

I. Contracting and Procurement

1. Decision Making Guidelines	
Purpose/ Background:	The Board of Supervisors authorized other functions for First 5 Butte County Children and Families Commission pursuant to Section 130151 of the California Health and Safety Code. The purpose of this policy is to ensure consistency in Commission decisions.
Policy:	The Commission will consider its vision, mission, guiding principles, priority areas and roles to ensure consistency when making decisions.
Procedure:	<p><u>Vision:</u> Every child in Butte County will have the opportunity for a resilient, thriving future through a nurturing, supportive network of families, caregivers, and their community.</p> <p><u>Mission:</u> First 5 Butte County Children and Families Commission works collaboratively with partners and stakeholders to build a healthy, integrated system of support for young children and their families and caregivers.</p> <p>The following principles reflect the core values of First 5 Butte and guide its work:</p> <ul style="list-style-type: none">• <u>Dependability:</u> Being present, engaged and visible in our efforts to advocate for and respond to the needs of children, families and the community.• <u>Cultural humility:</u> Interacting with partners and families with deep respect and sensitivity to a wide range of racial and social identities that affect child development and families in complex ways.• <u>Trauma-healing:</u> Using our understanding of how trauma and stress affect people’s lives to support healing and ensure we are compassionate in our work.• <u>Inclusivity:</u> Cultivating a professional culture in which everyone feels valued, respected, and empowered.• <u>Responsible stewardship:</u> Practicing transparent and wise stewardship of resources to put the needs of children and families first and ensure they receive the greatest possible benefit.• <u>Balanced decision-making:</u> Weighing empirical data with local feedback and needs in making decisions, and allowing for flexibility and innovation in responding.

	<p><u>Priority Areas:</u></p> <ul style="list-style-type: none"> • Health and Development • Strong Families • High-quality Learning • Sustainability & Systems Change <p>In addressing these priority areas, the Commission will play the following roles:</p> <ul style="list-style-type: none"> • Use Results-Based Accountability to engage with partners and community to improve outcomes for children and families; • Allocate funding to support integrated, collaborative and best-practice services and systems; • Provide information and education to various audiences to inform them of the needs and concerns of children 0-5 and their families; • Advocate in support of programs and initiatives that ensure children’s health, family functioning, school readiness and the integration of sustainable systems to serve children and families; • Act as a network to expand partnerships; • Actively bring together and engage families, providers, communities and other stakeholders to promote the well-being of Butte County families and children.
<p>Effective Date:</p>	<p>February 26, 2021</p>

2. Contracting Authority

Purpose/ Background:	<p>The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130151 of the California Health and Safety Code. The purpose of this policy is to specify the Commission as the only authority to approve contracts, unless the Commission specifically designates this authority to another party.</p> <p>In order to properly fulfill inherent fiduciary responsibilities and to preclude claims against the Commission, it is prudent to clearly establish the authority to enter into contracts on behalf of the Commission.</p>
Policy:	<p>It is the policy of First 5 Butte County Children and Families Commission that the Commission has sole authority to approve contracts.</p>
Procedures:	<p>The following procedures shall be utilized to ensure adherence to the policy:</p> <ul style="list-style-type: none">• Commission officials and staff members at all levels shall refrain from oral or written commitments which may be construed as binding by any other party or which may lead to claims against the Commission. In such cases, it shall be emphasized to the other party that there is no commitment unless approval has been given by the Commission or designated authorized person. Any person that enters into an agreement or contract without proper approval or takes actions that are interpreted as a commitment by a third party may be personally liable for any costs associated with the agreement.• Commission staff shall request and obtain Commission approval, prior to entering into negotiations to acquire goods, supplies or services on behalf of the Commission. Such approval shall be requested and provided through the annual Budget Development and Approval Process.• Commission staff shall adhere to the procedures outlined in the Contracts and Procurement Policy when requesting and acquiring goods, supplies, and services on behalf of the Commission.• For contracts less than or equal to \$5,000, and that fall within a Commission-approved budget line item, the Director will generate and sign the contract.• For contracts above \$5,000 and below \$25,000, and that fall within a Commission-approved budget line item, signature from the Chair is required. The Chair also has the authority to sign journal transfers in any amount to reimburse Public Health for quarterly operating expenditures.

	<ul style="list-style-type: none">• For contracts in amounts equaling or exceeding \$25,000, Commission approval is required unless the Commission specifically delegates such authority to the Chair.• Dollar amount limits may not be circumvented through multiple, split transactions. Persons with signatory authority at each level must approach the Commission for approval before executing follow-up contracts with the same vendor.• Emergency acquisition of any item or service may be made by any Commission official or staff member under the following conditions:<ul style="list-style-type: none">— When such item or items are immediately necessary for the preservation of life or property; or,— In cases where the Director is not immediately available and the item or items are immediately necessary for continued operation and undue delay would cause substantial loss to the Commission.• Such emergency purchases shall be subsequently approved by the Director or the Commission. Unless the purchases are so approved and confirmed, the associated costs shall not constitute a legal charge against the Commission but shall constitute a charge against the person making such purchase.
Effective Date:	February 26, 2021

