



# Policy Manual

Updated June 24, 2022

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# I. Governance

<b>1. Purpose</b>	
<b>Purpose/ Background:</b>	<p>The Board of Supervisors authorized a purpose for First 5 Butte County Children and Families Commission pursuant to Section 130100 of the California Health and Safety Code. This policy establishes a purpose for the Commission.</p> <p>The voters of the State of California passed the California Children and Families First Act of 1998. The act recognizes that there is a compelling need in California to create and implement comprehensive, collaborative, and integrated system of information and services to promote, support and optimize early childhood development from the prenatal stage through five (5) years of age.</p> <p>The act further recognizes that there is a compelling need in California to ensure that early childhood development programs and services are universally and continuously available for children until the beginning of kindergarten. Proper parenting, nurturing, and health care during these early years will provide the means for California’s children to enter school in good health, ready and able to learn, and emotionally well developed.</p> <p>It is the intent of this policy to describe the creation and implementation of an integrated, comprehensive, and collaborative system of information and services to enhance optimal early childhood development. This system should function as a network that promotes accessibility to all information and services from any entry point into the system.</p> <p>It is the intent of this policy also to emphasize local decision making, to provide for greater local flexibility in designing delivery systems, and to eliminate duplicate administrative systems.</p>
<b>Policy:</b>	<p>The Commission purpose is established through a Vision and Mission.</p> <p><b>Vision:</b> 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><b>Mission:</b> 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>
<b>Effective Date:</b>	February 25, 2022

## 2. Population to be Served

<b>Purpose/ Background:</b>	The Board of Supervisors authorized the population to be served for First 5 Butte County Children and Families Commission pursuant to Section 130100 of the California Health and Safety Code. The purpose of this policy is to establish the population served by funding.
<b>Policy:</b>	<p>Commission funding will serve children prenatally through five years of age and their families.</p> <p>It is the Commission’s policy to support children birth through 5 years of age and their families through partnerships, such as but not limited to, local non-profit organizations, family or center based child care providers, community-based organizations, faith-based organizations, schools, and government programs by making funds available for services and/or projects that benefit children birth through 5 years of age and their families. This may include but is not limited to pregnant moms/expectant caregivers, children up to their 6th birthday, and/or parents/caregivers with children birth through 5 years of age, and/or siblings of children birth through 5 years of age.</p>
<b>Effective Date:</b>	February 25, 2022

<b>3. Structure</b>	
<b>Purpose/ Background:</b>	The Board of Supervisors authorized the structure for First 5 Butte County Children and Families Commission pursuant to Section 130140.1(a) of the California Health and Safety Code. The purpose of this policy is to establish the Commission structure.
<b>Policy:</b>	<p>The Commission is a County agency with independent authority over the strategic plan and the local trust fund. The Commission therefore has administrative authority over Proposition 10 matters.</p> <p>The Commission has exclusive control over its budget and expenditures as described in Health and Safety Code Section 130140.1(a)(2). The Commission allocates revenues consistent with its strategic plan, and in accordance with Commission approved policies and by-laws. Funds are received by the Butte County Treasurer and held in trust.</p> <p>The Commission will abide by Butte County personnel and fiscal policies and procedures to the extent that they apply to Commission activities, and do not conflict with California Health and Safety Code Section 130100 et seq.</p> <p>Butte County Department of Public Health (BCPH) provides the Commission with staffing, occupancy and professional services. The Commission will work collaboratively with BCPH, prior to the start of each fiscal year, to develop the budget for the direct and indirect expenses BCPH charges the Commission, as well as other ad hoc costs BCPH may incur on behalf of the Commission.</p>
<b>Effective Date:</b>	February 25, 2022

#### 4. Trust Fund

**Purpose/  
Background:**

The Board of Supervisors authorized a trust fund for First 5 Butte County Children and Families Commission pursuant to Section 130105(d)(2)(A) of the Health and Safety Code. The purpose of this policy is to establish a Commission Trust Fund.

Prop 10 funds are revenues generated by a \$.50 tax per every pack of cigarettes, and a proportionate tax on other tobacco products sold. The tax revenues are allocated to counties on a formula based upon the number of live births to residents of the County. First 5 Butte County Children and Families Commission is charged with the responsibility of administering these funds for the County, within the parameters set in state law, and the policies of First 5 California Children and Families Commission.

**Policy:**

The Trust Fund Policy is outlined as follows:

1. The Commission may use Prop 10 funds not only to purchase direct services to children aged birth through 5 and their families, but also for administrative and educational services and materials, public awareness campaigns, real property, capital improvements and capital investments.
2. The Commission is urged to consider using Prop 10 funds to leverage other fund sources, including local, state, federal, and private foundation sources, for both current and future use; again, to maximize the benefit of funds currently, and to ensure that necessary programs are supported by more than one fund source when Prop 10 funds decrease in the future.
3. The Commission must be able to demonstrate that certain outcomes have been met as a result of funding decisions made.
4. The Commission must conform to audit guidelines appropriate to its structure as provided by the state.
5. The Commission must conform to its own by-laws, and its own policies, once established.

**Effective  
Date:**

February 25, 2022

## 5. Membership

<b>Purpose/ Background:</b>	The Board of Supervisors authorized membership for First 5 Butte County Children and Families Commission pursuant to Section 130140(a)(1)(A) of the California Health and Safety Code. The purpose of this policy is to establish membership for the Commission.
<b>Policy:</b>	<p>The Commission shall be composed of nine (9) regular members, plus up to two (2) alternate members, all appointed by the Butte County Board of Supervisors. The Commission may submit recommendations to the Board of Supervisors for consideration.</p> <p>Commissioners shall be appointed by a majority vote of the board of supervisors. Any commission member may be removed from office by a majority vote of the board of supervisors favoring such removal.</p> <p>Commission membership shall include the following:</p> <ol style="list-style-type: none"><li>1. The director or assistant/deputy director of the Butte County Department of Public Health.</li><li>2. The director or assistant/deputy director of the Butte County Department of Employment and Social Services.</li><li>3. The director or assistant/deputy director of the Butte County Department of Behavioral Health.</li><li>4. One (1) member of the Board of Supervisors chosen from its members.</li><li>5. The remaining members from the following groups, with every effort made to represent the broad geography of the county:<ol style="list-style-type: none"><li>a. Recipients of project services as set forth in the county strategic plan;</li><li>b. Educators specializing in early childhood development;</li><li>c. Representatives of a local organization for prevention or early intervention for families at risk;</li><li>d. Representatives of community-based organizations that have the goal of promoting nurturing and early childhood development;</li><li>e. Representatives of local school districts;</li><li>f. Representatives of local medical, pediatric, or obstetric associations or societies;</li><li>g. Representatives of a local child care resource or referral agency, or a local child care coordinating group.</li></ol></li></ol>



**Effective  
Date:**

April 29, 2022

## 6. Alternate Commissioners

<b>Purpose/ Background:</b>	The Board of Supervisors authorized membership for First 5 Butte County Children and Families Commission pursuant to Section 130140(a)(1)(A) of the California Health and Safety Code. The purpose of this policy is to establish membership for alternates to the Commission.
<b>Policy:</b>	<p>In order to assure robust participation and engagement for the Commission, the Board of Supervisors may appoint up to two alternate members to the Commission through the process used for appointment of the nine regular Commissioners.</p> <p>Alternate members are considered to have the same roles and responsibilities as full Commissioners and do not occupy any “lesser” a position, regardless of their voting status at individual meetings. The term of alternate members appointed by the Board of Supervisors shall be consistent with the term of regular members.</p>
<b>Procedure:</b>	<p><u>Participation:</u> Alternate members shall attend and participate in all meetings of the Commission. When all nine regular members of the Commission are present, the alternate Commissioners shall not vote or take any action on a Commission matter. In the absence of a regular Commissioner, including due to recusal, an alternate Commissioner shall have the authority to vote and take action.</p> <p>The Chair will determine at the beginning of each Commission meeting whether any regular members are absent or have recusals. The Chair will select alternate Commissioners to serve as voting members at the meeting, based on the order of their names listed in Section 1 of the agenda. Prior to each meeting, staff will prepare the order of alternates on a rotating basis.</p> <p><u>Motions:</u> Because a motion is considered part of the final voting process, alternate Commissioners shall not make motions when all nine regular Commissioners are voting. If the alternate Commissioner is acting as part of the voting body, they may make a motion. Alternate Commissioners are welcome to participate fully in the discussion of all Commission matters.</p>
<b>Effective Date:</b>	April 29, 2022

