

**CHILD CARE CENTER LICENSING COMMITTEE
MEETING MINUTES**

08 January 2015
Cannon Health Building, Room 128
288 North 1460 West
Salt Lake City, UT

Members Present: Deborah Lynne Tilley, Becky Lageschulte, Julie H. Shakib, and Dale Smith.

Members Excused: None.

Members Absent: Joan Nichol, Genevieve Marie Romero, and Fred C. Cox.

Department of Health and Child Care Licensing Staff Present: Marc E. Babitz, Teresa Whiting, Simon Bolivar, Jessica Strout, Sue Kirkham, Kathleen Sanders, Joyce Hasting, Sarah Atherton, and Austin Roy.

WELCOME

Ms. Tilley welcomed those members of the committee and the public who were in attendance. Meeting commenced at 9:00 a.m.

APPROVAL OF MINUTES

Minutes from the November meeting were approved with a change to the adjournment time.

CENTER RULES REENACTMENT

In order to ensure compliance with law, it was proposed that the center rules be repealed and subsequently reenacted. The rules would be reenacted with a new numbering system, and we must go through the rule making process, which includes a 30 day public comment period. The Child Care Center Licensing Committee approved the center rules reenactment.

OLD BUSINESS

Discussion about Ratios:

R430-100-11 ratios during the 45 minutes for unforeseen circumstances: It is proposed that this be moved to rule and clearly defined therein.

Deborah: Details about ratios during the 45 minutes for unforeseen circumstances is found in protocol, but not in rule. If we put this in rule then it will make it more accessible and easy to find. People want this where they can readily access it. As a center, I am not going to protocol but rather I am going to rules and regulations when I have a question about something.

Simon: The 45 minute allowance will be part of the interpretation manual.

R430-100-(1) regarding providers with back to child: Is a provider in compliance if they are in the same room as a child, but they have their back to the child for a brief period of time? In the interpretation manual it says that a provider is not out of compliance in this scenario. This is written in a broad and unspecific manner in the interpretation manual. Dr. Babitz said that it is important that this remain broad and that it is not possible to make it more specific for particular cases or scenarios.

R430-100-11-(4) defining brief periods of time to meet the needs of the children: Rule says that providers must be with children at all times; however, there is an exception that a provider can leave the children unattended for a brief period of time when doing something to provide for the immediate needs of the children. For example, if someone was in the bathroom helping a child, then that would not be a finding.

Simon: Short periods of time are allowed, as explained in the Interpretation Manual, if the provider is meeting the immediate needs of a child. Different and unique circumstances are judged on a case by case basis.

Committee By-Laws (Vice-Chair election): The words “citizen involvement” have been changed to “public involvement”. The wording in Article 7, C has also been changed and reviewed by a lawyer, overall simplifying the document. Record keeping section needs to be numbered. The election of the Vice-Chair was left for the upcoming when new committee members will be present.

Vote to approve By-Laws: Approved.

NEW BUSINESS

Licensing Inspection Practices:

- New form left by licensors at the end of each inspection: Simon explained that an evaluation form is left at the end of every inspection by the licensing specialists. These forms are for the providers to rate and evaluate the inspection. Forms can be mailed back to Child Care Licensing with a pre-paid envelope. These forms are delivered directly to Simon (not returned to the licensing specialist, lead licensors, etc.). This allows for honest evaluations and assessments.
- Alerting providers about rules being investigated during complaints: The purpose of an inspection can be revealed at the beginning of the inspection as long as it does not jeopardize any investigation.

Deborah: Providers want to know in advance what rule a parent is complaining about and why an inspection is being conducted. Knowing in advance can speed up the process.

- Simon: It is possible for licensing to share with the provider why an investigation is being conducted at the time of the inspection, as long as it does not jeopardize the investigation. However, during a complaint investigation, licensors will reveal the purpose of their inspection, as much as possible at the beginning, but always by the end of the visit. Licensing will not call ahead of time to inform a provider of why an investigation is being conducted. The licensor will also make a copy of the rule(s) being investigated available to the provider. This will be added to protocol and practice.