3. Signatory Authority

Purpose/ Background:	The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130151 of the California Health and Safety Code. The purpose of this policy is to authorize the Director to approve administrative expenditures on behalf of First 5 Butte County Children and Families Commission.
Policy:	<p><u>For contracts:</u> The Director shall have signatory authority, where funding has been allocated and approved by the Commission, to approve expenditures incurred on behalf of the Commission through submitted invoices on approved contracts.</p> <p><u>For non-contracts:</u> The Director or their designee has the authority to purchase non-contract goods or services required by the Commission, without approval, in an amount not to exceed \$5,000, if the purchase is consistent with the approved budget and the Strategic Plan. Chair approval must be obtained for purchases over \$5,000 and up to \$25,000. Commission approval for selection of vendor/grantee is required for purchases equaling or exceeding \$25,000 unless the Commission specifically delegates such authority to the Chair.</p> <p>The Commission Director is delegated signatory authority on transfer of funds between line items within the Children and Families Commission budget up to \$10,000. Transfer of funds beyond this amount shall be provided by the Commission and require the additional signature of the Chair.</p>
Procedures:	<p>The Director shall review all expenditures incurred on behalf of the Commission to ensure that they are within approved budget amounts.</p> <p>Commission staff shall prepare vouchers and journal entry transfers with required backup documentation. Claims and journal entry transfers shall be reviewed and approved by the Director prior to being submitted to the County Auditor’s Office for processing.</p>
Effective Date:	February 26, 2021

4. Contracting and Procurement

Purpose/ Background:

The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130151 of the California Health and Safety Code. The purpose of this policy is to establish a contracting process for the Commission.

First 5 Butte County provides a system of controls over all purchasing and contracting activities. This process shall provide for the efficient purchasing of First 5 Butte County supplies, equipment and services, and shall prevent unnecessary purchases of materials and supplies, and provide compliance with budgetary requirements.

The California Children and Families Act of 1998 (Proposition 10) authorized counties to implement a local early childhood development program consistent with the goals and objectives of the Act, establish a county commission, and create a local Children and Families Trust Fund. The Act also mandated that the Commission have the authority to perform certain autonomous functions, such as the ability to contract, independent from the county. The specifics of this relationship were further characterized in an Advice Letter, dated October 27, 1999, from the Office of the Attorney General, State of California, to First 5 California.

In accordance with the Act, the Board of Supervisors for the County of Butte established, through County Ordinance, the First 5 Butte County Children and Families Commission. The independent nature of the Commission mandates the necessity to establish a policy on the procurement of goods and services.

In accordance with Government Code section 54201 et seq., purchases of supplies and equipment shall be in accordance with the procedures specified in this policy.

In accordance with Public Contract Code section 3410 et seq., preference shall be given to United States grown produce and processed foods.

In accordance with Public Contract Code sections 22150 to 22154, preference shall be given to the purchase of recycled products, whenever they are available at the same or lesser total cost than non-recycled products. Additionally, vendors must certify the minimum percentage of post-consumer materials in the products and supplies offered or sold.

<p>Policy:</p>	<p>The Commission has sole authority to approve contracts as described in the Contracting Authority Policy and Procedures.</p> <p>Commission funding shall be assigned, committed and expended economically and expeditiously, under fair, open, and well documented procedures, and in accordance with best procurement practices.</p> <p>All grants and contracts must be consistent with the Commission’s Strategic Plan. They must support either the operation of the Commission or directly support the result areas outlined in the Strategic Plan.</p> <p>These practices shall allow the Commission to obtain the best value when procuring goods and services, while concurrently upholding the public trust in a direct and honest environment and maintaining an equitable balance of flexibility and impartiality.</p>
<p>Procedures:</p>	<p>The following procedures shall be followed in the selection of vendors for the Commission when the Commission has initiated the procurement of goods or services:</p> <ol style="list-style-type: none"> 1. All Contracts in amounts equaling or exceeding \$25,000 shall be presented to the Commission for approval. Contracts for amounts under \$25,000, and that fall within a Commission-approved budget line item, shall be reported to the Commission at its next meeting. Any individual representing First 5 Butte County shall refrain from oral or written commitments that may be construed as binding by any other party and may be personally liable for any costs of an agreement that is entered into without proper approval or is interpreted as a commitment by a third party. 2. Contracting and procurement processes shall be conducted in compliance with the Commission’s Conflict of Interest Policy and Procedures. No person shall make, participate in making, or use one’s position to influence an action or a decision relating to a procurement in which there is a personal interest. If there is a conflict of interest or the potential for the perception of such, the individual must immediately disclose this to an appropriate representative of the Commission. 3. If State or Federal law mandates the procurement of services in a certain manner, then the law will govern the acquisition. 4. Contracts governed by California Government Code section 4525, et seq. (contracts for professional services for architectural, landscape architectural, engineering, environmental, land surveying and construction project

management services) are subject to a formal selection, negotiations and approval process.

