
**Board of
Early Care and Learning**

Board of Early Care and Learning Meeting
Thursday, August 27, 2020 — 9:00 a.m.
Georgia Department of Early Care and Learning
2 Martin Luther King Jr. Drive SE – East Tower
Oak Conference Room and via GoToMeeting
Atlanta, Georgia 30334
Amy M. Jacobs, Commissioner

Meeting Minutes

Board Members

Susan Harper (Chair)
Phil Davis (Vice Chair)
Kristy Beam
Jen Bennecke
Melissa Boekhaus, M.D.

Debra Brock
Kathy Howell
Theresa Magpuri-Lavell
Luann Purcell
Cristina Washell

Public Guests

Elizabeth Akindele, Roma Anderson, Cheryl Arkwright, Tambe Arline, Allison Armstrong, Lana Armstrong, Alba Avila, Uzma Azhar, Jennifer Bailey, Jamie Baker, Crystal Banks, Lisa Barnes, Kim Barnett, Jacqueline Barrington, Charlotte Battle, Tracy Baynes, Lisa Belliston, Laurel Benta, Chelsie Booker, Joye Bradley, Angela Brown, Trenise Brown, Janna Brumby, Arealandra Burton, Pamela Bynes, Gloria Calhoun, Mary-Anne Carter, Fanny Ceballos, Kanesa Clemons, Andrea Cline, Jennifer Cloud, DiAnne Coggins, George Cole, Melissa Cole, Elizangela Primo Collins, Cherie Colquitt, Debbie Combs, Brittany Cook, Dayana Cross, Cassandra Crum, Kena Culver, Rosa Darnell, Rosheda Darrisaw, Johnise Davis, Carolyn DeLuca, Dawn DeVirgilio, Yasmeen Diggs, Rita DiPenti, Devida Dixon, Willene Dopson, Dana Driggers, Antoinette Elliott, Joyce Ellis, Ilene Farley, Khadijah Farmer, Paquita Few, Deidra Fitzpatrick, Rochelle Forbes, Debra Fordham, Karen Fowler, Jana Fox, Dana Gardner, Kathy Garrett, Yolanda Godwin, Hanah Goldberg, Marjorie Goodson, Denise Green, Rosa Green, Shanda Green, Dorenda Grier, Kim Gruber, Leysi Guarnizo, Sally Hardin, Katelyn Harlander-Locke, Japera Hemming, Debbie Hodges, Doris Holden, Doreen Holmes, Jessica Holmes, Tabitha Howard, Tokela Huston, Shana Isaac, Heather Jacobson, Cynthia Jeffries, Chanel Jiles, Tamarra Johnson, Tamera Knight, Anna Kowalsky, Blanche Lamb, Katie Landes, Michelle Lank, Taneisha Levy, Marcia Lloyd, Mary Lyons, Tina Maynard, Elaine McCall, Regina McCurdy, Debra McDaniel, Linda McDonald, Danae McNair, Lula Memminger, Beverly Mercer, Levet Miles, Ellaine Miller, Soraya Miller, Lucia Montes, Terenia Moody, Carolyn Morkeh, Irene Morrow, Rozina Muradali, Cherese Myree, Jordan Napier, Stacie Neal, Delceda Neasman, Lisa Newman, Marjorie Nicely, Lynda Odaro, Wande Okunoren-Meadows, Adeline Osorio, Deborah Payne, Charlotte Pelz, Esther Perez, Joe Perreault, Julie Phillips, Maggie Reeves, Yvonne Reeves, Katrina Reid, Ellen Reynolds, Pam Runkle, Rosmary Sabbetta, Argelia Sanchez, Joy Sanders, Lynn Schnitzer, Tyra Scott, Sarah Shinsky, Jennifer Shook, Lenora Singleton, Susan Smith, Tamisia Smith, Amy Southers, Cindy Spann, Brandi Swain, Jamarrion Tabor, Amanda Tarpley, Cassandra Taylor, Lakisha Taylor, Crystal Trempe, Carla Turner, Arbendette Van, JaNice Van Ness, Aura Vizcaya, Montrail Walker, Noni Walton, Kayla Washington, Nikita Wells, Caroline White, Laura White, Ora Elaine Wiley, Donna Williams, Samantha Williams, Brigitte Willis, Jessica Woltjen, Keisha Wynn

