



ACCESS COMMITTEE MEETING AGENDA

On September 16, 2021, the Governor signed AB 361, which amended certain provisions of the Ralph M. Brown Act (Government Code section 54950, *et seq.*) to allow for local agency legislative bodies to conduct their meetings remotely either telephonically or by other electronic means under specified circumstances. Thus, pursuant to Government Code section 54953(e), the San Mateo County Child Care Partnership Council meeting will be conducted via remote conferencing.

Monday, January 24, 2022, 09:00 a.m. – 10:15 a.m.

Website Link:

<https://smcoe.zoom.us/j/95936631471?pwd=eVBtTEtqWXN5SjdET1BRU1NteDNTQT09>

Meeting ID: 959 3663 1471 **Passcode:** 320635

Dial In: 1-669-900-9128

Call to Order	Christine Padilla
Adopt a resolution finding that, as a result of continuing COVID-19 pandemic state of emergency, meeting in person for the Child Care Partnership Council’s Access Committee would present imminent risks to the health or safety of attendees <i>ATTACHMENTS 1A AND 1B</i>	Christine Padilla <i>ACTION ITEM</i>
Approval of January 24, 2022 Access Committee Meeting Agenda and Meeting Minutes for November 15, 2021 <i>ATTACHMENT 2</i>	Christine Padilla
Item #1: Welcome, Introductions and Check-in	Christine Padilla
Item #2: Discussion of Universal Preschool/Transitional Kindergarten	Sarah Kinahan
Item #3: Steps to Success Presentation	Christine Padilla
Item #4: Hot Topics	Christine Padilla
Adjournment	Christine Padilla

*The next Access Committee meeting is
Monday, March 21, 2022: 9:00 a.m. to 10:15 a.m.*

Date: January 24, 2022

To: San Mateo County Child Care Partnership Council Quality Committee

From: Sarah Kinahan, CCPC Coordinator

Subject: Resolution to make findings allowing continued remote meetings under Brown Act

RECOMMENDATION:

Adopt a resolution finding that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, meeting in person for the San Mateo County Child Care Partnership Council Quality Committee would present imminent risks to the health or safety of attendees.

BACKGROUND:

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which rescinded his prior Executive Order N-29-20 and set a date of October 1, 2021 for public agencies to transition back to public meetings held in full compliance with the Brown Act. The original Executive Order provided that all provisions of the Brown Act that required the physical presence of members or other personnel as a condition of participation or as a quorum for a public meeting were waived for public health reasons. If these waivers had fully sunset on October 1, 2021, legislative bodies subject to the Brown Act would have to contend with a sudden return to full compliance with in-person meeting requirements as they existed prior to March 2020, including the requirement for full physical public access to all teleconference locations from which board members were participating.

On September 16, 2021, the Governor signed AB 361, a bill that formalizes and modifies the teleconference procedures implemented by California public agencies in response to the Governor's Executive Orders addressing Brown Act compliance during shelter-in-place periods. AB 361 allows a legislative body to continue to use teleconferencing under the same basic rules as provided in the Executive Orders when certain circumstances occur or when certain findings have been made and adopted by the legislative body.

AB 361 provides that Brown Act legislative bodies must return to in-person meetings on October 1, 2021, unless they choose to continue with fully teleconferenced meetings because a specific declaration of a state or local health emergency is appropriately made. AB 361 allows legislative bodies to continue to conduct virtual meetings as long as there is a gubernatorially-proclaimed public emergency in combination with (1) local health official recommendations for social distancing or (2) adopted findings that meeting in person would present an imminent risk to health or safety of attendees. AB 361 became effective on October 1, 2021 and will sunset on January 1, 2024.

AB 361 also requires that, if the state of emergency remains active for more than 30 days, the legislative body must make findings by majority vote every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules. The findings demonstrate the need for teleconferencing persists due to the nature of the ongoing public health emergency. Effectively, this means that legislative bodies must either agendaize a Brown Act meeting once every thirty days to make these findings, or, if a legislative body has not made such findings within the prior 30 days, the legislative body must re-adopt the initial findings if it wishes to conduct a remote meeting.