5. First 5 Butte County opens funding opportunities based on current needs, community and research based information as recommended by the Strategic Plan. Individuals, groups, government agencies, religious organizations, non-profits and for-profit organizations may apply for competitive grants and may submit separate proposals for separate programs.
6. An informal competitive bid process may be used for purchases under \$25,000. When reasonable, a minimum of three bids shall be obtained prior to selection. Written or documented oral quotations and statements of capacity must be obtained and presented to the Director and the Chair for approval prior to contracting for these goods or services. Selection of the vendor/grantee shall be made with consideration of the bid price and the capacity of the bidder to fulfill the scope of work.
7. The Commission shall utilize a competitive process, such as a Request for Proposals (RFP) or a Request for Qualifications (RFQ), to select vendors and contractors when seeking goods or services not currently provided through a current Commission contract with a total value equal to or above \$25,000.
8. The Director is authorized to execute the release of a competitive vendor selection process, unless specifically directed by the Commission or requested by a Commissioner to be placed on the Commission agenda for formal approval.
9. The Commission may choose to utilize non-competitive procurement processes such as Sole Source Procurement, Intent to Negotiate, Request for Information or Contract Renewal. The Commission will align with the County's guidance on Competitive Solicitation Exemptions. Non-competitive procurement processes shall be conducted as public processes, inclusive of community advisory groups and service providers potentially impacted by the goods or services sought by the Commission, as subject to applicable law and regulation.
10. Contracts shall link the performance of vendors and contractors to the goals and objectives of the Strategic Plan.
11. Indirect costs on contracts may not exceed 15% of an awardee's total operating budget. No single dollar of an awardee's contract may be counted twice when calculating the total amount of indirect cost allowed, irrespective of subcontractor arrangements. Indirect costs are shared costs that benefit or support multiple services administered by the awardee, and cannot be readily

	<p>identified with a specific project (e.g. legal, accounting, human resources, procurement, maintenance, technology, etc.). Grantees may not charge indirect expense on funds awarded through the Commission’s discretionary funds process, which supports programs, activities and professional development opportunities in amounts of up to \$5,000.</p> <p>12. All funding is performance-based and requires agreed upon procedures for monitoring and evaluation.</p> <p>13. Commission staff shall follow the procedures outlined in Section 2.3 of the First 5 Association of California Financial Management Guide (the “Guide”). In the event of a conflict between these Procedures and the Guide, these Procedures shall control.</p>
Effective Date:	February 26, 2021

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Summary of Contracting and Procurement Policy*

Process	No Solicitation	Informal Solicitation	Formal Solicitation	Noncompetitive
Dollar amount	up to or equaling \$5,000	over \$5,000 and under \$25,000	equaling or exceeding \$25,000	No dollar limit. The Commission will align with the County's guidance on Competitive Solicitation Exemptions.
Signatory authority	Director Must fall under approved line item within adopted budget or Director's transfer of fund authority (\$10,000); otherwise, Commission must approve	Chair	Chair, following Commission approval	Chair, following Commission approval
Funding Examples	Purchase of IT hardware (non-contract) Mini-grant for direct services (contract)	Procurement of training and TA services (contract)	Engaging with nonprofit to provide direct services (contract)	Engaging with partner on strategic investment (contract)

* Dollar amount limits may not be circumvented through multiple, split transactions. Persons with signatory authority at each level must approach the Commission for approval before executing follow-up contracts with the same vendor.

5. Requests for Grant Funding

Purpose/ Background:	<p>The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130151 of the California Health and Safety Code. The purpose of this policy is to establish a process for requesting grant funding from the Commission.</p> <p>The Commission awards funding through contracting and procurement procedures for purposes and amounts determined by the Commission. At times, the Commission may consider requests for grant funding from the community outside of Commission-directed solicitations.</p>
Policy:	<p>The Commission can consider requests for grant funding from individuals, agencies and organizations serving children birth through 5 and their families in Butte County outside of Commission-directed solicitations.</p>
Procedure:	<p>Individuals, agencies or organizations wishing to submit a request for grant funding should utilize the Commission’s on-line “Request for Funding” portal, which will contain application templates for:</p> <ol style="list-style-type: none">1. <u>Discretionary funds</u> – for grants in amounts of up to \$5,000, with total funds available released on a pre-set schedule established by the Commission during its annual budgeting process. These grants may be used to fund programs and activities as well as professional development opportunities. First 5 Butte County staff will notify the Commission at its next regular meeting of any discretionary funds awarded.2. <u>One-time requests for strategic funding</u> – for grants of any amount that represent a strategic use of the Commission’s unallocated fund balance, the availability of which the Commission will specify annually on its website. These grants must meet all of the following criteria set forth in the Commission’s 2021-2026 Strategic Plan:<ul style="list-style-type: none">• Prioritize the highest need children in Butte County• Address the impact of local disasters on vulnerable families with young children• Build and support long-term sustainable impact• Positively move an indicator identified in the Strategic Plan• Elevate the Commission as a systems partner <p>The Director will review the completed request for strategic funding and may contact the applicant for further information as needed. The Director will decide whether to place the request on the agenda of the next regular meeting of the Administration Committee or the Commission. If desired by the Commission, the</p>

	<p>requesting individual, agency or organization must be present at the meeting to address the Commission. Depending on the cost or complexity of the proposal, the Commission may appoint an ad hoc committee or direct staff to refine the request further.</p> <p>Individuals or organizations submitting a request for grant funding will be notified within 10 business days following any Commission action involving the request for grant funding.</p> <p>Individuals, agencies or organizations with requests not approved for funding may not present those same requests to the Commission for a twelve-month period after the Commission’s action to deny that request for funding.</p>
Effective Date:	February 26, 2021

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6. Emergency Response and Recovery Fund