## 7. Commissioner Terms

<b>Purpose/ Background:</b>	The Board of Supervisors authorized membership for First 5 Butte County Children and Families Commission pursuant to Section 130140(a)(1)(A) of the California Health and Safety Code. The purpose of this policy is to establish the term structure for Commission members.
<b>Policy:</b>	<p>Each Commissioner shall serve a term of three (3) years, commencing on July 1.</p> <p>At the conclusion of a term, a Commission member may be appointed to a new term. There is no limit to the number of terms a Commission member may serve.</p> <p>Alternate membership terms are consistent with regular membership terms.</p> <p>The Chair and Vice Chair of the Commission shall be elected by the membership of the Commission entitled to vote. The terms of all such officers shall be one year, commencing on July 1.</p>
<b>Effective Date:</b>	June 24, 2022

## 8. Commissioner Compensation

<b>Purpose/ Background:</b>	The Board of Supervisors authorized commissioner compensation guidelines for First 5 Butte County Children and Families Commission pursuant to Section 130140(a)(1)(B) of the California Health and Safety Code. The purpose of this policy is to establish policies and procedures for Commissioner Compensation.
<b>Policy:</b>	<p>The members of the Commission shall serve without compensation, but may receive actual and necessary expenses as are incurred in carrying out their duties.</p> <p>Members of the Commission shall be paid reasonable per diem and reimbursement of reasonable expenses for attending meetings and discharging other official responsibilities as authorized by the Commission.</p>
<b>Effective Date:</b>	February 25, 2022

## 9. Commission Vacancies and Recruitment

**Purpose/  
Background:**

The Board of Supervisors authorized membership for First 5 Butte County Children and Families Commission pursuant to Section 130140(a)(1)(A) of the California Health and Safety Code. The purpose of this policy is to establish a fair and efficient procedure for filling Commission vacancies as they become available.

**Policy:**

The Commission will strive for a balance of perspectives, skills and backgrounds when considering applicants for open positions. In general, the Commission will prioritize alternate Commissioners when an opening becomes available, over recruiting a new person. Alternate Commissioners do not have to interview again, unless multiple alternates are interested in the same seat.

**Procedure:**

Applications: The Commission will accept membership applications throughout the year. Applicants can apply through the First 5 website or the Butte County website. Applications received through the First 5 website will be forwarded to the Clerk of the Board for their records. All applications will be kept on file for twelve months for consideration if a position becomes available during that time period.

Term renewals: In March of each year, the Director will contact all Commissioners with expiring terms to determine their interest in being reappointed. Those who wish to be reappointed will submit a new application before the April Executive Committee meeting. The Committee will consider these applicants at its April meeting, and forward a recommendation to the Commission for approval at its next regular meeting.

Commissioners who do not wish to be reappointed will serve out their term through June 30. The Chair and Director will invite alternate Commissioners to apply for the pending opening. The Executive Committee will consider these applicants at its April meeting, and forward a recommendation to the Commission for approval at its next regular meeting.

Mid-term vacancies: The Director will notify the Board of Supervisors via the Clerk immediately. Members stepping down from the Commission will submit a letter of resignation to the Clerk, who will post a public notice of the vacancy. The Chair and Director will invite alternate Commissioners to apply. The Executive Committee will consider these applicants at its next meeting, and forward a recommendation to the Commission for approval at its next regular meeting.

Recruitment: If there are no alternate Commissioners or qualified applicants on file available to fill an open position, the Chair and the Director will initiate a recruitment process. The Commission may advertise the position on the First 5 website and social media, and through other avenues as needed (see Ethics Policy for more guidance on recruitment process). Commissioners also may reach out to potential candidates to encourage them to apply.

	<p>Interested candidates are expected to familiarize themselves with the Commission’s work by reading materials and attending at least one Commission meeting.</p> <p><u>Interview:</u> The interviewing committee will review applications, conduct interviews and make recommendations to the Commission on preferred candidates. Staff will be available during the interview process to answer questions, but will not participate in the final selection of a successful candidate.</p> <p><u>Approval:</u> The Commission will vote on recommendations at its next regularly scheduled meeting. If approved, the recommendations will be sent to the Board of Supervisors for appointment. Applications not approved will be kept on file for twelve months for future consideration if a position becomes available within that time period.</p>
<b>Effective Date:</b>	February 25, 2022

## 10. Commissioner Roles and Responsibilities

### Purpose/ Background:

The Board of Supervisors authorized roles and responsibilities for First 5 Butte County Children and Families Commissioners pursuant to Section 130140(a)(1)(A) of the California Health and Safety Code. The purpose of this policy is to establish roles and responsibilities for the Commissioners.

These guidelines serve to outline Commissioners' general oversight, support and policy-setting roles and Commission staff responsibilities to apply quality management practices in support of the operational aspects of program implementation.

### Guidelines:

These guidelines are not to be considered as policy, but are meant to supplement Commission By-laws that operationalize Commission practices and further delineate the Commission's culture. The role of a First 5 Butte County Commissioner includes:

1. Making strategic policy decisions
2. Providing active leadership and advocacy in the community
3. Providing fiscal accountability
4. Implementing legal and financial responsibility
5. Providing accountability to the community
6. Supporting the Director to carry out Commission policies
7. Fulfilling Commission attendance and participation expectations.

#### a) MAKING STRATEGIC POLICY DECISIONS

##### Commissioner Role

The Commission is responsible for setting the overall strategic direction for the use of First 5 funds in Butte County. Commissioners act on clearly defined needs and expected outcomes, maintaining focus on strategic goals while soliciting community input. Responsibilities include, but are not limited to:

- a) Approving a county strategic plan that meets all requirements of the California Children and Families Act of 1998.
- b) Soliciting ongoing input from the community concerning the needs of families and children birth through 5.
- c) Carrying out an annual review of the strategic plan and conducting at least one public hearing of the review before adopting revisions.

##### Director/Staff Role

Commission staff, as led by the Director, supports the Commission's strategic planning efforts and assists with developing and implementing policies approved by the Commission. Responsibilities include, but are not limited to:

- a) Organizing strategic and other planning efforts and providing support as requested by the Commission.

- b) Submitting the approved strategic plan and any subsequent revisions to the State Commission.
- c) Gathering data and community input and providing suggestions to assist the Commission in implementing effective policies.
- d) Making recommendations to the Commission about appropriate policies for consideration.
- e) Supporting policy decisions of the Commission and providing staff direction to carry out the work. As necessary, developing more detailed plans/ processes and organizing the resources needed to implement the decisions so that progress is continually made.
- f) Implementing compliance procedures and monitoring policies to ensure adherence.

