtain the information to satisfy question number four, which addresses the costs associated with each regulation, Diane Nicolet explained that a licensing surveyor will always be present to help address the costs faced by users and enforcers of a particular regulation.

Maureen also inquired as to whether or not workgroup members would be able to share the results of independent research. Diane explained that workgroup members will have not only the opportunity but also the obligation to research thoroughly every aspect of the regulations and their impact, and consider also what experience each can bring forward for their colleagues to entertain in relation to making recommendations regarding revision to the regulations.

At this time, Anna Lisa Acosta announced that she had to leave early. Kerra Fuentes and Rachel Netz indicated they would fill her in on any developments.

Once the chairperson opened the floor to public comments, Shelly Nye of the Nevada Registry offered to post the locations of the meetings, the meeting agendas and other documents on the Nevada Registry website. Shelly indicated that this would help workgroup members read the

regulations ahead of time. She also suggested that for those listening in over the phone, the regulations could be read aloud in order to keep everyone on task.

A MOTION WAS MADE BY DIANE NICOLET TO POST THE MEETING ANNOUNCEMENTS AND MINUTES ON THE NEVADA REGISTRY WEBSITE. THE MOTION WAS SECONDED BY DALE FURUKAWA. THE MOTION WAS PASSED UNANIMOUSLY.

Discussion on regulations- *Diane Nicolet, Chairperson*

Diane Nicolet read the titles of each NAC code being reviewed and clarified that we would not be revising the definitions.

A general discussion was held regarding how to break up the regulations being reviewed and ensure timely completion of the project.

Itzel Siu-Johnson suggested going over the regulations in order in view of the fact that they follow a natural progression and are grouped by topic. Specifically, attendees discussed that the last three regulations before this workgroup address director duties and qualifications.

Diane Nicolet suggested that the workgroup members pencil-in some regulations to be covered at each of the meetings currently scheduled:

- 11/07/15 NAC 240 and NAC 250
- 12/02/15 NAC 255 and NAC 260
- 01/06/16 NAC 265 and NAC 270
- 02/03/16 NAC 280 and NAC 290
- 03/02/16 NAC 300
- 04/06/16 NAC 302 and NAC 304
- 05/04/16 left open to ensure timely completion of review

Relating the structure of the meetings, discussion was held regarding keeping the same agenda items going forward.

A MOTION WAS MADE BY ITZEL SIU-JOHNSON TO KEEP THE STRUCTURE OF THE MEETINGS THE SAME, PARTICULARLY AS PERTAINS TO AGENDA ITEM NO. 5. THE MOTION WAS SECONDED BY KELLY HOLTAM. THE MOTION WAS PASSED UNANIMOUSLY.

Sherry Waugh had a question regarding the use of the worksheets, as there was confusion regarding whether the completion of the template for regulation review would occur independently or would be the collective work of the workgroup members and other attendees.

Diane Nicolet clarified that all members should come the table armed with the necessary information to intelligently discuss the regulations and make recommendations on the same. She further clarified that we have to maintain the integrity of the record-keeping and capture the basis of our recommendations as support.

A MOTION WAS MADE BY DALE FURUKAWA THAT THE REGULATION REVIEW TEMPLATE BE INDEPENDENTLY COMPLETED BY EACH WORKGROUP MEMBER AS HOMEWORK AND BE TURNED IN AT THE SUCCESSIVE MEETING BY EACH WORKGROUP MEMBER. IN PREPARATION FOR THE NOVEMBER 4, 2015 MEETING, SHE MOTIONED FOR EACH WORKGROUP MEMBER IS TO COMPLETE THE WORKSHEET IN RELATION TO NAC 240 AND NAC 250. THE MOTION WAS SECONDED BY ITZEL SIU-JOHNSON AND WAS PASSED UNANIMOUSLY.

Diane Nicolet clarified that the worksheets could be typed or handwritten and should be turned in to each region's surveyor and they would in turn take them back and incorporate them into the master documents. These worksheets were to be used as a tool to help guide the thinking and analysis of each workgroup member and enable each member to come prepared to discuss the regulations line by line.

Future Agenda Items- *Diane Nicolet, Chairperson*

The future agenda items were reviewed and summarized to include the following:

- 1) Opening remarks, introductions, and roll call
- 2) Review and approval of minutes
- 3) Regulation review
- 4) Future agenda items
- 5) Adjournment

After reminding all parties that the agenda for the upcoming meeting would be prepared and posted ahead of time, the business of today's meeting was deemed to be concluded.

SHERRY WAUGH MADE A MOTION TO ADJOURN. DALE FURUKAWA SECONDED THE MOTION. THE MOTION WAS PASSED UNANIMOUSLY. THE MEETING WAS ADJOURNED at 3:15 p.m.