Purpose/ Background:	The Commission is committed to responding to emergencies and crises that impact the 0-5 population and the systems that support them. The purpose of the Emergency Response and Recovery Fund is to allow the Commission flexibility to consider and respond to unmet needs that arise during or after a federal, state, or locally declared disaster or emergency.
Policy:	The Commission may use the funds as Targeted Spending (i.e., Commission-initiated), or it may award the funds via the Emergency Fund Request process. Commission funds should be viewed as a last resort, and should not supplant any available public or private funds. If funds become available to reimburse for expenses, a reasonable effort should be made to return the Commission for Emergency Funds.
Procedures:	<p><u>Request Criteria</u></p> <p>Emergency Fund requests must directly address an identified need that, if unmet, will result in significant disruption to the health, mental health, growth, or development of children ages 0-5, or the functioning of their family.</p> <p>This includes but is not limited to:</p> <ul style="list-style-type: none">• Food, supplies, and shelter• Transportation• Healthcare• Mental health services• Access to quality childcare• Access to essential supportive family services that provide a safety net, promote opportunities for supportive nurturing relationships and prevent child maltreatment <p><u>Request Amounts</u></p> <p>For requests up to and including \$5,000, the Director may make the determination based solely on the letter of intent (and any discussions with the requestor) and may approve, modify or deny the request.</p> <p>For requests larger than \$5,000, the request will be forwarded to the Administration Committee as designated by the Commission, for approval.</p> <p>The Commission reserves the right to limit funding amounts and types of requests.</p> <p><u>Request Submission</u></p> <p>Requests will be accepted only from 501c3, government, and private organizations.</p>

Requests can be submitted anytime a qualifying disaster or emergency has occurred. In consultation with the Chair, staff will update the funding page on the Commission website to provide clear instructions to requestors about the availability of and the process for requesting Emergency Funds. Staff will conduct outreach to the community to ensure the availability of funding is broadcasted widely. Requests may be submitted via electronic or hard copy per the instructions. Requests will be reviewed on a first-come, first-served basis. The entity submitting the request must submit a detailed letter of intent that directly addresses the criteria listed above, and indicate the funding needed and the timeline for the requested support.

Request Review

The request will be reviewed by staff who will make every attempt to act upon the request within five business days of receipt. Staff may discuss the request with the requestor to determine if the request meets the emergency fund criteria.

1. If the request meets the criteria, the request will be forwarded to the appropriate approver for consideration.
2. If the request is determined not to meet the criteria, First 5 staff will provide the rationale to the requestor.
3. Requests that meet the criteria may not receive funding, in which case First 5 staff and/or the Commission will provide rationale to the requestor.

Request Approval

Approved requests will be formalized in one of two ways:

1. In order to enable the Commission to process payments as quickly as possible, if the request is for direct payment or reimbursement without additional provision of services (such as payments to childcare providers, food banks, property management) the requestor will enter into a Memorandum of Understanding with the Commission and will be asked to provide basic data about how the funds were used.
2. If the request is for or includes the provision of services and funding of personnel, the requestor will enter into a contract with the Commission. It will be required to adhere to a scope of work and provide periodic reporting about service provision and outcomes.

**Effective
Date:**

February 26, 2021

7. Supplantation

Purpose/ Background:

The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130151 of the California Health and Safety Code. The purpose of this policy is to establish supplantation definitions for the Commission.

This policy ensures that funds shall not be used to “supplant state or local General Fund money for any purpose”. Specific experimental projects or pilot programs will be excluded from this Supplantation Policy. Supplantation definitions include:

1. Existing: A service that is established or operational at the time the Commission acts on the Request for Funding.
2. State general funds: Any moneys received into the treasury of the state not required by law to be credited to another fund (Gov. Code section 16300)
3. Local general funds: Any moneys received into the treasury of the local government and not specifically appropriated to any fund (Gov. Code section 29301).
4. Level of Service: Quality and quantity of services
5. Supplant: To take the place of
6. Pilot: On a temporary and limited basis in order to test, evaluate or research the effectiveness of a program; develop untried techniques or gather data.

Policy:

First 5 Butte County will ensure that funds received from Prop. 10 shall be used only to supplement existing levels of service and not fund existing levels of service.

Section 30131.4 of Proposition 10 supports the Commission’s ability to make grants to fund services that were previously provided and funded by a local public agency, but have been discontinued by budget constraints. Because these services were not in existence at the time that the Commission made funding determinations, they do not fall within a common sense definition of the word supplant. Given that California Law is silent on the question of when the expenditure of funds ceases to supplant and commences supplementing, it is the policy of the Commission that if there is any question regarding supplanting, it is incumbent upon the proposer to address the issue to the Commission’s satisfaction.

Procedure:

Prior to awarding grant funding, the following elements will be reviewed to ensure compliance with the Supplantation policy:

Every prospective funding recipient must disclose whether the program has received funding from other sources (whether local or state government, private, or federal) within the past three years, and as to any public funding, identify the law or program under which funding was received.

