

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF CHILD DEVELOPMENT
NORTH CAROLINA CHILD CARE COMMISSION
2008-09 THIRD QUARTER MEETING MINUTES

February 12, 2009
Division of Child Development
319 Chapanoke Road, Suite 120
Raleigh, NC
Conference Room 300

Commission Members Present

Vickie Ansley	Linda LaRue	Deanne Smith
Margaret Anne Biddle	Lorrie Looper	Claire Tate
Magdalena Cruz	Donna Roscoe	
Penny Davis	Mary Roberts	
Connie Harland	Dr. Mary-Cassie Shaw	

Commission Members with an Excused Absence

Lynn Pollicastro
Lois Stephenson

Division of Child Development (DCD) Staff Present

Janice Fain, Administration Section	bj Avent-Farmer, Administration Section
Anna Carter, Regulatory Services Section	June Locklear, Regulatory Services Section
Heather Laffler, Director's Office	Lorie Pugh, Regulatory Services Section
Laura Hewitt, Regulatory Services Section	Mary Staak, Director's Office
Kathy Shepherd, Workforce Standards Section	Fay Lewis, Subsidy Services Section
Trevon Lucas, Workforce Standards Section	Andrea Lewis, Regulatory Services Section
Mary Lee Porterfield, Workforce Standards Section	Kimberly Mallady, Licensing Enforcement
Tammy Barnes, Licensing Enforcement	Susanna Cox, Division Attorney

CALL TO ORDER

Chairperson Donna Rascoe issued a general welcome and called the third quarter NC Child Care Commission meeting to order at 9:12 a.m. Members of the audience wishing to address the Commission were asked to sign-up for public comment and, if interested, on the Commission mailing list at the back table. Chairperson Rascoe also reminded members to complete the appropriate motion form when making motions. Ms. Rascoe asked if any members had known conflicts of interest concerning today's agenda items, and none were mentioned. Dedra Alston called the roll. The Commission members who were absent from this meeting had requested and received excused absences.

APPROVAL OF MEETING MINUTES – November 13, 2008 draft minutes were reviewed by members with no comments or revisions.

Commission Action: *Vickie Ansley moved that the meeting minutes be approved as presented. Deanne Smith seconded. There being no further discussion, Chairperson Rascoe called for a vote. The motion carried unanimously.*

DIVISION DIRECTOR'S REPORT – CYNDIE BENNETT

Cyndie Bennett addressed the Commission. Ms. Bennett expressed her appreciation for the Commission members' attendance and their flexibility in the use of a teleconference instead of a live meeting for the second quarter meeting in November.

Ms. Bennett shared that since the last Commission meeting, there have been changes in the Executive Branch of State Government, which DHHS answers to. Governor Beverly Purdue is now in office and has appointed a new secretary to DHHS, Mr. Lanier Cansler. The Deputy Secretary for Long Term Care and Family Services is Ms. Maria Spaulding, who Ms. Bennett reports directly to. Ms. Spaulding started last week and came to meet with Division Section Chiefs on Monday. Ms. Spaulding was previously employed with Wake County Human Services, so she is already familiar with our Division's work.

The General Assembly has been in session since January 28th. They have already started sending the Division questions on issues, so staff are working on those as well as spending time answering questions for the Governor's Budget office. The Governor's budget is expected to be released some time around the first part of March. Ms. Bennett said that Division staff will be working to do everything we can to provide as much information as possible so that our important work is not overlooked. Ms. Bennett said that there have been travel restrictions enacted as well as subsidy reductions, but not service terminations. A stimulus package was just passed at the federal level which included CCDF discretionary funds which will come to the states for child care. The Division will be planning what we can use one-time money for that will stimulate the economy. Commission members are invited to let us know if they have any ideas. Members will have an important role in helping us set rules related to this and the best way to spend the money over these next few years.