Susan Adams, Deputy Commissioner for Pre-K and
Instructional Supports

DECAL Staff

Amy Jacobs, Commissioner

Dennis Brice, Chief Information Officer
Reg Griffin, Chief Communications Officer

Elisabetta Kasfir, Deputy Commissioner for Child Care and Parent Services
Bentley Ponder, Deputy Commissioner for Quality Innovations and Partnerships
Rian Ringsrud, Deputy Commissioner for Finance and Administration
Pam Stevens, Deputy Commissioner for Child Care Services
Ira Sudman, Chief Legal Officer
Ben Appling, Audits and Compliance Director
Carrie Ashbee, Georgia Foundation for Early Care + Learning Executive Director
Larilyn Beyer, Quality Rated Manager
Laura Boham, Quality Rated Assessor
Tamika Boone, Nutrition Services Director
Jennifer Bridgeman, CCS Manager
Catherine Broussard, CCS Process & Policy Director
Gregory Brown, Legal Services Supervisor
Jerry Brown, Communications Specialist
Jessie Bruno, Research Analyst
Alethea Cicero-Brown, Legal Services Officer
Quandra Collins, Special Assistant to the Commissioner
Katie Cosby, Community Coordinator
Jennie Couture, Instructional Supports Director
Karla Crawford, Quality Rated Assessor
Catherine Cypert, CAPS Manager
Erin Darley, Quality Rated Assessor
Kimberly Davis, Quality Rated Manager
Jennifer Delorme, Quality Rated Manager
Woody Dover, Enterprise Projects Director
Carol Fordham, Quality Rated Assessor
Shayna Funke, Research Analyst
David Ginsburg, Contract Attorney
Jasmin Godding, Community Coordinator
Janice Harris, HR Recruiting Specialist
Anita Hasni, Research Analyst
LeighAnn Hendrix, Compliance Manager
Amy Hill, Compliance Supervisor
Randy Hudgins, Research Director

Michelle Hughes, Quality Rated Assessor
Denise Jenson, Quality Rated Director
Donna Johnson, CAPS Family Support Director
Shawnell Johnson, CAPS Family Support Director
Melinda Knowles, Quality Rated Assessor
Marcy Maioli, IT Project Manager
Susan Maude, Credentialing Specialist
Barbara McWethy, Professional Learning Manager
Angela Melton, CCR&R Contract Manager
Lindsay Miller, Quality Rated Manager
Christi Moore, Professional Learning Director
Sara Myers, Quality Rated Assessor
Rob O'Callaghan, Senior Research Analyst
Jill O'Meara, Community Partnerships Manager
Rhonda Parker, CCS Director
Jody Peskin, Legal Services Officer
Martine Powe, Quality Rated Assessor
Laura Reid, Professional Learning Specialist
Anne Rein, Writer/Editor
April Rogers, CCS Director
Edward Rowell, Community Coordinator
Brenna Rutherford, Quality Rated Assessor
Barbara Sanders, IT Analyst
Brittany Seltrecht, Quality Rated Assessor
Allison Setterlind, Head Start Collaboration Director
Angela Shelton, Professional Learning Specialist
Marcie Singletary, Professional Learning Specialist
Carrie Spangler, CCS Manager
Margrett Stephens, Professional Learning Specialist
Sonja Steptoe, QIP Communications Manager
Robin Stevens, HR Director
Michelle Talley, Quality Rated Assessor
Melvia Usury, Finance Administrator
Keturah Wafer, Training Logistics Coordinator
Laura Wagner, QIP Director
Mark Waits, Senior Writer
Bridgette Washington, Community Coordinator
Jill West, Quality Rated Coordinator
Kori Woodward-Dickens, Legal Services Officer
Liz Young, Special Projects Director
Sheryl Young-Wilhite, HR Senior Manager

The August 27, 2020 meeting of the Board of Early Care and Learning was held online via GoToWebinar.

