

Board of Early Care and Learning
Meeting Summary
August 25, 2022

Attendees

Board Members:

Kristy Beam, Jen Bennecke, Debra Brock (Vice Chair), Phil Davis (Chair), Susan Harper, Joanna Hill, Kathy Howell, Kristin Morrissey, Kimberly Neville, Luann Purcell, Cristina Washell, Karla Zisook

Guests:

Myra Abdus-Saboor, Patricia Andrews, Laura Anglea, Meredith Armistead, Connie Braswell, Olivia Buckner, Karen Carpenter, Unique Clay, Carolyn Colon, Shaundria Dean, Michelle Doleman, Antoinette Elliott, , Janet Forbes, Annamaria Gibbs, Hannah Goldberg, Lisa Hardt, Rhoda Herrington, Elsie Hopkins, Emily Howland, Nicole Lagatta, Melissa Lewis, Ana Magana, Camilla Mason, Keisha McClendon, Suezette McDonald, Sharekka Moore, Stacie Neal, Terri Oglesby, Melanie Parten, Keanna Peterson, Carolyn Pleasant, Tunisia Pryor, Sandra Ramsey, Pamela Robinson, Christie Rowell, V. Sanders, Tameka Shearer, Helen Sloat, Stacey Smith, Tricia Smith, Janice Souder, Brandi Swain, Stacy Swenson, Austin Trott, Eugene Wallace, Karen Whisnant, Brigitte Willis, Jessica Woltjen, Merriam Wynn

DECAL Staff:

Commissioner Amy Jacobs, Rian Ringsrud, Susan Adams, Elisabetta Kasfir, Bentley Ponder, Randy Hudgins, Denise Jenson, Pam Stevens, Dennis Brice, Reg Griffin, Ira Sudman, Quandra Obi, Lari Lyn Beyer, Laura Boham, Chondra Bolton, Tamika Boone, Jennifer Bridgeman, Jerry Brown, Vanessa Brown, Rachel Combs, Kimberly Davis, Glenda Davis-Canteen, Erin Darley, Faith Duncan, Bart Ellington, Rebecca Ellis, Megan Fickes, David Ginsburg, Kristin Goetz, John Huston, Melinda Knowles, Jarita Lawrence-Burdette, Laura Lucas, Barb McWethy, Lindsay Miller, Christi Moore, Amir Nilforooshan, Jill O'Meara, Dana Morrison, Miranda Murphy, Rob O'Callaghan, Valerie Perez, Bridget Ratajczak, Laura Reid, Anne Rein, April Rogers, Barbara Sanders, Brittany Seltrecht, Jackie Shivers, Sonja Steptoe, Robin Stevens, Audreana Todd, Keturah Wafer, Mark Waits, Laura Wagner, Bridgett Walker, Liz Young, Kendra Ferguson

Mr. Davis called the meeting to order at 9:03 a.m.

The Board unanimously approved the proposed agenda and the minutes from the May 19 meeting.

In lieu of inspiration Mr. Davis read a tribute to former first lady of Georgia Sandra Deal who died on August 23.

Commissioner Amy Jacobs and other Board members shared remembrances of Mrs. Deal.

Mr. Davis invited Board members to share updates on their recent activities. Ms. Brock reported that her school's Pre-K program has full enrollment with 56 children, and the year is off to a fabulous start.

DECAL leaders provided updates about their areas of responsibility.

- Commissioner Jacobs briefly reviewed the federal funding DECAL received for COVID-19 relief and the projects that have been funded so far. She also made a presentation about new projects that will be funded from remaining American Rescue Plan (ARP) Act funds. Projects to support providers include a provider rate increase of 7.87% to CAPS providers' ACCESS rate; \$80 million in additional health and safety grants; \$5,000 grants to each Pre-K classroom for technology, instructional materials, approved curricula; and classroom furniture; Quality Rated restoration grants for classrooms and staff as providers prepare for on-site observations, which resumed in July; and strengthening business supports for providers. There are a number of projects supporting the early care and learning (ECE) workforce, and DECAL will convene an ECE task force to strengthen the professional workforce. To support families the ACCESS program has been extended through September 2023, and a 2Gen pilot is underway supporting student parents at three Technical College System of Georgia campuses. DECAL will also offer 10 new Community Transformation Grants and grant extensions to current grantees. DECAL will also sponsor a CAPS research project to study CAPS from the family perspective and a system-level evaluation about the impact of COVID-19 relief funding.
- Deputy Commissioner for Finance and Administration Rian Ringsrud reviewed DECAL's expenses for fiscal year 2022 in comparison to the budget. DECAL spent 99% of its allocated funds, \$1.45 billion out of \$1.6 billion. The Pre-K budget ended the year with a balance of \$9.4 million because the Governor's Office of Planning and