	<p>The Commission may require the applicant to provide any additional information regarding sources and uses of funds at any time during the application and/or contract period. Based upon all existing facts and circumstances, the Commission shall determine whether the proposal would violate this policy, prior to contract completion. For multi-year contracts or commitments, the Commission, reserves the right to re-examine its determination that its funds will not be used in violation of this policy.</p> <p>If, upon receipt of Proposition 10 funds, Contractor uses such funds to replace state or local general funds, Contractor shall demonstrate to the Commission’s satisfaction that such funds have increased the level of services provided to children birth through 5 years of age.</p>
Effective Date:	February 26, 2021

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8. Protest of RFP, RF or RFQ Denials

Purpose/ Background:	<p>The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130151 of the California Health and Safety Code. The purpose of this policy is to establish procedures governing the protest of RFP, RF or FRQ denials.</p> <p>The Commission conducts formal competitive processes designed to maximize collaboration and open participation by existing and new community-based organization or individuals. Given that there will be requests for funding which fall outside of the formal bid process, this policy is meant to address those requests for funding as well.</p> <p>The Commission’s role in handling protests is to reassure applicants that the published RFP/RFA/RFQ process was fair, clear and applied consistently.</p>
Policy:	<p>The Butte County Children and Families Commission will allow for the protest of the denial of Prop 10 funding. The Protest of RFP, RFA and RFQ denials must be filed within five days of the receipt of denial, and must follow the procedures below. No funding distribution, for any grant or contract, will take place until all protests have been resolved.</p>
Procedure:	<p>The Commission will notify unsuccessful applicants in writing that their funding requests have been denied. As part of this notification, the Commission will explain its grievance procedure and provide a Request for Protest of Grant Denial form, the applicant’s score and the panel recommendation.</p> <p>An applicant whose funding request has been denied, who does not wish to protest, may inquire to the Commission for feedback outside of the formal protest process, and will receive a debrief after awardees contracts are executed. In agreeing to such a debrief, the applicant will waive the right to protest the denial.</p> <p>An applicant whose funding request has been denied, and who wishes to file a protest, must submit the Request for Protest of Grant Denial form within five days of receiving the denial notification. Legitimate reasons for protesting the denial are limited to procurement procedures.</p> <p>In submitting the form, the applicant may request a debrief by Commission staff, wherein the applicant will be provided with evidence of adherence to the procurement rules set forth in the applicable RFP. If, after the debrief, the applicant still feels aggrieved, they may request to have their grievance received at the next regular meeting of the Commission.</p>

	The full Commission will act as the final arbitrator on all protest actions. Broader comments about the Commission, the funding process, or any other Commission related business will not be addressed during the hearing. In compliance with the Brown Act, all hearings will be open to the public.
Effective Date:	February 26, 2021

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9. Grant Lapse

Purpose/ Background:	The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130151 of the California Health and Safety Code. The purpose of this policy is to establish procedures for the Commission regarding grant lapses.
Policy:	A grant award will automatically lapse if the grantee has not completed specified pre-contractual contingencies within 90 (ninety) days; absent special permission from the Commission chair.
Procedure:	Grantees that are selected by the Commission to receive a grant through the competitive grant process must meet the required contingencies, enter into a contract and commence performance within 90 (ninety) days of full execution of the contract, or the grant award shall automatically become null and void. An additional 45 (forty-five) day extension may be granted, at the discretion of the First 5 Director, for good cause shown. Applicants who are denied an extension may appeal in writing to the Chair of the Commission, who will consult with the Director and respond within 10 (ten) days of receipt of the appeal. In no case will a delay in commencement of performance extend the contract beyond the time contemplated in the proposal.
Effective Date:	February 26, 2021

II. Policies for Grantees

1. Confidentiality

**Purpose/
Background:**

Proposition 10 mandates County Commissions craft a strategic plan that mobilizes the community's resources to ensure that all children birth to age five enter school in good health ready and able to learn. Each County Commission must assure that Prop. 10 funds are well spent and managed and that all program planning is directly tied to measurable outcomes or results. Butte County Children and Families Commission, in developing an accountability framework to collect data, measure the outcomes and impact of services, and report the results, recognizes the Commission and Grantee responsibility in maintaining the privacy of personal information.

In order to track and report outcomes for children and families receiving Prop 10 funded-services, counties may be required to collect individually identifiable information that will minimize duplication and track all common outcome data collected across a system. In certain well-defined circumstances, Butte County's Commission, and its grantees, may be required to collect personally identifiable financial, demographic health, social service, school, and other sensitive information and will need to have identifiers and strategies in place that link information about families across agencies for the purpose of evaluation and service delivery without compromising the family's confidentiality.

As important as it is for Butte County Children and Families Commission to be accountable and to collect outcomes-related data, the Commission must also ensure that essential data collected will not invade privacy, breach confidentiality, or cause harm.

To this end, Butte County Children and Families Commission adopts this policy on confidentiality.

Policy:

It is the policy of the Butte County Children and Families Commission to ensure that the information received in the Commission office remains confidential and in compliance with all Federal, State and local laws, rules and regulations including, without limitation, any nondiscrimination laws.

In like manner, grantees shall comply with confidentiality laws protecting the rights of the Commission and any and all clients as outlined in the Terms and Conditions of each contract.