1. Call to Order

At 9:04 a.m. Ms. Harper called the meeting to order and explained the procedures for holding a virtual public hearing about the proposed licensing rule changes.

2. Approval of Agenda and Minutes

Ms. Harper asked for a motion to accept the day's agenda. Dr. Boekhaus moved to accept, and Ms. Purcell seconded. The Board accepted the agenda unanimously. Ms. Harper asked for a motion to approve the minutes from the February 20, 2020, Board meeting. Ms. Bennecke moved to approve, and Mr. Davis seconded. The Board approved the minutes unanimously.

3. DECAL Staff Reports

The Commissioner and members of the executive cabinet provided updates about their areas of responsibility.

a. Commissioner's Update

Commissioner Amy Jacobs announced that DECAL's main office reopened on June 4, for the benefit of walk-in visitors. A skeleton crew works on Tuesdays and Thursdays and generally sees no more than four visitors a day. The Commissioner praised DECAL employees for their teamwork and productivity working from home during the ongoing public health emergency. The Commissioner also gave an update on the Short Term Assistance Benefit for Licensed Entities (STABLE) grants, highlighting how the funds were disbursed and how providers used them. All licensed Child Care Learning Centers (CCLC) and Family Child Care Learning Homes (FCCLH) were eligible to apply. DECAL disbursed a total of \$38,357,327 to 3,764 providers, representing 85% of those eligible. DECAL staff reached out individually to all providers that did not apply. The grant application asked providers how they would allocate STABLE funds. For CCLC the biggest allocations were staff expenses (43%) and facilities (23%). For FCCLH the major categories were facilities (35%) and classroom materials (19%). DECAL has more funds from the CARES Act to disburse and has engaged the Carl Vinson Institute of Government (CVIOG) to survey participating providers about how they used the funds and what their future needs are. 1,588 providers responded, a 49% response rate. The responses are being analyzed now with results expected by mid-September. All U.S. governors received CARES Act funding for education. Georgia received \$105 million, and Governor Kemp has allocated between \$17 and \$19 million to DECAL for a program called Supporting Onsite Learning for Virtual Education (SOLVE). SOLVE will provide approximately 5,000 scholarships for school age children in public school districts that are using only a distance learning model. Children, who must be between 5 and 12 years old, will receive supervision and support for their school work at licensed child care facilities. More than 40 public school districts so far have adopted a distance learning only model. Families will apply for scholarships through the Georgia Gateway. Family income may not exceed 85% of the state median income (SMI), and parents must be engaged in approved activities. Scholarships are for three months and may be renewed if the school district remains in virtual learning. CAPS staff will determine eligibility and process applications. Providers will be paid through the current CAPS payment program. Providers that do not currently receive payments from DECAL can provide documentation and register with CAPS. Providers that are not yet licensed or exempt must apply through DECAL's Child Care Services (CCS) division. Mr. Davis asked about how current enrollment in early learning programs compares to normal. The Commissioner responded that the agency has anecdotal evidence only and are anticipating better data from the survey. She also expressed the hope that the SOLVE scholarships will fill some empty seats in child care centers and learning homes.

b. Finance and Administration Update

Deputy Commissioner for Finance and Administration Rian Ringsrud reported that DECAL finished the fiscal year that ended June 30, 2020 in a good position, having spent all available funds without overspending in any category or from any funding source. DECAL expenditures exceeded \$1 billion for the first time in 2020. We passed this milestone, Mr. Ringsrud explained, because we realized a full year of expenses from the \$93 million increase in CCDF funding Georgia was awarded in 2018. More recently Georgia received an additional \$20 million in federal funding, and we received CARES Act funds this year.