Budget elected to fund the Summer Transition Program out of federal COVID-19 relief funds. Those funds will be returned to the state treasury. The nutrition program ended the year with a balance of \$105,000. The \$300,000 in state funds allocated to DECAL for grants to support existing sponsors moving into unserved counties were received late in the year, and Mr. Ringsrud has asked that DECAL be allowed to retain the remaining funds to award grants for next year's summer feeding program.

- Deputy Commissioner for Georgia's Pre-K and Instructional Supports Susan Adams reported briefly on the Summer Transition Program and shared photos of some of the children and grandchildren of DECAL employees who are starting Pre-K this year. She introduced Practice and Support Services Director Rebecca Ellis who made a presentation about developmental milestones and DECAL's campaign to promote these.
- Deputy Commissioner for Federal Programs Elisabetta Kasfir reviewed the eligibility requirements for the CAPS program and explained how the CAPS team evaluates applications. There are currently 69,780 children with active CAPS scholarships. Ms. Kasfir shared some demographic information about CAPS program and announced that 93% of children with CAPS scholarships are now cared for by Quality Rated providers. Of the remaining children, 5% are cared for by a provider with probationary or provisional Quality Rated status.

Mr. Davis recessed the meeting for a short break at 10:40 a.m. and resumed it at 10:50 a.m.

- Deputy Commissioner for Quality Innovations and Partnerships Bentley Ponder introduced Director of Research and Policy Analysis Randy Hudgins who made a presentation about the TARO evaluation results and recommendations. Mr. Hudgins introduced Quality Rated Director Denise Jenson who gave an overview of the process DECAL follows to move providers through probationary or provisional status. Live, on-site Quality Rated observations resumed July 11, Ms. Jenson reported, and the program will kick off focus groups to look at revisions to the Quality Rated program during the fall in conjunction with the 10-year anniversary celebration. Mr. Ponder gave an update about the plans for the anniversary celebrations. DECAL will host regional meetings in three locations, Dalton on October 24, Metro Atlanta on November 16, and Valdosta on December 9. He invited Board members to come to the meeting in Atlanta, which occurs the day before the next Board meeting.
- Deputy Commissioner for Child Care Services Pam Stevens reported on grants DECAL made to child care providers for COVID-19 test kits, PPE, and cleaning supplies. DECAL allocated \$14,000,000 from funds received through the 2021 Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) and spent \$11,842,200. Ms. Stevens briefly reviewed the proposed rule changes for CCLCs and FCCLHs. CCS decided to drop a proposed new rule about record retention, Ms. Stevens said. She reviewed the public comments received prior to the Board meeting, most of which oppose the proposed change to FCCLH rule 290-2-3-.05 requiring that DECAL be given access to all parts of the home. Ms. Stevens clarified that the rule does not represent a change to DECAL's authority. The agency has always had the authority to enter any part of the home, and the rule change is a clarification to make longstanding policy transparent. She added that a CCS consultant would never enter private parts of a child care learning home without cause, for example, if a consultant heard a baby crying in another part of the house. She also clarified that any adult in any part of the FCCLH during business operating hours must have passed a criminal background check.

Mr. Davis adjourned the meeting for lunch and committee meetings at 11:33 a.m. and called the meeting back to order at 1:02 p.m. for the public comment period. Hearing Officer Greg Brown gave instructions about the public comment period and asked Board Liaison Quandra Obi whether anyone had signed up to comment about the proposed rule changes. Ms. Obi responded that Ana Magana, Executive Director of the Professional Family ChildCare Alliance of Georgia (PFCCAG) had signed up. Ms. Magana read a statement signed by PFCCAG Board Chair Sandra Ramsey on behalf of the organization's Board of Directors opposing the proposed change to FCCLH rule Section 290-2-3-.05, Inspections and Investigations of the FCCLH rules. "PFCCAG board of directors understands the principle behind the proposed rule change. We support the authority of the Department of Early Care and Learning (DECAL) to ensure children's safety. Yet, we are concerned about licensed family child care learning home (FCCLH) providers' right to privacy in their homes. The potential abuses of the proposed rule change are many. In essence, the proposal opens the family child care provider's entire home environment to inspection regardless of reason. The optics alone could cause the family child care provider a loss of business. This proposal is contrary to the original rule that designated the separation of business and personal use which continues to be recognized by the Occupational Health and Safety Act for home-based businesses.