DISCUSSION:

California Department of Public Health and the federal Centers for Disease Control and Prevention ("CDC") caution that the Delta variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>).

On September 28, 2021, in the interest of public health and safety, as affected by the state of emergency caused by the spread of COVID-19, the Board of Supervisors issued a finding that meeting in person would present imminent risks to the health or safety of attendees, and decided to invoke the provisions of AB 361 related to teleconferencing for Board meetings. The Board also strongly encouraged other County legislative bodies to make a similar finding and continue meeting remotely through teleconferencing; and

Accordingly, we recommend that the San Mateo County Child Care Partnership Council Quality Committee avail itself of the provisions of AB 361 allowing continuation of online meetings by adopting findings to the effect that conducting in-person meetings would present an imminent risk to the health and safety of attendees. A resolution to that effect and directing staff to take such other necessary or appropriate actions to implement the intent and purposes of the resolution, is attached hereto.

FISCAL IMPACT:

None

RESOLUTION FINDING THAT, AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY DECLARED BY GOVERNOR NEWSOM, MEETING IN PERSON FOR THE SAN MATEO COUNTY CHILD CARE PARTNERSHIP COUNCIL QUALITY COMMITTEE WOULD PRESENT IMMEDIATE RISKS TO THE HEALTH OR SAFETY OF ATTENDEES

WHEREAS, on March 4, 2020, pursuant to Government Code section 8550, et seq., Governor Newsom proclaimed a state of emergency related to the COVID-19 novel coronavirus, and subsequently, the San Mateo County Board of Supervisors (“Board”) declared a local emergency related to COVID-19, and the proclamation by the Governor and declaration by the Board remain in effect;

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N- 29-20, which suspended certain provisions in the California Open Meeting law, Government Code section 54950, et seq. (the “Brown Act”), related to teleconferencing by legislative bodies, provided certain requirements were met and followed; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended provisions of Executive Order N-29-20 that waive otherwise-applicable Brown Act requirements related to remote/teleconference meetings by legislative bodies through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 into law, and AB 361 provides that a legislative body subject to the Brown Act may continue to meet without complying with the otherwise-applicable requirements in the Brown Act related to remote/teleconference meetings by legislative bodies, provided that a state of emergency has been declared and the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and provided that the legislative body makes such finding at least every thirty (30) days during the term of the declared state of emergency; and bodies, provided that a state of emergency has been declared and the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and provided that the legislative body makes such finding at least every thirty (30) days during the term of the declared state of emergency; and

WHEREAS, California Department of Public Health and the federal Centers for Disease Control and Prevention (“CDC”) caution that the Delta variant of COVID-19, currently the

dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>); and

WHEREAS, on September 28, 2021, in the interest of public health and safety, as affected by the state of emergency caused by the spread of COVID-19, the Board issued a finding that meeting in person would present imminent risks to the health or safety of attendees, and decided to invoke the provisions of AB 361 related to teleconferencing for meetings of the Board; and

WHEREAS, the Board also strongly encouraged other County legislative bodies to make a similar finding and continue meeting remotely through teleconferencing; and

WHEREAS, the San Mateo County Child Care Partnership Council Quality Committee has an important governmental interest in protecting the health, safety and welfare of those who participate in its meetings; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the San Mateo County Child Care Partnership Council Quality Committee finds that meeting in person would present imminent risks to the health or safety of attendees, and the San Mateo County Child Care Partnership Council Quality Committee will therefore invoke the provisions of AB 361 related to teleconferencing for meetings of the San Mateo County Child Care Partnership Council.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that

1. The recitals set forth above are true and correct.
2. The San Mateo County Child Care Partnership Council Quality Committee finds that meeting in person would present imminent risks to the health or safety of attendees.
3. Staff is directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.