## 2. PROVIDING ACTIVE LEADERSHIP AND ADVOCACY IN THE COMMUNITY

### Commissioner Role

The Commission seeks positive change for young children and their families and will take a visible leadership role in the community to establish a countywide agenda for children age birth through 5. Additionally, the Commission will advocate for the needs of children and families. Responsibilities include, but are not limited to:

- a) Attending public events and meetings to inform the public about the work of the Commission.
- b) Participating in Commission-sponsored activities to gather public input on issues related to First 5.
- c) Engaging Advisory Committees around specific issues, such as specific aspects of health, early education or family support.
- d) Adopting an effective communication plan.

### Director/Staff Role

Responsibilities include, but are not limited to:

- a) Serving as primary point of contact for the community and the Commission.
- b) Participating in community activities to provide advocacy on issues related to First 5.
- c) Organizing and making recommendations on marketing, media and other local community communication plan efforts and materials and providing support as requested by the Commission in the development of such endeavors.
- d) Implementing an effective communication plan to create public awareness, connect families and build relationships within the community.

## 3. PROVIDING FISCAL ACCOUNTABILITY

### Commissioner Role

The Commission has fiduciary responsibility for the use of First 5 funds.

Responsibilities include, but are not limited to:



- a) Administering the monies in the Children and Families Trust Fund, consistent with the requirements of the Act and the approved strategic plan.
- b) Participating in at least one public hearing to adopt and hear the State Annual Report.
- c) Maintaining a long term financial forecast, based on estimates of revenues and expenditures over the period.
- d) Approving an annual budget, detailing planned income and expenditures for the coming fiscal year.
- e) Participating in at least one public hearing to review and adopt the annual audit and report, prior to submission to the State Controller and State Commission.
- f) Approving an annual report for submission to the State Commission.

Director/Staff Role

Responsibilities include, but are not limited to:

- a) Preparing a detailed annual budget and long term financial forecast according to guidelines set by the Commission and presenting to the Commission for approval.
- b) Submitting the audit report to the State Controller and the State Commission.
- c) Submitting the annual report to the State Commission.

4. IMPLEMENTING LEGAL AND FINANCIAL RESPONSIBILITY

Commissioner Role

The Commission is responsible for ensuring that Commission funds are used appropriately. Responsibilities include, but are not limited to:

- a) Complying with state and county conflict of interest requirements as established by counsel.
- b) Completing Statement of Economic Interest (Form 700) on an annual basis.
- c) Completing ethics training on a biannual basis.

Director/Staff Role

Responsibilities include, but are not limited to:

- a) Monitoring state and local legislative and regulatory processes in order to communicate the Commission’s positions and to anticipate changes in laws, regulations, and services impacting early childhood development programs.
- b) Completing a Statement of Economic Interest (Form 700) on an annual basis.
- c) Completing ethics training on a biannual basis.

5. PROVIDING ACCOUNTABILITY TO THE COMMUNITY

Commissioner Role

The Commission ensures that the results of its programs are documented through evaluation. Responsibilities include, but are not limited to:

- a) Reviewing and approving reports of results achieved and actions underway throughout the year.

#### Director/Staff Role

Responsibilities include, but are not limited to:

- a) Organizing and making recommendations on data collection and evaluation efforts and materials that promote the priorities of the Commission, including a results-based accountability approach to all funded programs.
- b) Implementing effective evaluation efforts and monitoring evaluation designs.

### 6. SUPPORTING THE DIRECTOR TO CARRY OUT COMMISSION POLICIES

#### Commissioner Role

Responsibilities include, but are not limited to:

- a) Providing support to the Director and staff in carrying out their professional duties.
- b) Sharing relevant information with the Director in a timely manner.
- c) Supporting administrative and operational aspects of the Commission's work when requested by the Director.
- d) Coordinating with the Director regarding any issues or concerns with partner organizations, and funneling communication through the Director.

#### Director/Staff Role

Responsibilities include, but are not limited to:

- a) Performing in an effective manner all operational and administrative duties necessary to implement the strategic plan and other decisions of the Commission. This includes day-to-day fiscal operations, contract development and monitoring, public relations, preparing reports and grant applications, interactions with the State Commission, and other such duties required to implement the strategic plan and Commission decisions.
- b) Supporting policy decisions of the Commission and providing staff direction to carry out the work. As necessary, developing more detailed plans/ processes and organizing the resources needed to implement the decisions so that progress is continually made.
- c) Presenting professional recommendations and options on issues considered by the Commission.
- d) Informing the Commission fully and accurately regarding the status of activities and issues affecting the organization, including situations where available resources are insufficient to implement Commission decisions.
- e) Seeking guidance when unsure of how to proceed.
- f) Providing information to the Commission in a timely and effective manner in order to prepare the Commission to make good decisions.

### 7. FULFILLING COMMISSION ATTENDANCE AND PARTICIPATION EXPECTATIONS

#### Commissioner Role

	<p>Commissioners shall maintain the level of involvement in Commission work necessary to effectively discharge their responsibilities. Responsibilities include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a) Attending Commission and Committee meetings, which includes being prepared for meetings by reviewing materials in advance; participating actively in meetings and making informed voting decisions; notifying Commission staff if unable to attend.</li> <li>b) Attending Commission meetings according to By-laws.</li> <li>c) Participating in Commission Committees in addition to participation in full Commission activities.</li> </ul> <p><u>Director/Staff Role</u>  Responsibilities include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a) Conducting meetings in compliance with the Ralph M. Brown Act and tracking Commissioner attendance.</li> </ul>
<p><b>Effective Date:</b></p>	<p>February 25, 2022</p>

## 11. Committees

### Purpose/ Background:

The Board of Supervisors authorized 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 committee structure for the Commission.

The function of committees is to contribute to the efficient operation of the Commission, by providing key information and assisting with the decision-making process.

Additionally, advisory committees are established to inform the Commission of community need and to provide input and context to Commission investments.

The Prop 10 statute states that each county commission shall establish one or more advisory committees to provide technical and professional expertise and support for any purposes that will be beneficial in accomplishing the purposes of the act (see California Health and Safety Code, Section 130145).

### Policy:

The Commission must take formal action to:

- establish any committees (standing or ad hoc);
- approve committee membership; and
- approve the Chair and Vice Chair of each committee.

The committee structure will include the following:

#### 1. Executive Committee

The purpose of this committee is to streamline Commission activities by reviewing and preparing information and policy recommendations to take to the full Commission for further action. Activities include:

- Reviewing and approving Commission meeting agendas developed by staff
- Developing budget and policy recommendations to the Commission
- Providing oversight of Commission investments; receiving quarterly grantee performance reports
- Reviewing and recommending action on all funding requests, including contracts and related fiscal issues

#### 2. Strategic Plan & Evaluation Advisory Committee (SPEAC)

This advisory committee convenes community members for the purposes of receiving information about program evaluation and outcomes, and making recommendations and reports to the Commission. Activities include:

	<ul style="list-style-type: none"> <li>• Developing a draft Strategic Plan for the Commission every five years that guides its initiatives, activities, funding priorities, and desired outcomes</li> <li>• Conducting the annual review of the strategic plan and recommending revisions to the Commission, if necessary</li> <li>• Evaluating population outcomes in relation to the Commission’s Strategic Plan</li> </ul> <p>In addition to the two standing committees above, the Commission may establish additional committees to suit its priorities.</p>
<p><b>Procedure:</b></p>	<p><b>Membership</b> The <b>Executive Committee</b> consists of the current Commission Chair and Vice Chair, the Director of Public Health and the Board of Supervisors representative on the Commission. The Commission Chair and Vice Chair will assume parallel roles on the Executive Committee.</p> <p>The <b>Strategic Plan &amp; Evaluation Advisory Committee (SPEAC)</b> consists of two Commissioners serving as Chair and Vice Chair of the committee, plus additional members drawn from the community. Interested Commissioners will submit their names for approval by the Commission. Interested community members will submit applications for approval by the Commission.</p> <p><b>Ad hoc committees</b> each consist of one or two Commissioners and one or more community members, as appropriate to the situation. The Commission will approve a Commissioner to serve as Chair.</p> <p><b>Term</b> Committee assignments are for a one-year period, with the option to be reappointed. Appointments will be made at the last Commission meeting of the fiscal year, or as soon thereafter as possible. If a Commissioner resigns from the Commission during the term, other interested Commissioners may submit their names for consideration to fill the committee vacancy through the end of the term. The Commission will fill the vacancy as soon as possible.</p> <p><b>Brown Act</b> As legislative bodies created by formal action of the Commission, committees are subject to the Brown Act and will adhere to its provisions as they pertain to public notice, open meetings and other requirements.</p>
<p><b>Effective Date:</b></p>	<p>February 25, 2022</p>