Subsidy Services: Ms. Bennett shared that the Division has been requested to provide a significant budget reduction, around \$12 million, from our subsidy funding. Many North Carolinians are losing jobs and are, in turn, removing their children from child care. We are hearing reports that counties may be terminating subsidy services as soon as clients lose their jobs, so parents have little choice but to remove their children from care. Currently, with a county request, services can be extended to families for 60 days while they are looking for a job, and the Division is working to offer a six-month extension. We are not seeing a lot of requests for these extensions, however. Concern is for expressed children who are removed from care and what kind of care situations they are being placed in; are they now attending unregulated or lower quality care? Subsidy funds are also important for stimulating the economy so that child care teachers and directors are not laid off because of reduced enrollment in facilities.

Regulatory Services: The Division expects in the Spring of this year to implement a new methodology for calculating compliance history. The Division will notify the Licensed Child Care Providers' Association as well as Resource and Referral agencies and others across the state when this change is made.

Ms. Bennett shared that a law was passed, G.S. 14-208.19, regarding child care providers and the Sex Offender Registry. As of December 2008, child care programs must register online to receive updates to the registry. The Division has posted this information on our website as well as sent notices to R&R's so that they can help get the word out to providers. We are directing programs, if there are questions, to call their local Sheriff's Office. Chairperson Rascoe asked if law enforcement or DSS is making any effort to let programs know. June Locklear said that they are not, to our knowledge. The Division only has about 1/3 of programs' email addresses, so we do not have a way to quickly send out information to programs across the state. Currently, there is no penalty in the law for not registering.

Ms. Bennett shared that the Division feels that one of the things to recognize when you go through a big change, like the recent license transition from 3 to 2 components, is to evaluate what you have learned,

what could have been done better, and what went well. Anna Carter, Assistant Section Chief for Regulatory Services, shared a presentation on about lessons and results from the transition.

Ms. Carter shared that the Division did take the opportunity to talk about how things went among staff. It is important to look at how the changes worked from all our sections' perspectives. In the study of the statistics, we found that there was an 18% decrease in the number of credential recipients overall, but T.E.A.C.H. participants are more often seeking Bachelor's Degrees as opposed to Associates' Degrees. Concerning WAGE\$ participants, currently 50% have an Associate's Degree or higher. From 2006 to 2008, we have seen almost double the number of children receiving subsidy services enrolled in 5-star programs. We have seen, as well however, an increase in 2 star program attendance.

We see that currently 70% of the total number of children in care are in 3, 4, and 5 star centers. That is really significant because we know that 3-star programs are stronger now than before as a result of the transition. Over 50% of these (70% of total) children are in 4 and 5 star centers.

Concerning research on education of staff and whether or not this has an impact on quality of care, our data shows that classrooms where teachers have an Associate's Degree or higher have higher environment rating scores. Linda LaRue asked if the Division had any information about salaries for staff. Ms. Carter shared that we do not collect wage information, but that future Workforce studies would collect this information. For T.E.A.C.H. participant turnover, the turnover is usually less than 10 percent. For WAGE\$ participants, there is an approximately 16% turnover rate. Based on studies and information collected over the last several years, T.E.A.C.H. is helping NC's teacher turnover rate to go down.

Workforce Standards: Since last November when the Commission passed rules regarding three-year rechecks for child care staff, our Criminal Records Check Unit has completed over 16,000 rechecks. Currently, the unit is seeing about the same rate of disqualification for re-checks as with original checks.

New Updates:

Ms. Bennett shared that the Division was invited to make a presentation to the Legislative Study Commission on Children and Youth. This Commission did make recommendations related to child care to the legislature. In Ms. Bennett's presentation to the Legislative group, she reminded them that there is a Child Care Commission that handles related issues. The Legislative Commission held hearings across the state and asked citizens to share issues across the broad spectrum of children's issues.

