

**MINUTES**  
**CHILD DAY-CARE COUNCIL ORIENTATION**  
**NOVEMBER 19, 2002**

**Present:** Mrs. Gail Johnson, **Chair**; Ms. Susan Ballard; Ms. Judith Beattie; Ms. Deborah Moore Gardner; Ms. Susan Hackney; Mr. Adam Thiel

**Staff:** Mrs. Paula Scott Dehetre, Ms. Arlene Kasper

The Chair called the meeting to order at 8:40 a.m. Members of Council and staff introduced themselves.

Ms. Cathleen Newbanks, Director of the Division of Family Services at the Department of Social Services, reviewed her division's involvement in child care. This included information on child care subsidies, various quality enhancement initiatives, and investigation of child abuse and neglect in out of home care settings. She offered to provide the Council with a video on child abuse that will be released this December. In response to a question, Ms. Newbanks stated that the child care fee program, unlike other child care subsidy programs, is not mandated so there is more flexibility when determining eligibility criteria.

Mrs. Carolynne Stevens, Director of the Division of Licensing Programs, provided an overview of the Department of Social Services, the role of the Division of Licensing Programs, implementation of regulations by the Department of Social Services and the formation and purpose of the Council. This included the following: various programs within the Department; mission, scope, structure, function and history of the Division of Licensing Programs; relevant recommendations from the Joint Legislative Audit and Review Commission; purpose and types of regulations; enforcement of regulations; and history of the Council. In response to a question, Mrs. Stevens noted that the statistics concerning the increased number of programs was derived after deducting closed facilities from newly licensed facilities.

Ms. Arlene Kasper, Program Development Consultant, reviewed the Council's regulations and Division of Licensing Programs' support to Council. Ms. Wenda Singer, Program Development Consultant, reviewed the laws and regulations related to background check requirements for licensed child day centers. In response to a question, Ms. Singer noted that the criminal record check includes offenses covered by the sex offender check. Ms. Kasper reviewed the regulatory review and revision process. This included the Administrative Process Act, Executive Order Number 21 and the Council's Public Participation Guidelines. Ms. Kasper reviewed the current work of the Council and the Council's Bylaws.

Mr. Allen Wilson, Assistant Attorney General, reviewed the Virginia Freedom of Information Act, State and Local Conflict of Interests Act, transactional disclosure statements and liability. In response to a question, Mr. Wilson stated that Council members could consult with him about any possible conflict of interest.

The meeting adjourned at 12:30 p.m.

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**Present:** Mrs. Gail Johnson, **Chair**; Ms. Susan Ballard; Ms. Judith Beattie; Dr. Jane Craig; Mr. Norman Crumpton; Miss Elizabeth Dowdy, **Vice Chair**; Mrs. Sondra Freeman; Ms. Deborah Moore Gardner; Ms. Susan Hackney; Mrs. Nancy Ann Rogers; Ms. Carol Steele; Mr. Adam Thiel; Mrs. Donna Thornton; Mrs. Deborah White, **Secretary**

**Absent:** Mr. Jay DeBoer; Ms. DeAnna Flanary; Dr. Bethany Geldmaker; Mrs. Dona Huang; Mrs. Lisa Shelburne

**Staff:** Ms. Cynthia Clark; Mrs. Paula Scott Dehetre, Ms. Arlene Kasper

**Call to Order**

The Chair called the meeting to order at 1:32 p.m. The Chair welcomed the six newly appointed members and Ms. Julie Christopher, State Board of Social Services' Liaison to the Council. Each member introduced himself or herself. The Chair announced that Mr. Maurice Jones, Commissioner for the Department of Social Services, would briefly address the Council.

**Approval of Agenda**

Ms. Carol Steele made a motion, which was seconded by Mr. Norman Crumpton, to accept the agenda. The vote was unanimous.

**Approval of Minutes**

Mr. Crumpton made a motion, which was seconded, to accept the Council minutes of the August 8, 2002 meeting and the minutes of the Background Checks Committee meeting on August 8, 2002. The vote was unanimous.

**Chair's Report**

The Chair reported on the following activity:

- On September 13, 2002 the former Chair, Mrs. Sharon Jones, responded to a survey concerning HJR 159 (2002). This resolution established a Joint Subcommittee to study the operations, practices, duties and funding of the Commonwealth's agencies, boards, commissions, councils and other government entities.

- Mrs. Gail Johnson received a letter dated September 11, 2002 from Mr. Bruce Ordway concerning Automated External Defibrillators. This is an extra level of safety as it relates to first-aid.
- On November 4, 2002 Ms. Francis Schultze of the Charlottesville League of Women Voters contacted staff of the Council regarding Council activity. The inquiry was due to a study on quality child care.
- On November 12, 2002 the Chair met with Secretary Jane Woods and on November 15, 2002 the Chair met with the newly appointed Commissioner, Mr. Jones. The Chair expressed a desire to meet with Mrs. Lisa Collis Warner since she has a focus on early childhood.