Mr. Ringsrud presented the amended budget for fiscal year 2021 and the proposed budget for fiscal year 2022 which require Board approval and are due to the Governor's office on September 1. The instructions from the Governor's office call for budgets to be flat. Both budget requests are for \$905,172,396. Mr. Davis asked whether it is appropriate to infer that the CCDF funding that was so prominent in 2020 will not be a factor in 2021 and 2022. Mr. Ringsrud responded that the CCDF funding increases will continue to be a factor; however, DECAL spent some of the \$144.5 million we received from the CARES Act in FY2020, and that accounts for the decrease from 2020 to 2021. Mr. Davis asked, "Absent any relief funding, we're basically rolling back to what a more normal budget would look like?" Mr. Ringsrud said yes. Mr. Ringsrud summarized the results of the emergency feeding program that DECAL oversaw between the middle of March and the end of June. Nutrition Services recruited 49 sponsors who served more than five million meals at 756 approved sites in 62 counties across the state. Mr. Ringsrud thanked the Nutrition Services staff who worked hard to get all the applications approved as well as the sponsors who served the meals to make sure children who normally receive free or reduced-cost meals at school were fed during the unexpected school closure. Ms. Harper asked for a breakdown of counties served by district, expressing concern that rural counties like those in the 2nd District may have been under-served. Mr. Ringsrud responded that he would get that information to each of the Board members. Ms. Harper asked, "Is there a reason that more counties were not served?" Mr. Ringsrud explained that recruiting sponsors is an ongoing process made more challenging by the pandemic. His team worked very hard to recruit sponsors in counties across the state. Sponsors are not allowed to make a profit; they're allowed to bill DECAL only for the cost of meals. Mr. Ringsrud also explained that the emergency feeding program reached all corners of the state with a good mix of urban and rural counties. Ms. Harper thanked Mr. Ringsrud and reminded Board members they would be voting on the budget later in the meeting.

c. Georgia's Pre-K and Instructional Supports Update

Deputy Commissioner for Pre-K and Instructional Supports Susan Adams reported that her team has been monitoring distance learning since Pre-K programs closed to determine how to offer the highest quality programs in the 2020–2021 school year. The team began with the goal of allowing providers to choose an instructional model that is most responsive to what is going on in their communities: with respect to the pandemic, the needs of the children and families they serve, and the needs of their employees. Her team developed three instructional models tailored to 4-year-olds and instructional supports for teachers: traditional, hybrid and full distance. About 62% of Pre-K providers are following a traditional instructional model where all students attend on site every day with additional health and safety practices in place to mitigate the spread of the virus. About 12% have adopted a hybrid model in which children attend on site in smaller groups for part of the school day or part of the week and receive the rest of their instruction at home from their families. The remainder have adopted a full distance-learning model where learning happens through a combination of virtual learning and hands-on remote learning. Some Pre-K programs are already underway, while others have chosen to start up after Labor Day. The team will have a better understanding of enrollment when the first roster comes in on September 25. Ms. Adams announced the six finalists for the Pre-K Teacher of the Year (TOTY) award.

One winner from a public school and one from a private child care center will be selected and announced in early October. They are:

Public School Finalists

Heather Melillo
West End Elementary
Floyd County

Tricia Floyd
Maxwell Pre-K
Gwinnett County

Deana Snowden
Demorest Elementary
Habersham County

Child Care Center Finalists

Alderine Healey
YMCA Paulding Early Learning Center
Paulding County

Genevieve Rodriguez
Tabula Rasa, The Language Academy
Gwinnett County

D'Arri Moore
Andrew and Walter Young YMCA
Fulton County

Each winner receives \$3,000 for their own use and \$3,000 for a classroom makeover. The winners' schools also receive \$500 to fund substitutes and travel so that the Teachers of the Year can serve as ambassadors and advocates for Georgia's Pre-K. Ms. Adams announced that the 10th annual Pre-K Week will take place virtually this year during the week of October 5–9. The purpose of Pre-K week is to demonstrate the importance of the program to legislators and community leaders, who have the opportunity visit classes and interact with teachers and children. These interactions help leaders appreciate the impact of Pre-K for the state, local communities, and individual children. Ms. Adams invited Board members to participate by reading or recording a story for 4-year-olds. Ms. Adams also gave the Board an update about DECAL's Preschool Development Grant (PDG), federal funds designated for systems building across birth-to-5 programs. States are asked to create a Coordinating Council to lead this work. Georgia has the Cross Agency Child Council that includes representatives from advocacy groups such as GEEARS and Voices for Georgia's Children; Deputy level leaders from DECAL, the Departments of Public Health, Education, Community, Behavioral Health and Developmental Disabilities; and representatives from the university and technical college systems. The Council is conducting research about the impact of the pandemic on the early childhood landscape. In addition to the survey of STABLE recipients, the CVIORG will be conducting virtual focus groups among early childhood teachers and families. Later in the year, the CVIORG will field a larger survey of all the birth-to-5 programs in Georgia. Mr. Davis asked whether Pre-K programs follow the instructional models of the local schools. Ms. Adams explained that Pre-K programs were asked to survey families and their employees and choose an instructional model based on that. The instructional models are selected at the classroom level, so a program with more than one classroom might be using more than one model. Pre-K programs in the public school systems follow the model of their school system. Mr. Davis asked whether Board members could find out whether there are TOTY finalists in their districts so that they might write notes of congratulation. Ms. Adams said she would get that information to the Board members and recalled that Board members who had finalists in their districts were invited to the virtual announcement ceremony in the spring.

d. Quality Innovations and Partnerships (QIP) Update

Deputy Commissioner for Quality Innovations and Partnerships Bentley Ponder reminded the Board of the goal set by the Early Education subcommittee in 2015 that all CAPS providers would become Quality Rated by December 31, 2020 to continue to receive CAPS funding. Before the pandemic, DECAL was on track to meet the goal, but Quality Rated classroom observations had to be suspended in March, causing a setback. The goal has been extended until at least December 31, 2021. Dr. Ponder reviewed progress toward the CAPS/QR goal. As of July 31, 79% of children who receive a CAPS subsidy are at a Quality Rated provider; and 67% of providers have been rated. 99% of children with

CAPS scholarships are enrolled with providers that participate in the Quality Rated program, meaning they are in the pipeline to be rated or have been rated. 96% of providers are at least participating. To maintain momentum toward the CAPS/QR DECAL offered providers in Cohorts 1 and 2 the opportunity to achieve a temporary (one-year) 1-star rating based on submitting a portfolio with the maximum quality points. Of the 550 providers who participated in Cohorts 1 and 2, 40% applied for a temporary 1-star rating, and 76% of them received a temporary rating. 28% of the group of 550 providers in Cohorts 1 and 2 did not request temporary rating; and 25% of Cohorts 1 and 2 providers received a traditional rating. In that group, 30% received a 1-star rating, 63% received a 2-star, and 7% received a 3-star. In the next couple of months, Quality Rated will offer the Portfolio option to providers in Cohorts 3 and 4, and we are also in the process of developing an additional option that will also allow providers to receive a temporary (one-year) 2-star rating. Dr. Ponder also briefed the Board on two other initiatives in QIP. In response to the pandemic, all six of QIP's Community Coordinators have developed Child Care Engagement Networks for virtual networking with providers. DECAL also awarded five Two-Generation Innovation grants to help community partnerships in five counties pilot or expand programs that connect parents who are themselves students with high-quality early learning for their young children.