Georgia's history of policing and government-sanctioned oppression of people in communities of color runs deep. Home-based child care has historically been the child care preference of Black, Indigenous, and people of color (BIPOC). Therefore, the PFCCAG board of directors also has concerns about the potential for social injustice related to policing FCCLHs. Rules that support authorities to invade the homes of people of color have resulted in cultural trauma and show a lack of sensitivity towards BIPOC family child care providers. It is imperative that inspectors/investigators receive sensitivity training and have strict protocols to follow when entering unlicensed areas of what is a family child care provider's personal space.

Punishments for failing to cooperate in an inspection/investigation are punitive. PFCCAG board of directors supports required unannounced visits of the home's child care spaces. Yet in the proposed rule change, inspectors/investigators will be accessing parts of the home other than the designated child care spaces. Family child care providers will expect to accompany those coming into their homes to ensure that the inspector/investigator is supervised, proper procedures are followed, and questions can be answered as they arise. This has implications for the supervision of children in care. Family child care providers may be forced into a catch-22 situation – either comply with the inspector/investigator or supervise the children properly. Failure to do either may result in denial, restriction, or revocation of a license. At a minimum, a finding could occur that negatively impacts the family child care provider simply due to the inspection/investigation itself.

The proposed rule change does not reflect or address any type of appeal or grievance process. Family child care providers undergoing inspection/investigation need a way to report inappropriate behaviors of inspector/investigators or the results of said inspection/investigation. The proposed rule change does not specify who will inspect/investigate. It is important that family child care providers know who is coming into their homes.

Georgia licensed family child care providers were asked for their thoughts and questions regarding the proposed rule change. We have included the list as addendum 1. The purpose of this correspondence is for PFCCAG board of directors to notify DECAL of concerns from licensed family child care learning home providers. These are some unintended consequences to be considered prior to voting on these proposed changes.”

Mr. Brown asked Ms. Obi if there were any other people signed up to speak. She replied that no one else was signed up to speak. Ms. Obi read the comments about proposed rule changes received in the chat box during the meeting. Stacie Neal wrote, “I am a child care provider, and I am against the rule trying to be implemented, 290-2-3-.05, where someone can go upstairs in my home that is not part of the child care area. I keep my valuable things laying around and no one goes into my personal space. I would not feel comfortable with a monitor wandering around in my space without my presence. My day care children nor their parents are allowed upstairs. It's actually an invasion of my privacy. My upstairs has nothing to do with my family child care program.”

Rudy Moore Holcombe wrote, “I do not like the new rules being enforced and do not think they should be able to go around my home where children that are in my care for day care are not kept. My home is my home and is my personal space. My personal rights feel violated, and that is not how it should be. I want to feel respected.”

As there were no other comments about the proposed rule changes, Mr. Brown closed the public comment period on licensing rules and opened the public hearing for general comments. Ms. Obi read the general comments submitted via the chat box. Stacie Neal wrote, “CAPS will reach more families if they add Working Poor as one of its priority groups.”

Meredith Armistead wrote, “Multiple PK Teachers would like to say that their owners are splitting the \$5000 between the classrooms and doing "who knows what" with the other \$5000 that is supposed to go to the other classroom (s). What is the rule for this \$5000? Is this allowed? Please have the PK consultants email the owners to make sure they understand what the money is for (refurbishment, etc. for each room.” Ms. Armistead added another comment. “Our owner is keeping one box of the pyramid model classroom kit in case one gets messed up. The owner is having the classrooms share the materials. This does not seem OK. [inaudible] We were under the impression that each Pre-K classroom gets its own kit.”