## 12. Strategic Plan

<b>Purpose/ Background:</b>	<p>The Board of Supervisors authorized a strategic plan for First 5 Butte County Children and Families Commission pursuant to Section 130140(a)(1)(C) of the California Health and Safety Code. The purpose of this policy is to adopt an adequate and complete strategic plan for the Commission.</p> <p>First 5 Butte County operates as an entity autonomous from the County and allocates revenue consistent with priorities established in the Strategic Plan, and in accordance with Commission approved policies.</p>
<b>Policy:</b>	<p>The Commission shall adopt an adequate and complete Strategic Plan for the support and improvement of childhood development within the county. In adopting the Strategic Plan, the Commission shall:</p> <ol style="list-style-type: none"><li>1. Conduct at least one public hearing on the proposed county Strategic Plan prior to the adoption of the Plan and any subsequent revisions to the Plan.</li><li>2. On at least an annual basis, review and revise the Plan as necessary and appropriate.</li><li>3. Submit its approved Strategic Plan and any subsequent revisions to the State Commission, and to the Board of Supervisors for information.</li></ol>
<b>Procedure:</b>	<p>In February of each year, the Commission will review the Strategic Plan and provide guidance to staff on funding priorities for the coming fiscal year. The Commission will approve the budget and any updates to the Strategic Plan at its June meeting.</p> <p>The Strategic Plan will:</p> <ul style="list-style-type: none"><li>• Be consistent with, and in furtherance of the purposes of the Act and any guidelines approved by the State Commission pursuant to subdivision (b) of Section 130125 that are in effect at the time the Plan is approved.</li><li>• At a minimum, include the following: a description of the goals and objectives proposed to be attained; a description of the programs, services and projects proposed to be provided, sponsored or facilitated; and a description of how measurable outcomes of such programs, services and projects will be determined by the Commission using appropriate reliable indicators.</li><li>• Describe how programs, services and projects relating to early care and education within the County will be integrated into a consumer-oriented and easily accessible system.</li></ul>
<b>Effective Date:</b>	February 25, 2022

### 13. Legislative Advocacy

<b>Purpose/ Background:</b>	<p>The Board of Supervisors authorized a strategic plan for First 5 Butte County Children and Families Commission pursuant to Section 130140(a)(1)(C) of the California Health and Safety Code. The purpose of this policy is to standardize and expedite the process for addressing legislative issues by the Butte County Children and Families Commission.</p> <p>On occasion, the Director is approached with a time-sensitive request to sign a letter of support for (or opposition to) legislation or other initiatives related to First 5 Butte County’s mission. This policy is intended to delegate authority to the Director to take necessary action to provide that support (or opposition) consistent with the First 5 Butte County mission when certain conditions are met.</p>
<b>Policy:</b>	<p>It is appropriate for the Commission to advocate positions on matters impacting local control over the use or the administration of Proposition 10 tax revenue and on issues that relate to improving outcomes for all children age zero to five. The Commission’s efforts at legislative advocacy shall be limited to initiatives that have a direct and significant impact on the Commission’s vision, mission and guiding principles.</p>
<b>Procedure:</b>	<p>The Commission hereby delegates its authority to the Director to sign documents or other materials on behalf of the Commission, when all of the following conditions are met:</p> <ol style="list-style-type: none"><li>1. The legislation or other initiative is directly related to, and consistent with the Commission’s mission, vision and guiding principles.</li><li>2. Because of time constraints, bringing the matter to the Commission at its next scheduled meeting is not practical.</li><li>3. Calling a special meeting to address the matter is either not practical or not appropriate under the circumstances.</li><li>4. The Director reports at the next regularly scheduled Commission meeting as part of the Director’s Report any position taken pursuant to this policy.</li></ol>
<b>Effective Date:</b>	February 25, 2022

## 14. Ordinance Amendment

<b>Purpose/ Background:</b>	The Board of Supervisors authorized ordinance amendments for First 5 Butte County Children and Families Commission pursuant to Section 130140(a)(1) of the California Health and Safety Code. The purpose of this policy is to establish policies and procedures for Amendments to Commission Ordinance.
<b>Policy:</b>	The Ordinance may be amended from time to time as deemed necessary and appropriate by the board in accordance with the act.
<b>Procedure:</b>	<p>The Director may bring to the Commission’s attention the need to revise the ordinance, or the Commission may express the desire to do so.</p> <p>The Commission will discuss and approve any amendments to the ordinance during a regularly scheduled meeting(s). Staff will route the proposed revisions to County Counsel for review. After finalizing any changes, staff will submit the redrafted ordinance to the Board of Supervisors for review and adoption. The changes will take effect thirty (30) days after adoption. The Clerk will send the updated ordinance to the Commission once the process is complete.</p>
<b>Effective Date:</b>	February 25, 2022



## II. Compliance

<b>1. Brown Act</b>	
<b>Purpose/ Background:</b>	The Board of Supervisors authorized other functions for First 5 Butte County Children and Families Commission pursuant to Section 130140 of the California Health and Safety Code. The purpose of this policy is to adopt the Brown Act as a guiding document for the Commission.
<b>Policy:</b>	The Commission will utilize the following procedures to ensure that Brown Act regulations and policies are enacted.
<b>Procedure:</b>	<p><u>Commission Meetings</u></p> <p>At least 72 hours prior to a regular meeting, the body must post an agenda containing a brief general description of each item to be discussed or transacted at the meeting, including items to be discussed in closed session. (§ 54954.2(a).)</p> <p>Special meetings may be called at any time but notice must be received at least 24 hours prior to the meeting by all members of the body and by all media outlets that have requested notice in writing.</p> <p>Emergency meetings, which are extraordinarily rare, may be called upon one-hour notice to media outlets that have requested notice in writing.</p> <p>Every agenda for a regular meeting shall provide an opportunity for members of the public to directly address the legislative body on any item under the subject matter. The public must be given the opportunity to comment before or during the legislative body’s consideration of the item. (§ 54954.3(a).)</p> <p>Where a member of the public raises an issue which has not yet come before the legislative body, the item may be briefly discussed but no action may be taken at that meeting. (§ 54954.3(a).)</p> <p>Notice of a special meeting must be provided 24 hours in advance of the meeting to all of the legislative body members and to all media outlets who have requested notification. (§ 54956; 53 Ops.Cal.Atty.Gen. 245, 246 (1970).) The notice also must be posted at least 24 hours prior to the meeting in a location freely accessible to the public. The notice should indicate that the meeting is being called as a special meeting, and shall state the time, place, and business to be transacted at the meeting.</p> <p>There are three types of “notice” obligations that accompany the conduct of a closed-session as a part of a duly noticed meeting.</p>