Specifically, the Legislative Commission recommended that the Joint Legislative Program Evaluation Oversight Committee direct the Program Evaluation Division at the General Assembly to study all existing programs that directly and indirectly benefit children and youth in the state. This study would identify programs, how they work, and evaluate their benchmarks for measuring success. The second recommendation that the Legislative Commission asked was that NC should offer affordable health coverage to all children by fully funding NC Health Choice and implementing NC Kids' Care for children up to 300% of the federal poverty level. Briefly, some of the other recommendations were: that mental health services be provided to children in the state, also through Health Choice and Kids Care; that the General Assembly allocate additional funding to the Subsidized Child Care Program; that the General Assembly fund Juvenile Crime Prevention Councils (JCPC) to adequately meet the juvenile justice service needs across counties; that the General Assembly move forward in implementing any findings that the Crime Commission has; that the General Assembly fund the Earned Income Tax Credit beyond the 5% that was put into place this year. Lastly, the Legislative Commission recommended that these issues be studied further in the interim. Some of the co-chairs of our Appropriations committee sit on this commission as well. The chairs of this Commission are Ellie Kinnaird and Alice Bordsen. Chairperson Rascoe asked if it would be appropriate to write a letter to their commission regarding our overlapping work. Claire Tate asked if

Division staff could provide a link to this report. Heather Laffler shared that there is a summary report available and staff would be happy to share this with the Child Care Commission members.

Claire Tate asked if Ms. Bennett would share an update on the work that the NC Center for Afterschool Programs (NC CAP) is doing. NC CAP has 2 groups working on afterschool issues. These are a professional development group and a funders' group. Funders have come together and asked what kind of criteria is used for groups receiving grant funding. The group collected information from funders and found that certain parts of the state have lots of resources, and some parts of the state have much less. The group saw that a true study needed to happen. The group is a work in progress, and Ms. Bennett will be sure that the members of the Commission's school age committee work with this group. The Division is trying to influence, but not be in a position of telling the NC CAP groups what to do. Ms. Tate asked if these work teams have minutes so that the Commission can be kept abreast of what is going on. Ms. Bennett is on the board, so she will speak to the board as a whole to find out about providing updates and minutes to the Commission and others.

Ms. Bennett shared about a workshop presentation by Dr. Jack Shonkoff that some members of the Commission were also able to attend. Dr. Shonkoff is the author of the book *Neurons to Neighborhoods*. He presented about brain development and how important the work of teaching is in the early years. The first speaker to support what Dr. Shonkoff was presenting was Sec. Cansler. Division staff will share copies of the handouts and articles with the members of the Commission.

Ms. Bennett drew the Commission's attention to articles on childhood obesity that were provided to the members in their meeting packets. During the School Age Committee meeting yesterday, the North Carolina Outdoor Learning Environment Alliance (NC OLE) made a presentation about outdoor learning and members of the committee heard how these two topics go hand in hand. The Division is beginning to think about how we can support projects and programs for providers in the area of outdoor learning. One of the articles, concerning the requirements for outdoor activity and a minimum length of time for children to be outdoors each day, mentions that there is no national organization that has this kind of requirement. Claire Tate suggested that reading materials like these articles that are currently under review of the Commission could be posted in a designated spot on the Division website to keep members of the public abreast of the work and study of the Child Care Commission. Heather Laffler suggested that perhaps the Commission's tab that is already on the Division website could be expanded to include these readings and links to articles. Deanne Smith said this a tremendous opportunity to keep everyone informed about issues and that the Commission could somehow motivate centers to keep up with current information. Because of the amount of information that is out at certain times, it would benefit to have a point person, perhaps a member of the Outreach Committee, who can help decide what should be provided.

Presentation: - Dr. Lanier DeGrella, statewide project manager for the Infant Toddler Initiative presented information on the Infant-Toddler Guidelines and the current trainings and rollout to centers.

PUBLIC COMMENT

Chairperson Rascoe moved the meeting to a time of Public Comment.

Roz Savitt, lobbyist for the NC Child Care Coalition, spoke to the Commission. She spoke to answer the earlier question regarding wages of teachers who participate in T.E.A.C.H. She shared that there is data available that shows the average pay rate is \$8.85 an hour for these participants. With caregivers reaching the Associate Degree level, there is generally around a 14% increase. Currently, statistics show that the turnover is around 5%. This is in comparison to an overall turnover rate of around 24%.