To that end, the following Confidentiality language shall be made a part of every Commission contract under its Terms and Conditions:

	<p><i>Confidentiality and Compliance with Laws:</i> Contractor shall comply with confidentially laws protecting the rights of the Commission/Contractor clients. Contractor shall comply with all Federal, State, and local laws, rules and regulations including, without limitation, any nondiscrimination laws.</p> <p><u>Purpose</u></p> <p>The purpose of this policy is to inform Commission employees, grantees, and all employers and sub-contractors of the grantees, that all information related to clients is to remain confidential. A breach of this policy may result in the termination of the First 5/Public Health employee, and termination of the contractual agreement between the Commission and the grantee.</p> <p><u>Application</u></p> <p>This policy applies to all First 5/Public Health employees, all grantees, grantee employees, and grantee sub-contractors, and the subsequent functions, information and data collected in performance of the duties as defined under the grant.</p>
<p>Procedure:</p>	<p>All new Commissioners, First 5/Public Health employees, and grantees will be given a copy of the Policy and Procedure and Attachment (Confidentiality Procedure Attachment) at the time of hire or appointment. The attachment will be put in their Commission or Contract file.</p>
<p>Effective Date:</p>	<p>February 26, 2021</p>

2. Equity and Diversity

Purpose/ Background:

The Butte County Children and Families Commission recognizes that there are significant gaps and disparities in the provision of services for children and their families and as observed in educational, health and other outcomes, the Commission states commitment and leadership towards taking proactive steps to ensure that Butte County children and their families from diverse populations, including children with disabilities and other special needs, are an integral part of the planning and implementation of Proposition 10.

In accordance with Prop 10 State Commission, diversity has been defined to be inclusive of children prenatally through five years of age, regardless of immigration status, who:

1. Are from different ethnic, linguistic, cultural, socio-economic, religious, geographical and/or other historically or currently under-served communities; or
2. Have disabilities and other special needs.

It is in concert with the State Commission's overriding emphasis that Butte County fulfill its mission to adopt policies and practices that equitably provide Butte County's children (prenatal through 5) from diverse backgrounds and abilities with accessible, family-friendly, culturally competent, quality early childhood services and programs designed to help them reach their full potential and prepare them for positive educational and life experience. The principles herein adopted will serve as guidelines to ensure that the programs and services established and supported by Prop 10 funds are both culturally and linguistically competent and inclusive in service children with disabilities and other special needs.

Policy:

Butte County Children and Families Commission adopts the following four principles respecting equity and diversity to benefit the children and families served through local programs funded by Prop 10.

1. Inclusive Governance and Participation – We the Commissioners of Butte County recognize that children develop within the context of their families and communities, and as such, it is essential that Prop 10 programs secure and obtain meaningful participation and input of the families and other caregivers of children from diverse backgrounds and with diverse abilities throughout all program development and implementation phases.

When referring to families, the Commission utilizes the California Standards for Family Strengthening and Support definition: "At least one adult and one child who are related biologically, emotionally, or legally. Families may

consist of one parent, two parents, grandparents, foster parents, legal guardians, or from a need for mutual support. Ultimately, however, “family” is self-defined.”

2. Access to Services – To assure that children from diverse backgrounds and with diverse abilities have access to high quality and culturally competent early care and education/development opportunities as a critical means for achieving quality, Prop 10 funded programs should set measurable goals and objectives for increasing access and achieving equity.
3. Legislative and Regulatory Mandates – Agencies must adhere to all legislative, regulatory and accreditation mandates pertinent to the provision of services to children from diverse backgrounds and with diverse abilities by embracing the spirit of the law, informing parents of their rights and responsibilities as well as those of their children, and be held accountable for their compliance with key laws and other related mandates.
 - A. Title VI of the Civil Rights Act of 1964: requires linguistic access via qualified interpreters and translated materials at no cost to the individual;
 - B. Americans with Disabilities Act 1990 (ADA): prohibits discrimination on the basis of disability and promotes equal access, building modifications, hiring practices for persons with disabilities;
 - C. Language Access Laws i.e., Dymally-Alatorre Bilingual Services Act (CA); imposes direct obligations state/local governmental agencies to provide appropriate translation services for languages spoken by 5% or more of population served;
 - D. Individuals with Disabilities Education ACT (IDEA) establishes special education and coordinated, family-centered service delivery systems for children with disabilities from birth through age 5 through several programs e.g., California’s Early Start Program, California Department of Education’s Preschool Special Education Program; and
 - E. Executive Order 13166: issued on August 11, 2000 to promote meaningful access to Limited English Proficient (LEP) individuals to federally assisted and federally conducted programs and activities.
4. Results-based Accountability – All Prop 10 programs funded through the Butte County Children and Families Commission will have well defined and meaningful outcomes that benefit children from diverse backgrounds and

	diverse abilities. Staff will conduct assessments that include assets, challenges, and gaps in communities and systems by regular assessment of its inclusive governance process and provide updates on the extent of the family involvement and engagement throughout all phases of program development.
Effective Date:	February 26, 2021