	<ul style="list-style-type: none"> <li>• Each item to be transacted or discussed in a closed session must be briefly described on an agenda for the meeting. (§ 54954.2(a).)</li> <li>• Prior to adjourning into closed session, a representative of the legislative body must orally announce the items to be discussed in closed session. (§ 54957.7(a).) This requirement may be satisfied by merely referring to the relevant portion of the written agenda for the meeting.</li> <li>• Once the closed session has been completed, the agency must reconvene in open session, where it may be required to report votes and actions taken in closed session.</li> </ul> <p>The body may discuss an item which was not previously placed upon an agenda at a regular meeting, when the body determines that there is a need for immediate action which cannot reasonably wait for the next regularly scheduled meeting. (§ 54954.2(b)(2).) However, the Act specifies that in order to take advantage of this agenda exception, the need for immediate action must have come to the attention of the local “agency” after the agenda had already been posted. (§ 54954.2(b)(2).) The determination that a need for immediate action exists must be made by two-thirds of the members present or, if two-thirds of the body is not present, by a unanimous vote of those remaining. (§ 54954.2(b)(2).)</p> <p>Meetings will be held within the district boundaries, as defined by the county, accessible to the disabled, and video teleconferencing available (72-hour notice), and at no charge. Introductions and sign in will be on a voluntary basis. Photos, video or audio taping allowed with notice.</p>
<p><b>Effective Date:</b></p>	<p>February 25, 2022</p>

## 2. Public Hearings: Commission Annual Audit and Report

<b>Purpose/ Background:</b>	The Board of Supervisors authorized public hearings for First 5 Butte County Children and Families Commission pursuant to Section 130140(d)(2) of the California Health and Safety Code. The purpose of this policy is to establish a public hearing process for the Commission’s annual audit and report.
<b>Policy:</b>	The Commission shall prepare and adopt an audit and report and conduct, prior to November, annually, at least one public hearing prior to adopting any annual audit and report.
<b>Procedure:</b>	<p>The Commission is required to review the annual audit and report in public hearing. This public review is an opportunity to inform the public at large, as well as those individuals and agencies with the most interest, of the investment of Prop 10 funds in a given fiscal year. The procedure includes:</p> <ul style="list-style-type: none"><li>• Annual Audit reviewed in public hearing annually and submitted to the State Controller and State Commission by November 1<sup>st</sup>; and</li><li>• Annual Report reviewed in public hearing annually and submitted to the State Controller and State Commission by November 1<sup>st</sup>.</li></ul>
<b>Effective Date:</b>	February 25, 2022

### 3. Public Hearing: State Commission Annual Report

<b>Purpose/ Background:</b>	The Board of Supervisors authorized public hearings for First 5 Butte County Children and Families Commission pursuant to Section 130140(d)(2) of the California Health and Safety Code. The purpose of this policy is to establish a public hearing process for the State Commission’s annual report.
<b>Policy:</b>	The Commission shall conduct at least one public hearing each year on the Annual Report prepared by the State Commission.
<b>Procedure:</b>	This public review is an opportunity to inform the public at large, as well as those individuals and agencies with the most interest, of the investment of Prop 10 funds in a given fiscal year. The Commission will review the State Commission Annual Report in a public hearing annually.
<b>Effective Date:</b>	February 25, 2022

## 4. Conflicts of Interest

<b>Purpose/ Background:</b>	<p>The Board of Supervisors authorized this conflicts of interest code for First 5 Butte County Children and Families Commission pursuant to Section 130140(d)(4)(A) of the California Health and Safety Code. The purpose is to establish a conflicts of interest policy for the Commission.</p> <p>It is the intent of this policy to meet the requirements of California Health and Safety Code sections 130140(d)(4)(A), consistent with the following sections of the California Government Code:</p> <ul style="list-style-type: none"><li>• Government Code section 1090, et seq. (Prohibitions Applicable to Specified Officers);</li><li>• Government Code section 1125, et seq. (Incompatible Activities); and</li><li>• Government Code section 87100, et seq. (Conflict of Interest)</li></ul>
<b>Policy:</b>	<p>The Commission intends that all commissioners and Commission staff shall uphold the highest ethical standards so that public confidence and trust in the integrity and objectivity of the Commission is preserved.</p> <p>The Conflict of Interest Policy shall be interpreted consistent with California Fair Political Practices Commission Regulation 18730. It is the policy of the Commission to guard against impropriety and even the appearance of impropriety by prescribing the following standards.</p>
<b>Procedure:</b>	<p>A. No Commissioner or staff person may make, participate in making, or use their position to influence a decision that affects their economic interests, unless required to do so by law or utilizing an applicable exception. Commissioners are expected to voluntarily recuse themselves from any funding decision in which they or their family members have an economic interest. A staff person is not construed as participating in making, or influencing a decision if the staff person is acting in a solely ministerial, secretarial, or clerical capacity.</p> <p>B. A Commissioner or staff person has an unlawful economic interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official or a member of their immediate family, or on any of the following:</p> <ol style="list-style-type: none"><li>a) Any business entity in which the public official has a direct or indirect investment worth two thousand dollars (\$2,000) or more;</li><li>b) Any real property in which the public official has a direct or indirect interest worth two thousand dollars (\$2,000) or more;</li><li>c) Any source of income, except gifts or loans by a commercial lending institution made in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided or promised to, received by, the public official within 12 months prior to the time when the decision</li></ol>

is made;

- d) Any business entity in which the public official is a director, officer, partner, trustee, employee, or holds any position of management;
- e) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating two hundred fifty dollars (\$250) or more in value provided to, received by, or promised to the public official within 12 months prior to the time when the decision is made.

This section shall be interpreted consistently with Government Code section 87103.

- C. A Commissioner or staff person may determine whether an unlawful economic or financial interest exists by asking themselves the following questions:
  - a) Will the decision affect your personal expenses, income, assets or liabilities, or those of your immediate family? (*Personal Financial Effect*)
  - b) Will the decision affect any business in which you, your spouse, your dependent children, or anyone acting on your behalf has an investment of \$1,000 or more? (*Business Investment*)
  - c) Will the decision affect any business entity for which you are a director, officer, partner, trustee, employee, or hold any position of management? (*Business Employment or Management*)
  - d) Will the decision affect any real property (including mortgages, options or leases) in which you, your spouse, your dependent children or anyone acting on your behalf has an interest of \$1,000 or more, or any property within 2,500 feet of your property? (*Real Property*)
  - e) Will the decision affect any person or business that has paid (or has promised) you \$250 or more, or that has paid your spouse more than \$500 (including payments of salary, rent, interest, some loans, payments for sale of a house, car or investment, or other types of income) in the last 12 months? (*Sources of Income*)
  - f) Will the decision affect any business or person that gave you gifts that total \$300 or more within the last 12 months? (*Gifts*)

If the answer is “yes” to any of these questions, an economic interest exists which may prohibit the Commissioner or staff person from participating in or using their position to influence a related decision or prevent the Commission from taking action.