Christie Rowell wrote, “Better pay for our assistant teachers is necessity. You want better quality teachers and classrooms, pay them better. Give the dedicated and veteran assistant teachers the recognition they deserve for staying in this program while earning a poverty level salary. Assistant teachers deserve the same "years of experience" raise that we lead teachers receive. It is not fair to provide that for only us leads and not our assistants. Experience statement: last year we had 17 children in our class. We had almost no behavior issues, no sensory issues, and not students being overwhelmed. This is because we were more available to them and their needs. This year, our class is at 22 and we are struggling each day to

meet the needs of each student due to the class size. There is a direct correlation in behavior and emotional issues being on the rise and our class sizes. When are we going to recognize that there is a direct correlation between class sizes and social-emotional behaviors being on the rise?”

Stacy Swenson wrote, “DECAL should put a stop to employers being able to keep 10% of teacher’s salary. If you want the day care centers to get more money, you give them more money, not us. (Most aren’t using it for what it was intended for anyway.) DECAL should make us all state employees that are on a state wide salary step schedule with health and retirement benefits. This pay schedule should not be capped at 22 years. Those still with the program that long already went the first 15 years without any significant pay raises and we STILL stuck with the program. We need retirement. The pay for assistants is shameful. Why would anyone want the stress that comes along with this job when they are paid less than grocery baggers? There is nothing to entice teachers to enter or stay with this program. Pay and benefits must improve. Class size should be lowered. We can barely even fit 22 students in some of our classrooms and with the increasing behavior problems, it is becoming unmanageable. Not to mention, those in the day care centers don’t have the same support staff as public school which makes behavior issues more difficult to handle for these teachers. DECAL is aware that behaviors are getting worse, but seem to think that requiring documenting pro-social behavior is going to help? We need more time to prep for teaching activities and individualization, not spend more time documenting observations to put in a checklist that no one really seems to care about.”

As there were no further comments, Mr. Brown closed the public comment period.

Mr. Davis called on Committee Chairs for Committee reports. Ms. Beam reported from the Program and Rules Committee. Ms. Morrissey reported from the finance committee and informed the Board that the finance committee recommended the Board approve the SFY2024 budget. Ms. Hill reported from the Quality, Innovations and Partnership Committee on a presentation by Early Head Start Director Megan Fickes.

Mr. Davis thanked the Committees for their reports. At 1:30 p.m. he asked if there was any further discussion about proposed licensing rule changes for child care learning centers, Rule Chapter 591-1-1. Hearing no further discussion, he asked for a motion to approve the rule changes as proposed. Ms. Howell made a motion, and Ms. Hill seconded. The Board unanimously approved the proposed amendments to Rule 591-1-1.02-Definitions, Rule 591-1-1.07-Children’s Health, Rule 591-1-1.08-Children’s Records, Rule 591-1-1.09-Criminal Records and Comprehensive Background Checks, Rule 591-1-1.29-Required Reporting, Rule 591-1-1.37-Inspections and Investigations, and Rule 591-1-1.38 Enforcement and Adverse Actions. Mr. Davis asked if there was any further discussion about the proposed licensing rule changes for family child care learning homes, Rule Chapter 290-2-3. Hearing none, he asked for a motion and a second to approve the rule changes as proposed. Ms. Zisook made a motion, and Ms. Harper seconded. The Board unanimously approved the proposed amendments to Rule 290-2-3-.03-Definitions, Rule 290-2-3-.05-Inspections and Investigations, Rule 290-2-3-.08-Children’s Records, Rule 290-2-3-.14-Reporting, Rule 290-2-3-.15-Enforcement and Adverse Actions, and Rule 290-2-3-.21-Criminal Records and Comprehensive Background Checks.

Mr. Davis asked if there was any further discussion about the proposed SFY2024 budget presented by Mr. Ringsrud. Because the Finance Committee recommended the Board approve the proposed budget, no motion to approve the budget was required, and the budget was approved unanimously. Mr. Davis asked for a motion to approve the amended SFY2023 budget. Ms. Harper moved to approve, and Ms. Howell seconded. The Board approved the amended SFY2023 budget unanimously.

Mr. Davis presented the proposed Board meeting dates for 2023: February 16, May 18, August 24, and November 16, and asked if there was any discussion by the Board. Ms. Zisook noted that she would be out of town on February 16. There was no further discussion, and Mr. Davis called for a motion to approve the proposed dates. Ms. Hill made a motion to approve, seconded by Ms. Morrissey. The Board approved the proposed dates unanimously.

At 1:36 p.m. Mr. Davis adjourned the meeting.