**SAN MATEO COUNTY CHILD CARE PARTNERSHIP COUNCIL
ACCESS COMMITTEE
MEETING MINUTES**

**November 15, 2021
Virtual Meeting via Zoom**

CCPC Members Present: Karen Pace, Christine Padilla (Chair), Liz Scully, Christine Thorsteinson
Members of the Public: Pamela Campos, Alyson Suzuki
CCPC Staff/Minutes: Sarah Kinahan

1. Call to Order

Christine Padilla called the meeting to order at 9:03 a.m.

2. Action to adopt a resolution finding that, as a result of continuing COVID-19 pandemic state of emergency, meeting in person for the Child Care Partnership Council's Access Committee would present imminent risks to the health or safety of attendees.

MOTION: THORSTEINSON/ SECOND: PACE
AYES: Unanimous
NOES: NONE
ABSTAIN: NONE

3. Action to set the agenda for November 15, 2021, and Approval of the Minutes for the September 20, 2021 meeting

MOTION: THORSTEINSON/ SECOND: PACE
AYES: Pamela Campos, Karen Pace, Christine Padilla, Liz Scully, Christine Thorsteinson
NOES: NONE
ABSTAIN: Alyson Suzuki

4. Welcome, Introductions and Check-in

Christine invited everyone to introduce themselves and provide updates.

Karen shared that All Five is adding 14 new preschool spaces soon by taking over a classroom formerly used by Family Connections, a program that has relocated to a different school site. All Five is also on track to open their new buildings in January 2022.

5. Update on Open and Closed Facilities

Sarah provided the following data on facilities that have closed and opened during the pandemic:

- Approximately **85%** of our 805 licensed programs are **open** and they are facing **increased costs and decreased enrollment**. **67** programs have **permanently closed** since last March.
- Pre-pandemic shortage of 20,000 spaces; A 15% loss = another 6,000 spaces.
- 22 new licenses and 6 pending since pandemic.



The group asked for more detailed data on any trends in closures, looking at the size of programs, geography, and type of program. They would also like to know how many of the new licenses were for family child care versus centers.

Alyson offered to follow up with Community Care Licensing to see if they can share the results of their exit survey for closed providers.

There is a need to conduct another provider survey to understand the challenges that providers are currently facing, such as staff vacancies, affordability of care for families, and marketing supports programs may need. It was theorized that programs have low enrollment due to not having enough staff to operate at full capacity and continued lower interest from parents.

6. Discussion of Universal Preschool and Transitional Kindergarten

Sarah reviewed SB 130, the legislation that expands Transitional Kindergarten. She also shared that SMCOE has an internal workgroup made up of Instructional Services, Business Services, HR, County Counsel, and Early Learning that will be providing technical assistance and information to school superintendents. SMCOE will also form an Early Learning team dedicated to this topic.

The group identified a need for a centralized webpage to share information about TK with the early learning and care field and to gather and respond to their questions. The questions from the field can also be channeled back to the state. The website should also include a “contact us” feature and a flow chart of different funding sources. The group was concerned that there is not enough guidance to ensure consistency of TK implementation across cities/districts, making planning hard for providers who operate in multiple cities/counties. The group also felt that information on TK needed to be shared specifically with parents and we need to understand what they are looking for in an early learning program.

There is more data needed to understand if spaces vacated by 4-year-olds moving to TK can be adequately filled by 3-year-olds. Need more funding to help parents afford preschool. It may not be feasible for Family Child Care homes to do wrap-around care for TK and older children. The group was also concerned about the developmental appropriateness of school-based settings for 4-year-olds especially related to group sizes, and whether family engagement practices in preschool will be sustained in TK. Having consistency in the screening and assessment tools used in preschool and TK would help.

It would be helpful to compare salaries of PreK teachers to paraeducators and TK/K. Concern that providers will leave family child care and centers to work for districts to earn higher wages.

7. Hot Topics

Liz shared that she has created a Facebook page for Family Child Care Providers in San Mateo County.

Liz provided an update on efforts in South San Francisco to get an initiative on the ballot in 2022 to provide universal preschool for all SSF residents paid for through new corporate taxes.

8. Adjournment

Christine adjourned the meeting at 10:11 a.m.

**The next CCPC Access Committee meeting is
Monday, January 24, 2022, 9:00 a.m. - 10:15 a.m.**