- D. After determining whether or not a conflict exists, the Commissioner or staff person may consider whether or not recusal may be appropriate. Under such circumstances, a Commissioner or staff person may recuse themselves if prior to taking action or participating in any decision a Commissioner or staff person with a conflict of interest the Commissioner or staff person does the following:

	<ul style="list-style-type: none"> <li>a) Publicly identify the financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public;</li> <li>b) Recuse themselves from discussing, voting, and or otherwise participating in the matter; and</li> <li>c) Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the consent agenda. Should the Commission require clarifying information regarding a funding request, the recused Commissioner may return to the room to address specifics.</li> </ul> <p>E. Pursuant to this policy, and pursuant to Ethics Policy 8.65.110.1, Commissioners and staff are required to file the original Statement of Economic Interests Form (also known as Form 700). This form provides necessary information to the public to ensure that Commissioners and staff are making decisions in the best interest of the public and not enhancing their personal finances. This form must be filed with the Clerk of the Board within 30 days of assuming office, annually thereafter by April 1, and within 30 days of leaving office as required by regulation.</p> <p>F. Any person who resigns from a position enumerated in Subsection (E) within 12 months of initial appointment, or within 30 days of notice to file an assuming office statement provided by the filing officer, whichever is earlier, is not considered to have "assumed" or "left" office, as those terms are used in Government Code section 87302, provided that the person did not make, participate in, or influence any decision by the First 5 Butte County Commission to render a payment to the person for appointment to the position. Upon resignation, the person shall:</p> <ul style="list-style-type: none"> <li>a) File a written resignation with the First 5 Butte County Commission.</li> <li>b) File a written statement with the filing officer on a form prescribed by Fair Political Practices Commission and signed under the penalty of perjury stating that the individual, during the period between appointment and resignation, did not make, participate in the making, or use the position to influence any decision of the First 5 Butte County Commission to receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.</li> </ul>
<p><b>Effective Date:</b></p>	<p>February 25, 2022</p>

## 5. Ethics Policy

<b>Purpose/ Background:</b>	<p>The Board of Supervisors authorized an ethics policy for First 5 Butte County Children and Families Commission pursuant to Section 130140(d)(4) of the California Health and Safety Code and the Political Reform Act Gov't Code 87300. The purpose is to establish an ethics policy for the Commission.</p> <p>The composition of First 5 commissions means that, from time to time, commission members may be from agencies that seek or receive First 5 funding. The goal of this policy is to promote public confidence and trust in the decision-making processes of the Commission. Such public confidence and trust is a function of a number of factors:</p> <ol style="list-style-type: none"><li>1. Decision-makers' experience, knowledge and competence;</li><li>2. Their commitment to putting the interests of children under five before any personal or organizational interests;</li><li>3. Transparent and inclusive decision-making processes; and</li><li>4. Accountability mechanisms that assure the public that worthy public purposes are being achieved as the result of the expenditure of public resources on Proposition 10 programs.</li></ol> <p>There are a number of state and federal laws that are designed to promote public trust and confidence in local agency decisions, including those made by the Commission. These laws create minimum standards for public agency decision-makers that are important to satisfy. A key goal of this policy is to set the requirements of the Children and Families Commission of Butte County higher than the requirements of the law.</p>
<b>Policy:</b>	<p>The Commission's Additional Practices to Protect Public Trust and Confidence</p> <p>The Commission believes that public trust and confidence in Commission decisions and actions is vital to the accomplishment of the Commission's mission. Accordingly, the Commission will engage in the following practices to promote the public's trust and confidence in the Commission's activities.</p>
<b>Procedure:</b>	<ol style="list-style-type: none"><li>1. Recruitment and Appointment Process</li></ol> <p><i>Broad-based Recruitment.</i> The Commission will recruit potential candidates from a broad cross section of the community. It will publicize openings on the Commission broadly (including through County and Commission websites, as well as through outreach to the philanthropic, faith-based and nonprofit communities) and</p>



encourage applications to serve. The Commission will take advantage of ethnic and community-specific media in its outreach efforts.

*Advance Notice to Potential Appointees.* Working with the County, the Commission will alert people being considered for appointment to the Commission of the need, as applicable, to 1) timely and accurately file state-required personal financial interest disclosure forms (Form 700s), 2) timely comply with the Commission's ethics training requirements, and 3) step aside from any decision-making process that could benefit organizations with which they are affiliated.

## 2. After Appointment

*Public Information about Decision-makers.* The Commission will publicly disclose (including on its website) who serves on the Commission, the qualifications they bring to their service (including their organizational affiliations), and the process by which they are appointed.

*Orientation Materials.* The Commission will provide appointees to the Commission with the local Commission's policies and practices relating to avoiding even the appearance of conflicts of interest and other information relating to public service ethics as part of the appointee's orientation process/packet.

*Financial Interest Disclosure.* New Commission members must file Form 700 with the Clerk of the Board within 30 days of assuming office, annually thereafter by April 1, and within 30 days of leaving office as required by regulation.

*Ongoing Disclosure of Appointee Affiliations.* Appointees to the Commission must update their affiliations disclosure as their affiliations change.

## 3. Ethics Training

*Tailored Ethics Training.* The Commission will provide Commissioners ethics training that meets the specific information needs and legal obligations of Proposition 10 decision-makers.

*Timing for Ethics Training.* Commissioners will receive such training within one year of becoming a Proposition 10 decision-maker and then every two years thereafter.

*Staff Training.* Commission executive staff must also participate in this training.

*Documentation.* The Commission will maintain certificates of compliance with ethics training requirements as public records available for inspection.

#### 4. When Making Funding Decisions

*Broad-based Public Input Sought.* The Commission will use and document use of inclusive processes to seek broadly-based community input on strategic plan updates, including funding priorities, in addition to the public hearing required by law.

*Publicity for Funding Opportunities.* The Commission will widely publicize the opportunity to compete for contracts and grants (through website, mailings and other outreach mechanisms), allowing a reasonable timeframe for interested organizations to respond. To achieve this widespread publicity, the Commission will develop and maintain an up-to-date distribution list of potential partners (either for programs or help with getting the message out), that includes community leaders, service and advocacy organizations, community/neighborhood and ethnic media, local community foundations and other philanthropic organizations, and area clergy.

*Anti-Nepotism Policies.* If a decision-maker's family member (including parent, grandparent, child, sibling, relation by marriage or civil union, aunt, uncle or cousin) works for an organization being considered for funding, that decision-maker is prohibited from participating in or influencing the decision on whether that organization receives funding. "Influencing" includes not only voting on a matter, but discussing it with staff or other decision-makers.

#### 5. At Each Meeting (When Making Decisions about Funding)

*Alerting Decision-Makers to Potential Conflict Issues.* The Commission will include "Announcement of Recusals" on every Commission agenda explaining the circumstances under which decision-makers need to step aside from the decision-making process.

*Leave the Room Requirement.* Anyone who is disqualified from participating in a decision because of a conflict of interest must leave the room when that agenda item is called. Should the Commission require clarifying information regarding a funding request, the recused Commissioner may return to the room to address specifics.

*Public Notice and Comment Opportunities.* The Commission will maximize the public's knowledge and opportunity to comment on proposed funding decisions by posting them 72 hours in advance, including any proposed decision and findings relating to not using a competitive process for awarding grants/contracts.