APPROVED

3. Food and Beverage Policy

Purpose/ Background:	The Board of Supervisors authorized advisory committees for First 5 Butte County Children and Families Commission pursuant to Section 130145 of the California Health and Safety Code. The purpose of this policy is to establish a policy to guide food and beverage purchases with Commission funding.
Policy:	For the purpose of increasing public (children and parents) participation at funded program services and events, healthy food and beverages in standard serving sizes may be offered. Food and beverages must be budgeted. As an ongoing cost savings measure and to keep First 5 Butte County Contractor practices closer to existing Commission practice, we are asking our contractors to make every effort to limit food and beverage purchases. Monitoring these expenditures is a way for contractors to assure that sufficient funds are available for essential services.
Procedure:	<p>Food and beverages should only be provided to children and parents when the provision is critical and integral to program operations, as described below:</p> <ul style="list-style-type: none">• During program services and trainings when it is essential to the content of the service or training;• When it is clear they will not have time to provide their own meals before the start of the training or program (example: less than one hour between normal work hours including travel time, and the start of the training);• When the training extends for more than 2 hours and will extend beyond the normal meal time (example: training occurring from 10:30 a.m. - 2:00 p.m.) <p>In general, food purchased with F5BC funds should:</p> <ul style="list-style-type: none">• Provide variety, nutritional benefits and choice.• Have moderate or reduced levels of fat, saturated fat, cholesterol, sodium or sugar. High levels of dietary fiber are preferred. <p>Food should not be provided to staff, subcontractors, or other service delivery partners. Although Commission Staff will not be required to approve food expenditures, it is expected that Contractors will manage their programs with the above guidelines in mind.</p> <p>Beverages served during First 5 Butte County funded meetings, programs, activities, events, and celebrations should meet the following guidelines:</p> <ul style="list-style-type: none">• Water will always be provided free of charge. Whenever possible, water will be served in pitchers rather than plastic bottles to reduce environmental impact.• Flavored or unflavored carbonated water with no sweeteners may be served.• Sugar sweetened beverages, 100% fruit juice, or diet drinks will not be served.

	<ul style="list-style-type: none">• Whole fruit slices may be considered in place of juice.• Coffee and tea may be served to adults. <p>All collaborators, contractors and grantees using First 5 funding will be required to follow our Food and Beverage Policy for all events and activities where First 5 funding is utilized.</p>
Effective Date:	February 26, 2021

APPROVED

4. Tobacco-Free Environment¹

Purpose/ Background:	<p>First 5 Butte County is funded by Proposition 10, the California Children and Families Act, which taxes tobacco products. Discouraging tobacco use among parents, pregnant women, and those living with young children is a key objective of the Act.</p> <p>Tobacco products prohibited include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products.</p> <p>“Smoking” includes carrying a lighted cigar, cigarette, pipe, or any other lighted smoking equipment. “Vaping” includes carrying a lighted Electronic Nicotine Delivery Device (ENDD) or e-cigarette.</p> <p>This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as the nicotine patch or gum.</p>
Policy:	<p>All First 5 Butte County Contractors shall agree to the following:</p> <ul style="list-style-type: none">A. Contractor agrees to maintain a work environment free of all tobacco products, including the outside areas on the contractor’s property within 20 feet of exits, entrances, windows, and air intakes of contractor’s buildings.B. Contractor agrees to comply with applicable federal, state, county, and local tobacco ordinances and codes, including AB -13 and the State of California Labor Code Section 6404.5 (California Work Place Smoking Restrictions).C. Contractor agrees not to accept any funds from a tobacco company, its subsidiaries, or parent company, including in-kind donations and event sponsorships, nor any funds from agencies that are sponsored by or receive donations from a tobacco company, its subsidiaries, or parent company.D. Contractor agrees to have a Tobacco Free Environment policy and submit a signed copy of it to the Commission. (<i>Tobacco-Free Environment Sample Policy</i> follows as Attachment A)E. Contractor agrees to have tobacco education and cessation materials visibly available and accessible to staff and clients participating in agency activities.
Effective Date:	February 26, 2021

¹ Professional services contractors who do not interface with children and families are exempt from this policy.

5. Contractor Site Visits

Purpose/ Background:	The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130151 of the California Health and Safety Code. The purpose of this policy is to provide guidance to contractors for site visits.
Policy:	Site visits will be performed at least twice per year. Commission staff will review information regarding program activities, content, effectiveness, and fiscal processes.
Procedures:	<p>Site Visit Procedures are as follows:</p> <ol style="list-style-type: none">1. Commission partners will complete a site visit progress report and submit it to Commission staff prior to the visit. Staff will review the program operation documentation provided by the contractor and compare it to the contractual scope of work. Documentation to monitor and evaluate Contractor performance may include:<ul style="list-style-type: none">• Announcements about training sessions, workshops, seminars• Sign in sheets• Surveys• Reports and data• Summaries of clients served2. Staff will maintain a report following each site visit including observations and discussion. Site visit reports and backup of communications with the Contractor may be included in an electronic database, which will allow all staff to review the progress of the Contractor's activities.3. Following a site visit, staff may develop a corrective action plan with time specific and measurable goals or activities for the Contractor to perform in order to correct operational or contractual deficiencies. Any such plan developed will focus on activities and services provided by the Contractor and changes needed in order for the Contractor to meet planned contractual obligations.
Effective Date:	February 26, 2021