Ms. Savitt shared that with the opening of the legislative session, it was announced yesterday that the one and only children and youth policy committee in the House was abolished. There are other standing

committees that can address child care issues, but still – there's no dedicated committee. There have been some positive appointments to some of the budget committees. Senator Martin Nesbitt has been appointed to HHS Appropriations committee. His major involvement has been in mental health, but he's a great advocate for child care. In the House, there is a person who used to be on the House Committee for HHS but was not for the last 2 years, and that is Rep. Farmer-Butterfield from Nash County who is a strong supporter of child care. She was also a sponsor once of the T.E.A.C.H. funding bill. Currently, there are the same chairs of HHS budget committees – on Senate side, the new chair is Senator Swindell from Nash County. Mecklenburg County is well represented in the budget committees by Senator Danley, Rep. Earle and Rep. Alexander.

Shirley Brown, a family child care home provider, came before the Commission to speak. Ms. Brown said that she represents a group of providers in homes that get together to talk about issues they want to present to the Commission and how certain policies affect them. One issue she addressed is the limit on enrollment for FCCH providers. Currently, this limit is 5 children at a time. The group she represents wants to have some dialog with the Commission about increasing that number. Her second concern is in regards to a situation with a provider who was out of compliance. The provider's child was in school, but when she brought her child home from school, so she was out of compliance.

Linda Piper, Director of the NC Licensed Child Care Providers' Association, spoke to the Commission. She wanted to thank Cyndie Bennett, Division Director, who spoke at their annual meeting a couple of weeks ago. Ms. Bennett spoke to the group about providers as partners and mentioned how the Division had rewritten its mission statement, now including the word "quality." The Association is watching an issue that has come up regarding incidents of abuse or neglect. When a staff person has been found guilty, there is no individual record, so they can go and get another job somewhere else. Currently, Virginia has a list of folks who have been found guilty of abuse/neglect so another center can be aware of this information. Ms. Piper shared that the Association is still having issues with the environment rating scales. One thing they have done is set up a page on their website to help centers in preparation for their scale evaluations. They feel that this information is not being compiled in one good place, so they are trying to do that on their website. A fourth issue of concern is the current staff turnover rate. They feel that the job pool is difficult to weed through because staff do not meet the criteria needed. Lastly, regarding the minutes that were official from the September 2008 meeting and the "information vacuum" comment she made, the Association feels that the Division needs to work on getting a list of providers with each of them providing an email or a fax number. The goal is to help providers feel comfortable with what the Division is doing, so we need to have a fax or email address for every single provider so that communication can be readily available. Currently, the Association has about 300 centers who are members. They have a database of about 800 email addresses. Recently, they sent out an email to ask how centers were impacted by economy, and folks are responding.

Tamara Zamooda, a parent of an 11-week-old baby in licensed care, came to share a concern she has. She does not understand or agree with the fact that certain things are not regulated in facilities. She shared that when she and her husband were looking for care, center ratios were something they really paid attention to. They were not willing to take anything higher than a 1:4 ratio, and were willing to pay more for a lower ratio. The center they chose posted and promised a 1:4, but have consistently used a 1:5 instead. The provider, in an attempt to explain her situation to the parent, told Ms. Zamooda to contact the center's consultant and she was told that no matter what they post, they can go up to the law. Ms. Zamooda feels that it is wrong for a center to achieve a 4 or 5 star rating and be untruthful about their ratio. She feels that the higher star rating should not be given if the provider is "lying" about their ratio or not meeting them during the day. She was told by the provider that keeping this lower ratio is harder than it seems. Ms. Zamooda's sister is a provider in Ohio, and her program is regulated based on what they are posting to parents as their ratio, instead of what they are running all day long. The center where her child is now is currently operating with a temporary license but is seeking 5 stars. They are publishing a 1:4 ratio, but if

they don't need to, they do not have to rely on the ratio that is in their policy. She desires that our Division be a "trusted agency" in regulating these rules. Chairperson Rascoe explained that there is a process for petitioning for rule change and the process.