**Effective  
Date:**

February 25, 2022

### III. Contracting and Procurement

<b>1. Decision Making Guidelines</b>	
<b>Purpose/ Background:</b>	The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130140(4)(B) of the California Health and Safety Code. The purpose of this policy is to ensure consistency in Commission decisions.
<b>Policy:</b>	The Commission will consider its vision, mission, guiding principles, priority areas and roles to ensure consistency when making decisions.
<b>Procedure:</b>	<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"> <li>• <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.</li> <li>• <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.</li> <li>• <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.</li> <li>• <u>Inclusivity</u>: Cultivating a professional culture in which everyone feels valued, respected, and empowered.</li> <li>• <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.</li> <li>• <u>Balanced decision-making</u>: Weighing empirical data with local feedback and needs in making decisions, and allowing for flexibility and innovation in responding.</li> </ul>

	<p><u>Priority Areas:</u></p> <ul style="list-style-type: none"> <li>• Health and Development</li> <li>• Strong Families</li> <li>• High-quality Learning</li> <li>• Sustainability &amp; Systems Change</li> </ul> <p>In addressing these priority areas, the Commission will play the following roles:</p> <ul style="list-style-type: none"> <li>• Use Results-Based Accountability to engage with partners and community to improve outcomes for children and families;</li> <li>• Allocate funding to support integrated, collaborative and best-practice services and systems;</li> <li>• Provide information and education to various audiences to inform them of the needs and concerns of children 0-5 and their families;</li> <li>• 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;</li> <li>• Act as a network to expand partnerships;</li> <li>• Actively bring together and engage families, providers, communities and other stakeholders to promote the well-being of Butte County families and children.</li> </ul>
<p><b>Effective Date:</b></p>	<p>February 25, 2022</p>

## 2. Contracting Authority

<b>Purpose/ Background:</b>	<p>The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130140(4)(B) 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>
<b>Policy:</b>	<p>It is the policy of First 5 Butte County Children and Families Commission that the Commission has sole authority to approve contracts.</p>
<b>Procedures:</b>	<p>The following procedures shall be utilized to ensure adherence to the policy:</p> <ul style="list-style-type: none"><li>• 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.</li><li>• 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.</li><li>• 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.</li><li>• 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.</li><li>• 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 BCPH for quarterly operating expenditures.</li></ul>

	<ul style="list-style-type: none"> <li>• For contracts in amounts equaling or exceeding \$25,000, Commission approval is required unless the Commission specifically delegates such authority to the Chair.</li> <li>• 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.</li> <li>• 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"> <li>— When such item or items are immediately necessary for the preservation of life or property; or,</li> <li>— 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.</li> </ul> </li> <li>• 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.</li> </ul>
<p><b>Effective Date:</b></p>	<p>February 25, 2022</p>

### 3. Signatory Authority

<b>Purpose/ Background:</b>	The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130140.1(2)(A) of the California Health and Safety Code. The purpose of this policy is to authorize the Director to approve administrative expenditures on behalf of the Commission.
<b>Policy:</b>	<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.</p>
<b>Procedures:</b>	<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>
<b>Effective Date:</b>	February 25, 2022



## 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 130140.1(2)(B) 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><b>Policy:</b></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><b>Procedures:</b></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"> <li>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.</li> <li>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.</li> <li>3. If State or Federal law mandates the procurement of services in a certain manner, then the law will govern the acquisition.</li> <li>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</li> </ol>

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. The Commission may enter into agreement through a Memorandum of Understanding (MOU) or a formal contract, depending on the situation:
  - If the request is for direct payment or reimbursement without additional provision of services, and if the amount requested falls under \$25,000, the requestor may enter into an MOU and be asked to provide basic data about how the funds were used.
  - If the request includes the provision of services and funding of personnel, the requestor will enter into a contract with the Commission. It will be

	<p>required to adhere to a scope of work and provide periodic reporting about service provision and outcomes.</p> <p>11. 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.).</p> <ul style="list-style-type: none"> <li>• Indirect costs on contracts may not exceed 15% of an awardee’s total operating budget, and may be reduced or disallowed at the Commission’s discretion. Applicants should review the terms and conditions of the specific funding for which they’re requesting.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p>12. Contracts shall link the performance of vendors and contractors to the goals and objectives of the Strategic Plan.</p> <p>13. All funding is performance-based and requires agreed upon procedures for monitoring and evaluation.</p> <p>14. 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> <p>15. Digital signatures shall be used in lieu of original signatures whenever possible. To facilitate legally binding digital signature, the Commission shall utilize DocuSign or other software that meets the identity certification, and document preservation and retention requirements in accordance with Commission policy and compliance with California state law.</p>
<p><b>Effective Date:</b></p>	<p>April 29, 2022</p>

## Summary of Contracting and Procurement Policy\*

Process	No Solicitation	Informal Solicitation	Formal Solicitation	Noncompetitive
<b>Dollar amount</b>	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.
<b>Signatory authority</b>	Director	Chair	Chair, following Commission approval	Chair, following Commission approval
	Must fall under approved line item within adopted budget or Director's transfer of fund authority (\$10,000); otherwise, Commission must approve			
<b>Funding Examples</b>	Purchase of technology hardware (non-contract)  Mini-grant for materials and supplies (MOU)	Procurement of training and technical assistance 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

<b>Purpose/ Background:</b>	<p>The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130140.1(2)(B) 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>
<b>Policy:</b>	<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>
<b>Procedure:</b>	<p>Individuals, agencies or organizations wishing to submit a request for grant funding should utilize the Commission’s on-line “Apply for Funding” portal, which will contain application templates for:</p> <ol style="list-style-type: none"><li data-bbox="428 961 1536 1192">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.</li><li data-bbox="428 1234 1536 1705">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 data-bbox="483 1474 1536 1705" style="list-style-type: none"><li>• Prioritize the highest need children in Butte County</li><li>• Address the impact of local disasters on vulnerable families with young children</li><li>• Build and support long-term sustainable impact</li><li>• Positively move an indicator identified in the Strategic Plan</li><li>• Elevate the Commission as a systems partner</li></ul></li></ol> <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 Executive 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>
<b>Effective Date:</b>	February 25, 2022

## 6. Emergency Response and Recovery Fund

<b>Purpose/ Background:</b>	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.
<b>Policy:</b>	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.
<b>Procedures:</b>	<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"><li>• Food, supplies, and shelter</li><li>• Transportation</li><li>• Healthcare</li><li>• Mental health services</li><li>• Access to quality childcare</li><li>• Access to essential supportive family services that provide a safety net, promote opportunities for supportive nurturing relationships and prevent child maltreatment</li></ul> <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 Executive 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>



Requests will be accepted only from 501(c)(3), government, and private organizations.

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 25, 2022

## 7. Supplantation

<b>Purpose/ Background:</b>	<p>The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130140(4)(B) of the California Health and Safety Code. The purpose of this policy is to establish supplantation definitions for the Commission.</p> <p>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:</p> <ol style="list-style-type: none"><li>1. Existing: A service that is established or operational at the time the Commission acts on the Request for Funding.</li><li>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)</li><li>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).</li><li>4. Level of Service: Quality and quantity of services</li><li>5. Supplant: To take the place of</li><li>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.</li></ol>
<b>Policy:</b>	<p>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.</p> <p>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.</p>
<b>Procedure:</b>	<p>Prior to awarding grant funding, the following elements will be reviewed to ensure compliance with the Supplantation policy:</p> <p>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>

	<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>
<b>Effective Date:</b>	February 25, 2022

## 8. Protest of RFP, RF or RFQ Denials

<b>Purpose/ Background:</b>	<p>The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130140(4)(B) 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>
<b>Policy:</b>	<p>The 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>
<b>Procedure:</b>	<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.
<b>Effective Date:</b>	February 25, 2022

## 9. Grant Lapse

<b>Purpose/ Background:</b>	The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130140(4)(B) of the California Health and Safety Code. The purpose of this policy is to establish procedures for the Commission regarding grant lapses.
<b>Policy:</b>	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.
<b>Procedure:</b>	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.
<b>Effective Date:</b>	February 25, 2022

## IV. 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, the 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 the 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.

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.