6. Corrective Action

Purpose/ Background:	<p>The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130151 of the California Health and Safety Code. The purpose of this policy is to provide contractors guidance in corrective actions.</p> <p>As stewards of public funds, the Commission is obligated to ensure compliance with the terms and conditions of contracts and grant agreements, specifically the scope of work and the budget. These are the promised services, programs or products to be delivered at the agreed upon price.</p>
Policy:	<p>Contractors significantly deviating from planned performance shall be required to develop and implement corrective actions.</p>
Procedures:	<p>Corrective Action Procedures are as follows:</p> <ol style="list-style-type: none">1. Corrective action means action taken by the Contractor that corrects identified deficiencies or produces recommended improvements. Corrective action is suggested when identified deficiencies are serious or where less formal means have failed. Examples of issues requiring corrective action include:<ul style="list-style-type: none">• Significant audit or monitoring findings• Inferior quality of services• Failure to perform all or part of the contract or scope of work• Late performance• Late submission of reports or invoices on a recurring basis• Inadequate, unclear, or excessive billing• Failure to adequately meet contractual obligations2. When an item or issue is noted that needs correction, Commission staff is to:<ul style="list-style-type: none">• Notify the Contractor both verbally and in writing that a problem has been identified.• Clearly identify the problem verbally and in writing using dates, number of occurrences, or other data that quantifies the problem.• Ask the Contractor to advise how the problem will be corrected.• Notify the Contractor of expectations for correcting the problem. If appropriate, ask the Contractor to propose a corrective action plan, including dates when corrective action will be completed.• Document conversations with the Contractor by way of a memo to the contract file.

	<p>3. While a Contractor is working to correct a problem, Commission staff will offer advice, assistance, and support to encourage a successful resolution of the problem. Commission staff will track all corrective action to completion and will consult with the Contractor when requested. Commission staff will keep the SPEC committee informed of progress on the corrective action. If necessary, the SPEC committee may convene to discuss a range of follow-up steps up to and including scheduling the matter for consideration at a Commission meeting.</p> <p>4. When the corrective action resolves the issue, Commission staff shall notify the Contractor in writing that resolution has been achieved. A copy of such a letter shall be included in the in the contract file.</p> <p>5. If a deadline is missed or corrective action is otherwise not completed, Commission staff will notify the Contractor in writing that a deadline has been missed and ask the Contractor when the action will be completed. The Contractor will be advised that failure to comply with the corrective action plan could lead to termination of the contract. Staff will notify the Commission of the failure of the Contractor to perform in accordance with the agreement and/or any plan of correction. The matter may be scheduled for formal Commission action.</p>
Effective Date:	February 26, 2021

APPROVED

7. Contract Payments

Purpose/ Background:	The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130151 of the California Health and Safety Code. The purpose of this policy is to enable the Commission to distribute grant funding in a timely and effective manner.
Policy:	<p>Contractors shall invoice monthly or quarterly. Contractors shall submit supporting documentation with invoices, including but not limited to financial reports, receipts for material purchases, rental equipment, subcontractor work and employee travel. Final fiscal year invoices are due July 15th.</p> <p>Grantees with contracts nearing completion must submit final invoices within 45 days of the contract end date. Final payments and reconciliations shall be completed within 60 days of completion of the contract term.</p> <p>Indirect costs may not exceed 15% of an awardee’s total operating budget. No single dollar of an awardee’s contract may be counted twice when calculating the total amount of indirect cost allowed, irrespective of subcontractor arrangements. Indirect costs are shared costs that benefit or support multiple services administered by the awardee, and cannot be readily identified with a specific project (e.g. legal, accounting, human resources, procurement, maintenance, technology, etc.). These costs should be apportioned by a systematic and rational allocation methodology, which should be documented and made available upon request.</p> <p>Grantees may not charge indirect expense on funds awarded through the Commission’s discretionary funds process, which supports programs, activities and professional development opportunities in amounts of up to \$5,000.</p>
Effective Date:	February 26, 2021

8. Budget Revision

Purpose/ Background:	The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130151 of the California Health and Safety Code. The purpose of this policy is to provide guidance to Commission staff, Commissioners, and grantees related to contract budget revision requests, when no additional funding is requested.
Policy:	<p>The Commission shall require approval by the Director of any budget line item that varies more than fifteen percent from the approved budget. Line item budget revisions shall not increase the total budget amount. Increases to total annual budgets require full Commission approval and contract revisions.</p> <p>The Commission expects grantees to expend funds as approved in the original contract, and deviations from the submitted budget are generally not supported by the Commission.</p>
Procedure:	<p>To request a budget revision greater than fifteen percent for any line item in an approved budget, grantees must:</p> <ol style="list-style-type: none">1. Prepare and submit a Budget Revision Request Form, provided to all grantees as an attachment to the contract, specifying the line items and amounts requested to be changed along with a line by line narrative description of the changes requested and reasons for the request. Grantees may submit a Budget Revision Request by March 15 of each year. Under special circumstances, grantees may submit an additional request in June before the end of the fiscal year.2. The Budget Revision Request Form shall be reviewed by Commission staff and presented to the Director for approval. A decision to approve or deny the Budget Revision Request shall be rendered by the Director within 10 business days after submittal of the Request.3. If approved, Commission staff shall update the contract budget to reflect the approved changes and send the updated budget along with a copy of the approved Budget Revision Request Form to the contractor.4. If denied, Commission staff shall notify the contractor of the Director's decision and the reasons for the decision.5. A grantee may contact the Director to request that a Budget Revision Request that has been denied be reviewed by the Administration Committee. Upon receiving such a request, the Director shall schedule the Committee's review of the Request on the agenda of the next regularly scheduled Committee Meeting.6. The grantee requesting the Budget Revision to be reviewed by the Administration Committee must be present at the Committee meeting where their request will be reviewed.

	7. The Committee’s decision to approve or deny a Budget Revision Request shall be final.
Effective Date:	February 26, 2021

APPROVED