Dale: It can be intimidating when a licensing specialist comes to conduct an investigation without telling you why or anything else about it.

Simon gave examples of when a provider may be informed of why an investigation is happening. He explained that the complaint process thoroughly screens all complaints to ensure that investigations are conducted for valid reasons only. Narrative is read to all providers at the beginning or end of every inspection to let them know what was inspected and why.

- Several non-compliance findings being issued for one, single non-compliance item: A single item that is out of compliance in more than one way, would still only result in one finding (the one that is the greatest risk).

Deborah: As an example, could you explain what would happen if a bottle of sanitizer was left on a surface below 48 inches?

Simon: We do not issue several findings for one item (bottle of sanitizer). One item should be one finding, and according to whichever violation is of highest concern, that will be the finding.

Dale: Providers may be confusing technical assistance and cited findings, and maybe this is the source of confusion.

Simon: Yes, this may be the case; but to help avoid this confusion licensing specialists leave a handwritten paper at the end of every inspection explaining their findings.

REPORT FROM PARTNER AGENCIES

CCDBG Act of 2014, Presented by Tracey Gruber, Director, Office of Child Care:

- Currently, only the basic parameters of the grant have been revealed, which include: the provision of federal funding and grants for the purpose of child care and development.

- Grants may be targeted towards those providers who are taking care of children on government assistance.
- Exempt providers receiving OCC monies will now be more regulated because of the CCDBG.
- A small number of kids (just over 100) are in exempt subsidized child care.
- Exemptions must be explained, and why they don't endanger the health and safety of children.
- Currently background checks are limited, to almost non-existent, for exempt providers.
- Deadline to submit the state plan to the federal government is by the end of June.

**See OCC Handout for greater detail, or
<http://www.acf.hhs.gov/programs/occ/ccdf-reauthroization>*

AGENCY AND COMMITTEE UPDATES

Rule Report by Simon Bolivar: A handout was given to members of the committee. The report shows that overall findings have gone down drastically over the past few years.

- Report shows child care centers in the state and how many findings they have received
- Empty box indicates 5 or less findings.
- For the purpose of this report the total number of findings includes both cited and technical assistance.

Deborah: Even though centers are in competition with one another, best practices and information can be shared amongst providers. Providers can share what they are doing not to be on the list and to avoid findings in general.

Julie: Framing it as best practices is a good way to approach findings and rules violations.

Deborah: Please bring us a report for the next meeting that gives us more specifics about what the violations were and what items were out of compliance.

Committee By-Laws Correction and Conflict of Interest Form: The committee voted to approve.

Child Care Licensing Update by Simon Bolivar: Background screening cards are now being sent to providers, and the system is in place to distribute, process, and manage them.

Care About Childcare Update by Steve Matherly: The Form 9-80 has been a difficulty for the program. They are currently trying to automate the process. In the future the DWS database and the CAC database will be communicating and pulling data from one another.

PUBLIC COMMENT

Dale: The Residential Child Care Licensing Advisory Committee and the Child Care Center Licensing Committee should find times and coordinate so that presentations can be done to overlap between the two meetings, for those presentations that apply to both. By finding a common time and being better coordinated we can avoid having presenters do the same presentation twice.

Now that Child Care licensing has moved to the Highland Drive building, as well as the rest of the Bureau and Division, committee meetings can be scheduled in that building instead of the Cannon Building.

These items will be part of the agenda for the next meeting, so the committees can vote on them.

Ms. Tilley adjourned the meeting at 11:15 a.m.

UPCOMING SCHEDULE 2015

March 12, 2015

Cannon Health Building
288 N 1460 W
Salt Lake City, UT
Room 128
9:00 a.m. to 11:00 a.m.

May 14, 2015

July 9, 2015

September 10, 2015

November 12, 2015

3760 S Highland Dr.
Salt Lake City, UT
Room 578
9:00 a.m. to 11:00 a.m.

Anyone with a disability requiring accommodations to attend or fully participate in this program should contact Austin Roy at (801) 584-8294 or via email at aroy@utah.gov to request reasonable accommodations.