Dan Epstein, a representative in Early Education Policy from Knowledge Learning Corporation in Washington D.C. who represents 28 centers in NC came to address some things he heard earlier in the meeting regarding the presumption that teacher credentials and child outcomes are linked. More and more teachers are getting Bachelor's Degrees and Associates' Degrees, but the research seems to be mixed on the issue, and intuition might lead us astray. Mr. Epstein shared that Dr. Robert Pianta and Robert Ashburn of the University of Virginia, in association with UNC-Chapel Hill, have provided some research on the issue. The issue with their research is that it suggested that there is a tie between credentials and childhood outcomes. As teachers have higher credentials, outcomes are better. However, Mr. Epstein shared that correlation and causation are not the same thing. There was not control over all the variables during the research. There are a number of variables that affect this study. There are issues of teacher retention, short term staffing issues, racially diverse staff, which are all important factors. Concerning access or quality, individuals seek to improve quality without harming access, but what happens is that quality is not improved. Mr. Epstein said he would be happy to send the research to the group. Claire Tate asked about methods of professional development and said that the Commission is very interested in hearing about these studies.

The Commission took a break for lunch from 12:15 – 1:15

Committee Reports:

Rule Making Committee – The Rules Committee met yesterday and received a presentation from the NC OLE group. A number of folks attended the meeting on behalf of that group. They provided a good description of research about outdoor learning and provided some helpful brochures and other handouts. They ended their presentation with some rule language they would like the Commission to consider along with some obesity related articles for the Commission to review.

Consumer Outreach – A group called FrameWorks out of Boston, who helps agencies "frame" their message in the best way to reach a targeted audience has worked with DCD and analyzed the Commission brochure for parents. It is their goal to help direct and indirect messages that are being created be received how the agency intends. Division staff participated in these training sessions, and FrameWorks reviewed the Commission's "Choosing Quality Child Care" brochure. The group did have some suggestions on things that would help us improve the message. Once the reviewed revisions are complete, it will be presented to the full Commission for approval. The Department's Public Information Office will need to approve the English and Spanish versions before they can be finalized. It was suggested that this be the committee that takes up the issue of Commission information on the website and verify what the parameters are. Also, this committee will discuss the possibility of building a database of programs and their access to the internet and email.

School Age Committee – Claire Tate shared that this committee has been charged with reviewing the rules about school age care. The committee members have been looking at research about state standards for physical activities that will be coming out in May. Also through this committee the question was raised as to whether or not DCD needs another way of publishing school age rules in a separate rule packet for programs with only school age care. As more questions come to the committee, they are seeing the need to look at school age rules as we wish them to be. Linda LaRue asked whether or not the handbook was in effect any more, where it states what a certain rule is and how to obey it. Anna Carter provided that Regulatory staff is in the final stages of revising the handbook. Currently, there is a SAC chapter in the

book, but what it does is refer you to the chapter where a rule is referenced instead of restating that rule explanation.

Melynda Swindells, Criminal Records Check Unit Supervisor, shared information about the Live Scan Fingerprinting that the unit does.

NEW BUSINESS:

The Outreach Committee will discuss the issues raised during today's meeting at their next meeting on April 23rd.

Ms. Rascoe asked the group to give consideration for electing a Vice Chair. Margaret Anne Biddle nominated Deanne Smith. Claire Tate provided a second to this motion. All votes were in favor, and the motion carried.

Rescheduled date for November meeting – Meeting is moved to November 5th with committee meetings on November 4th. If any Commission members have a concern or question, let DCD staff know.

Commission Action: Mary Roberts moved to adjourn the meeting. Linda LaRue seconded the motion. There being no further discussion, Chairperson Rascoe called for a vote, and the motion carried.

There being no further business, the meeting adjourned at 2:55 p.m.

The next quarterly meeting of the North Carolina Child Care Commission is scheduled for Thursday, April 23, 2009.