Dr. Ponder introduced Director of Research & Policy Analysis, Randy Hudgins, who made a presentation to the Board about how DECAL is using administrative and programmatic data to understand the status and availability of child care across the state to support data driven decisions. Mr. Hudgins reported that, as of August 25, 70% of providers are indicating that they're open, compared to 37% in early April. The Research team uses the same data, reported to DECAL by providers, to show what percentage of providers are open by county and region; by type (CCLC vs. FCCLH); and by program (Quality Rated and CAPS). Mr. Hudgins pointed out that 75% of centers that serve children with CAPS scholarships are open compared to 44% that do not. The Research team has also been capturing data from contact logs with providers who are encouraged to voluntarily report COVID-19 cases to DECAL. Mr. Hudgins showed data visualizations of the reported cases by county and by date. As of July 31, 2020, 229 providers had reported at least one case. This number represents less than 5% of the licensed providers in Georgia. Mr. Davis asked for clarification about the label "STABLE" shown on the calendar visualization of COVID-19 cases reported by providers. Mr. Hudgins explained that the label referred to the date DECAL implemented the STABLE grants. Mr. Davis asked for clarification about the color-coded legend shown on the same calendar visualization. Mr. Hudgins explained that the shades of color represented the numbers of providers who reported at least one COVID-19 case on a particular day.

e. Federal Programs Update

Deputy Commissioner Elisabetta Kasfir gave the Board an update about the Essential Services Workforce Priority Group that CAPS set up in April to provide scholarships for children of essential workers. The CAPS team started with 500 slots in April and has since expanded to 1,000 which they will fill. Tier 1 was reserved for childcare personnel, people in medical professions, first responders, and similar professions. Tier 2 was open to workers in the food supply chain, including grocery store employees, food delivery workers, restaurant staff, people in the farming industry and food processing industry, etc. More than 80% of scholarships went to Tier 1 essential workers. Ms. Kasfir also reviewed the emergency payment policies implemented in the spring that allowed providers, whether they were open or closed, to bill at the full-time rate for children who were enrolled but not in regular attendance. Beginning October 26, 2020, the emergency payment policies will remain in effect only for providers who are open. As schools open, and because many school districts are implementing virtual or hybrid instructional models, CAPS has implemented a new policy to pay full-time rates for school age children who are receiving instruction and completing their school work at child care facilities. She explained

that under normal circumstances CAPS would pay for before- and after-school care only. Ms. Kasfir called attention to the fact, cited by Mr. Hudgins, that 75% of CCLC with CAPS scholarships are open compared to 44% of centers that do not have CAPS scholarships. She presented another data visualization showing the open rate for CAPS providers by the number of CAPS students they serve. While 60% of programs with one to five CAPS scholarships are open, 81% of programs with more than 51 active scholarships are. This is evidence that CAPS' emergency payment policies are helping to support and stabilize child care businesses, she said. Providers' self-reported data also shows the percentage of children with CAPS scholarships who were billed as "present," over the course of the pandemic. The percentage dipped below 40% in April and then began to increase gradually. It has held steady between 52% and 54% over the last eight weeks. The data on attendance thus supports the decision to continue the emergency payment policies, Ms. Kasfir said. CAPS' emergency payment policies also extend to families. CAPS scholarships come up for renewal every 12 months, and eligibility is reassessed. For parents who have lost jobs or had their hours reduced because of COVID-19, CAPS waives the activity requirement when the family comes up for renewal. Ms. Kasfir also shared plans for a CAPS virtual lobby, a platform that will allow families and providers to have a virtual face-to-face conversation with a CAPS agent.

f. Child Care Services (CCS) Update

Deputy Commissioner for Child Care Services (CCS) Pam Stevens reviewed the rule changes she had proposed to the Board at its February meeting and introduced some new rules made necessary by the pandemic. CCS reviews the rules on a regular basis to make sure they reflect current research and science about keeping children healthy and safe. Rule changes are made only once a year to minimize the disruption to providers. The focus of rule changes this year is feeding and nutrition, and CCS relied on guidance from the American Academy of Pediatrics, the American Public Health Association, and *Caring for Our Children*, published by the National Resource Center for Health and Safety in Child Care and Early Education.