The Chair suggested canceling the December 12, 2002 meeting and designating the January meeting to consider the Council's role in the future and the Council's strategic plan. This would allow the new members to be updated regarding the Council's regulation challenges. The Chair asked Ms. Arlene Kasper to send a survey to Council members to obtain their comments regarding meeting dates and times. The Council agreed with these plans.

The Chair mentioned that committees' membership would need to be updated. She requested that any preferences for committee membership by Council members be communicated to her.

The Commissioner introduced himself to the Council during this portion of the meeting. He expressed a desire for the Department and Council to work closely together.

### **Report on Southern Regional Taskforce on Child Care**

Mrs. Carolynne Stevens, Director of the Division of Licensing Programs, reported on the Southern Regional Taskforce on Child Care. This project is funded by the David and Lucile Packard Foundation and has the participation of 16 states and the District of Columbia. It has performance measures for the project as a whole and the participating states. The first initiative that this group undertook was improving access to child care assistance for low-income families. The new initiative is to improve the quality of early care and education.

This project is based on system building through collaboration among agencies and programs. The researchers who spoke at a recent conference emphasized the role child care plays, such as crime prevention, workforce development, constructive social behavior and school performance. The researchers view child care as a sound investment. The terminology in this project is "early care and education" because care and education are inseparable and care always includes learning opportunities for children.

Mrs. Stevens reviewed the seven goals of the initiative to improve care and education. The second goal is to have rigorous licensing requirements and regulatory processes to ensure that children are adequately protected in all early care and education settings.

Mrs. Stevens stated that the First Lady of Virginia, Mrs. Collis, was appointed as the Governor's representative to the Taskforce. She will begin discussing appropriate ways for Virginia to move forward with the Taskforce recommendations.

### **Council's Budget and Travel Reimbursement Procedures**

Mr. Ted Eckert, Manager of the Management Support Unit of the Division of Licensing Programs, distributed a copy of Council expenditures during fiscal year 2002. The Council spent approximately \$12,000 for travel, printing, postage, etc. He explained that the Appropriation Act does not specifically grant the Council a budget amount. The Council's expenditures are covered by the Division of Licensing Programs' budget. He also distributed a memorandum from the Commissioner Jones that detailed the budget reductions thus far for the Department of Social Services. Future reductions are unknown at this time but it is likely that the Division of Licensing Programs will be impacted. Mr. Eckert recommended efficient use of funds.

Ms. Cynthia Clark explained recent travel reimbursement procedural changes. Pre-approval of overnight travel is required 10 days before travel. Council members need to complete travel reimbursement information within five days after travel.

### **Update on Council Regulations**

Mrs. Paula Scott Dehetre, Assistant Director for Program Quality Support in the Division of Licensing Programs, provided an update on the Council's regulations. This included the following:

- The Public Participation Guidelines do not need to be reviewed until April 30, 2005;
- The NOIRA on the regulation entitled *General Procedures and Information for Licensure for Child Day Centers*, which was approved by the Council in June, has been reviewed by the Department of Planning and Budget and the Secretary of Health and Human Resources and is now pending in the Governor's Office;
- The NOIRA on the regulation entitled *Minimum Standards for Licensed Child Day Centers*, which was approved by the Council in June, has been reviewed by the Department of Planning and Budget and the Secretary of Health and Human Resources and is now pending in the Governor's office. Mrs. Scott Dehetre confirmed that there would be a public hearing regarding this regulation once it is in the proposed stage;
- The NOIRA on the regulation entitled *Minimum Standards for Background Checks for Licensed Child Day Centers*, which was approved by the Council in August, is pending executive review with the Commissioner's office and will now move forward to the Department of Planning and Budget and the Office of the Secretary of Health and Human Resources; and
- The repeal of the regulation entitled *Standards and Regulations for Licensed Child Day Center Systems* was effective November 6.

Mrs. Scott Dehetre informed Council that staff notified the Virginia Registrar on September 30, 2002 about updating *Code of Virginia* references in the center regulation according to the recodification bill; the Department is currently working on updating the regulation booklet for the public. She also stated that the department has filed revised center application forms with the Virginia Registrar to update these forms with recodification as well as other changes. Notice of this was published in *The Virginia Register* on November 4, 2002. In response to a question raised during the orientation, Mrs. Scott Dehetre stated that the legislative committees most relevant to Council's regulations would be Health, Welfare and Institutions; Rehabilitation and Social Services; and General Laws.

### **Public Comment Period**

Mr. Vernon Holloman of the Proprietary Child Care Association of Virginia addressed the Council concerning several issues. He stated that the government that taxes for profit centers and regulates them is also competing against them in the marketplace resulting in a conflict of interest. He reviewed statistics from several research studies, stating that 95% of parents in Virginia were satisfied with the quality of child care, child care workers in Virginia stay in child care 9.3 years and 76% of child care employees in Virginia have health insurance. Research has indicated that the market for child care services in Virginia appears to be highly competitive with providers showing considerable sensitivity to consumer preferences. This finding does not lend support for wide scale policy initiatives for the child care market in Virginia. Mr. Holloman also expressed his concerns regarding the issue of universal preschool.

Mr. Holloman expressed another issue concerning playground safety. The Consumer Product Safety Commission's (CPSC's) Handbook for Public Playground Safety (Document 325) states that the guidelines in this publication are not mandatory. Based on this, Mr. Holloman expressed concern that one of his centers was cited for being in non-compliance with CPSC's playground guidelines. He also stated that he is opposed to prohibiting the use of 15-passenger vans and believes the Federal agencies involved are misguided. He contended that children who have been injured or have died in vans were the result of driver mistakes instead of a problem with the van.

Ms. Marta Burklin of the Virginia Child Care Association introduced herself. She explained that her goal is to update her organization members about legislation and regulations that affect the child care industry. This association has an annual statewide training conference in April for child care providers.

Dr. Jack Knapp, Executive Director of the Virginia Assembly of Independent Baptists, introduced himself. Many churches in his association have child care programs. He feels the market place will resolve the issue concerning 15-passenger vans.

## **Update on Transportation**

Ms. Arlene Kasper, Program Development Consultant in the Division of Licensing Programs, provided updated information regarding the transportation of children. At the July Council meeting, Lieutenant Robert Northern of the Virginia Department of State Police explained the revised child restraint law. The revision requires four- and five-year-old children to be secured in a child restraint device during transportation. Since that time an official opinion from the Office of the Attorney General has been received; the opinion concerned the meaning of the terms “bus” and “impractical,” which are exemptions to the law.

The Council was also interested in HB 460 (2002). Due to a previous commitment, Delegate Morgan Griffith, the sponsor of this bill, was not able to present information on this bill at the Council meeting. In response to a question, the Department does not have statistical data on the number of children left on vehicles without supervision.

Ms. Kasper reviewed the various transportation handouts and informed Council that the Department has not made an official policy decision about the meaning of a bus. The Virginia Department of Health has a toll free number to obtain information on the nearest child seat inspection station.

## **Provider Training**

Dr. Lib Whitley Baron, Manager of Provider and Consumer Support Services in the Division of Licensing Programs, provided an overview of training initiatives for providers. This involves approximately 6,000 providers that are licensed or regulated and 4,000 other local agency approved providers.

Training programs are developed after consideration of: the training requirements in regulations developed by the State Board of Social Services or the Council, needs assessments which are conducted every two years, and training evaluations conducted after each training session. An array of input is considered to develop the training curriculum.

Training sessions are normally held on Saturdays for approximately three to six hours for approximately 50 people. Training is held in the Fall and Spring. In fiscal year 2002, 272 sessions were offered on 37 different topics resulting in 8,586 providers being trained. The \$5.00 reservation fee covers the cost of refreshments.

Other training initiatives include: video training, the Virginia Child Care Provider Scholarship Program, training designed for individuals thinking about becoming a provider, and training designed for individuals who have applied for licensure but have not yet been licensed. A booklet and pamphlet on choosing and monitoring child care is available for parents. Dr. Whitley Baron stated that she encourages providers to obtain training from numerous sources. She distributed suggested criteria for training and mentioned that the document is being updated to address computer based training.

In response to questions, Dr. Whitley Baron stated that: funding for training comes from licensing application fees, the Child Care and Development Fund and training registration fees; snacks will continue to be provided at training sessions; there will be at least one training session each year for directors; the Director's Toolbox will be updated and a training session on this will be offered this spring; there is no approval of non-department trainers; and the number of providers trained include providers that take more than one training session. Mrs. Donna Thornton recommended training that focuses on management and director level topics.

### **Indicators of Children's Preparedness for School**

Ms. Cathleen Newbanks, Director of the Division of Family Services at the Department of Social Services, provided an overview of a project looking at children's preparedness for school. The Governor gave a grant to the Action Alliance for Virginia's Children and Youth to coordinate this project. The project is sponsored by the Ford, Packard, Kaufman Foundation and 16 states are involved. Ms. Newbanks stated that Governor Warner is supportive of early care and education and Secretary Jane Woods is the Chair of our state's committee.

The project is set-up to determine what policies affect children's readiness for school such as children being healthy, living in a safe homes and communities, living in stable families and positive learning environments, and developing at age appropriate levels. For each policy, indicators will be established to assess how effective states are with these policies. Examples of indicators are low birth weight or parents graduating from high school. The project will have "buckets" such as development of early language skills, incorporation of policies that are supportive of children and families, and systems that provide for accountability.

In response to questions, Ms. Newbanks stated that the purpose is to see if the indicators impact children's readiness for school and she noted that a measure to determine readiness for school has not yet been established.



### **Old Business**

Mrs. Johnson visited two centers in Fairfax County. In response to a question, it was noted that there are no statistics on the number of the various types of center based programs except for religious exempt programs and short term programs.

### **Adjournment**

The meeting adjourned at 4:03 p.m.