The rule changes about food service and nutrition are intended to make sure that foods that are served to children are the appropriate size and the appropriate texture to prevent choking. The age limit was extended to include children under 4 (rather than 3), and a new rule requires providers to follow manufacturers' instructions about ages. The revised rule about infant feeding plans requires parents to discuss the introduction of solid foods with their pediatrician and have the pediatrician sign the infant feeding plan parents give to their provider. A new rule about licensing fees codifies the requirement already in place. The rule change about hygiene, which has always required children to stay home if they are sick, has been broadened to include parents as well; and it specifically references COVID-19. The rule changes about required reporting broaden the scope of issues providers are required to report to DECAL. Providers must report communicable diseases to their local health departments; they will be required to report these to DECAL as well. Similarly, any suspected child abuse or neglect that providers are required to report to DFACS, they will be required to report to DECAL too. Providers will also be required to report to DECAL if they are temporarily or permanently closed. The rule change that has engendered the most discussion is the requirement that teachers be seated within arms' length of children 36 months or younger. Ms. Stevens acknowledged that this is a big change for providers and explained that its purpose is to prevent choking, which, according to the American Academy of Pediatrics is a leading cause of death among children, especially children under three. Ms. Stevens explained that choking is silent, and thus teachers need to be in eye contact with them, making sure that the children don't put too much food in their mouths and that they chew and swallow their food. Part of the context for requiring closer supervision is that two toddlers choked to death in Georgia last year. DECAL will provide Technical Assistance to providers who will need to adjust their operations to comply with this rule.

Mr. Davis asked for clarification about whether it is the children who are supposed to remain seated or the teachers. Ms. Stevens responded that the teacher is to be seated within arms' length of children 36 months or younger. Ms. Purcell asked whether a teacher who stands up to help a child during mealtime would be in violation of the rule. Ms. Stevens responded that the CCS staff use excellent judgment in evaluating situations. The intent of the rule change, she said, is that teachers give children their full attention and refrain from doing other tasks. Teachers are expected to be in the moment and attend to the children's needs. Ms. Harper commented that being seated (rather than standing) will support teachers in being more attentive. Ms. Bennecke asked whether confidentially protocols would be put in place with respect to the required reporting of child abuse and neglect. Ms. Stevens said yes. Ms. Beam expressed a concern that the rule change requiring teachers to be seated with students during meals might unintentionally set teachers up to be in violation of the rule. Ms. Stevens responded that teachers are expected to get up as needed to help children with their food. She also noted that most CCS Consultants have worked in child care and understand the teachers' reality.

4. Public Rulemaking Hearing

At 11:03 a.m. Ms. Harper turned the meeting over to Legal Services Supervisor Gregory Brown, the designated officer presiding over the public hearing regarding the proposed rule changes. At 11:06 a.m. Mr. Brown explained the procedures for hearing public comments and called the public hearing to order. Board Liaison Quandra Collins reported that no members of the public were physically present in the Oak Conference Room at DECAL headquarters to comment. Ms. Collins read one comment submitted through the GoToWebinar chat function by Jana Fox: "In addition, even in the ITERS-3 scales, the standard for our Quality Rated system, under 'excellent' in indicator 7.1 it states that 'staff pay close attention to any child who is eating. (Example: hold all infants for bottle feeding; sit at table with children while they eat.)' I think this wording is quite sufficient in understanding. Nowhere in the scales does it provide a unit of measurement for teachers to be sitting. The implication is that staff are paying close attention. In indicator 5.4, it states 'supervision is generally provided to children who are eating or being fed. (Example: staff watch children who are eating and respond appropriately to problems or children's needs).' I think this wording would also be sufficient to convey the meaning behind the rule that is attempting to be modified. Why is this not aligning as you stated? Please do not place 'gray areas' in rules. This makes it impossible to follow. There is more going on than just nap mats being placed out! Stop clinging to that notion. What you are proposing takes at least four teachers versus two to three. Placing the unit of measurement is the problem, not the idea behind supervising the children. Even the tables we have don't allow you to be that physically close to all children seated."

As there were no other comments, Mr. Brown adjourned the public hearing at 11:11 a.m. and turned the meeting over to Ms. Harper.

5. Board Action on Proposed Rule Changes

Ms. Harper explained the Board's responsibilities regarding the approval and promulgation of rules and regulations. She read each proposed rule change, beginning with Rule Chapter 591-1-1 for CCLC, and asked for a motion and a second to adopt the change.

Rules and Regulations for Child Care Learning Centers, Rule Chapter 591-1-1

591-1-1.15 Dr. Boekhaus made a motion to adopt. Ms. Bennecke seconded the motion. The Board adopted the change unanimously.

591-1-1.16 Ms. Purcell made a motion to adopt. Mr. Davis seconded the motion. The Board adopted the change unanimously.

591-1-1.17 Ms. Magpuri-Lavell made a motion to adopt. Ms. Howell seconded the motion. The Board adopted the change unanimously.

591-1-1-.29 Ms. Purcell made a motion to adopt. Mr. Davis seconded the motion. The Board adopted the change unanimously.

591-1-1-.32 Mr. Davis made a motion to adopt. Ms. Washell seconded the motion. The Board adopted the change unanimously.

Rules and Regulations for Family Child Care Learning Homes, Rule Chapter 290-2-3

290-2-3-.04 Ms. Howell made a motion to adopt. Ms. Purcell seconded the motion. The Board adopted the change unanimously.

290-2-3-.07 Mr. Davis made a motion to adopt. Ms. Bennecke seconded the motion. The Board adopted the change unanimously.

290-2-3-.10 Ms. Beam made a motion to adopt. Ms. Brock seconded the motion. The Board adopted the change unanimously.

290-2-3-.11 Mr. Davis made a motion to adopt. Ms. Howell seconded the motion. The Board adopted the change unanimously.

290-2-3-.14 Mr. Davis made a motion to adopt. Ms. Bennecke seconded the motion. The Board adopted the change unanimously.

6. Public Comment Period

At 11:26 a.m. Ms. Harper asked Special Assistant to the Commissioner Quandra Collins whether there was anyone physically present in the Oak conference room who wanted to make a general comment. Ms. Collins responded that no one was physically present who wanted to comment. One comment was received via the chat box in GoToWebinar from Mary-Anne Carter, and Ms. Collins read it. "One of my concerns is staffing. I have lost a few teachers and lead teachers which I need to have one in each class per BFTS, due to COVID-19 health concerns and just not feeling comfortable as well as the fact that unemployment paid more and they chose to stay home. Hiring staff has become an issue, people do not want to work. I do have prospective employees who have experience but not necessarily the credentials which makes it hard to have a lead teacher in each classroom and the requirements that BFTS requires. It's become hard and with everything with COVID-19, changes of having parents stay in car having staff to get them out plus having to have staff in the building to receive the children, I need some leeway in the credential requirements."

7. Board Action on DECAL Budgets

At 11:28 a.m. Ms. Harper invited discussion about the budget requests presented earlier by Mr. Ringsrud. There was no discussion, and Ms. Harper asked for a motion to approve the budgets to be submitted to the Governor's office. Ms. Purcell made a motion, and Mr. Davis seconded. The Board approved the budget requests unanimously.

8. 2021 Board Meeting Dates

At 11:29 a.m. Ms. Harper announced the proposed dates for the Board's 2021 meetings: February 18, 2021, May 20, 2021, August 26, 2021, and November 18, 2021. She noted that August 26, 2021 is the fourth Thursday rather than the customary third. She asked for a motion to approve the proposed dates. Ms. Washell made a motion, and Ms. Beam seconded. The Board adopted the proposed dates unanimously.

9. Adjournment

At 11:30 a.m. Ms. Harper asked if there was any other business for the Board; and, there being none, she announced the date of the next meeting, November 19, 2020, and adjourned the meeting.

Susan H. Harper 11/19/2020

Board Chair, Signature

Date

Kathy B. Howell 11/19/2020

Board Secretary, Signature

Date