**Policy:**

It is the policy of the 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><b><u>Confidentiality and Ownership.</u></b> <i>The Commission retains the exclusive right of ownership to the work, products, inventions and confidential information produced for the Commission by the Contractor, and the Contractor shall not disclose any information, whether developed by the Contractor or given to the Contractor by the Commission. The parties agree that the Commission will own the work, products, inventions or information produced by the Contractor pursuant to this contract.</i></p>
<b>Effective Date:</b>	February 25, 2022

## 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:

The 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.
<b>Effective Date:</b>	February 25, 2022

### 3. Food and Beverage Policy

<b>Purpose/ Background:</b>	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.
<b>Policy:</b>	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 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.
<b>Procedure:</b>	<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"><li>• During program services and trainings when it is essential to the content of the service or training;</li><li>• 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);</li><li>• 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.)</li></ul> <p>In general, food purchased with Commission funds should:</p> <ul style="list-style-type: none"><li>• Provide variety, nutritional benefits and choice.</li><li>• Have moderate or reduced levels of fat, saturated fat, cholesterol, sodium or sugar. High levels of dietary fiber are preferred.</li></ul> <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 Commission funded meetings, programs, activities, events, and celebrations should meet the following guidelines:</p> <ul style="list-style-type: none"><li>• Water will always be provided free of charge. Whenever possible, water will be served in pitchers rather than plastic bottles to reduce environmental impact.</li><li>• Flavored or unflavored carbonated water with no sweeteners may be served.</li><li>• Sugar sweetened beverages, 100% fruit juice, or diet drinks will not be served.</li></ul>

	<ul style="list-style-type: none"><li>• Whole fruit slices may be considered in place of juice.</li><li>• Coffee and tea may be served to adults.</li></ul> <p>All collaborators, contractors and grantees using Commission funding will be required to follow our Food and Beverage Policy for all events and activities where Commission funding is utilized.</p>
<b>Effective Date:</b>	February 25, 2022

#### 4. Tobacco-Free Environment<sup>1</sup>

<b>Purpose/ Background:</b>	<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>
<b>Policy:</b>	<p>All Commission Contractors shall agree to the following:</p> <ul style="list-style-type: none"><li>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.</li><li>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).</li><li>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.</li><li>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)</li><li>E. Contractor agrees to have tobacco education and cessation materials visibly available and accessible to staff and clients participating in agency activities.</li></ul>
<b>Effective Date:</b>	February 25, 2022

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

## 5. Contractor Site Visits

<b>Purpose/ Background:</b>	The Board of Supervisors authorized policies and procedures 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 provide guidance to contractors for site visits.
<b>Policy:</b>	Site visits will be performed at least twice per year. Commission staff will review information regarding program activities, content, effectiveness, and fiscal processes.
<b>Procedures:</b>	<p>Site Visit Procedures are as follows:</p> <ol style="list-style-type: none"><li>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"><li>• Announcements about training sessions, workshops, seminars</li><li>• Sign in sheets</li><li>• Surveys</li><li>• Reports and data</li><li>• Summaries of clients served</li></ul></li><li>2. 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.</li><li>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.</li></ol>
<b>Effective Date:</b>	February 25, 2022



## 6. Corrective Action

<b>Purpose/ Background:</b>	<p>The Board of Supervisors authorized policies and procedures 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 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>
<b>Policy:</b>	<p>Contractors significantly deviating from planned performance shall be required to develop and implement corrective actions.</p>
<b>Procedures:</b>	<p>Corrective Action Procedures are as follows:</p> <ol style="list-style-type: none"><li>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"><li>• Significant audit or monitoring findings</li><li>• Inferior quality of services</li><li>• Failure to perform all or part of the contract or scope of work</li><li>• Late performance</li><li>• Late submission of reports or invoices on a recurring basis</li><li>• Inadequate, unclear, or excessive billing</li><li>• Failure to adequately meet contractual obligations</li></ul></li><li>2. When an item or issue is noted that needs correction, Commission staff is to:<ul style="list-style-type: none"><li>• Notify the Contractor both verbally and in writing that a problem has been identified.</li><li>• Clearly identify the problem verbally and in writing using dates, number of occurrences, or other data that quantifies the problem.</li><li>• Ask the Contractor to advise how the problem will be corrected.</li><li>• 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.</li><li>• Document conversations with the Contractor by way of a memo to the contract file.</li></ul></li></ol>

	<ol style="list-style-type: none"> <li>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 Executive Committee informed of progress on the corrective action. If necessary, the Executive Committee may convene to discuss a range of follow-up steps up to and including scheduling the matter for consideration at a Commission meeting.</li> <li>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.</li> <li>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.</li> </ol>
<p><b>Effective Date:</b></p>	<p>February 25, 2022</p>

## 7. Contract Payments

<b>Purpose/ Background:</b>	The Board of Supervisors authorized policies and procedures 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 enable the Commission to distribute grant funding in a timely and effective manner.
<b>Policy:</b>	<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 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> <ul style="list-style-type: none"><li>• Indirect costs on contracts may not exceed 15% of an awardee’s total operating budget, and may be reduced or disallowed at the Commission’s discretion.</li><li>• 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.</li><li>• 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.</li></ul>
<b>Effective Date:</b>	February 25, 2022

## 8. Budget Revision

<b>Purpose/ Background:</b>	The Board of Supervisors authorized policies and procedures 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 provide guidance to Commission staff, Commissioners, and grantees related to contract budget revision requests, when no additional funding is requested.
<b>Policy:</b>	<p>The Commission shall require approval by the Director of any budget line item that varies more than 15 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>
<b>Procedure:</b>	<p>To request a budget revision greater than 15 percent for any line item in an approved budget, grantees must:</p> <ol style="list-style-type: none"><li>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.</li><li>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.</li><li>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.</li><li>4. If denied, Commission staff shall notify the contractor of the Director's decision and the reasons for the decision.</li><li>5. A grantee may contact the Director to request that a Budget Revision Request that has been denied be reviewed by the Executive 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.</li><li>6. The grantee requesting the Budget Revision to be reviewed by the Executive Committee must be present at the Committee meeting where their request will be reviewed.</li></ol>

	7. The Committee’s decision to approve or deny a Budget Revision Request shall be final.
<b>Effective Date:</b>	February 25, 2022

## V. Fiscal Management

<b>1. Fiscal Management</b>	
<p><b>Purpose/ Background:</b></p>	<p>The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission. The purpose of this policy is to establish fiscal management procedures for the Commission.</p> <p>The Commission has exclusive control over its budget and expenditures as described in Health and Safety Code Section 130140.1(a)(2). The Commission allocates revenues consistent with its strategic plan, and in accordance with Commission approved policies and by-laws. Funds are received by the Butte County Treasurer and held in trust.</p>
<p><b>Policy:</b></p>	<p>The Commission contracts for staffing and administrative support services with the Butte County Department of Public Health (BCPH). Through this contract, the Commission is subject to the policies and procedures governing BCPH to the extent that they apply to Commission activities and do not conflict with California Health and Safety Code section 130100 et seq.</p> <p>All contracting, investments, fiscal planning, budgeting, accounting and reporting practices, internal controls, administrative costs and risk management will be conducted by the Commission in accordance with the policies, procedures and best practices identified in the First 5 Association of California Financial Management Guide.</p>
<p><b>Procedures:</b></p>	<p>The Commission Chair shall monitor and provide approval for staffing and administrative services on a quarterly basis to ensure that these functions are conducted according to the terms of the agreement with BCPH.</p> <p>Commission staff shall conduct the business of the Commission according to the policies and procedures established in its policy manual.</p> <p>The Director shall monitor the business operations of the Commission and shall provide regular reports to the Commission and the Executive Committee demonstrating that Commission business is conducted in compliance with policies.</p> <p>A comprehensive accounting process will be maintained to provide complete and timely financial information necessary to effectively operate the Commission.</p> <p>A. Accounting procedures will be documented to guide employees in their tasks, to assure consistency in the Commission’s accounting practices, and to assist during employee turnover.</p>

	<p>B. The Commission will meet the financial reporting standards established by the Governmental Accounting Standards Board (GASB).</p> <p>An annual audit will be performed by an independent certified public accountant in accordance with the requirements of California law and First 5 California.</p> <p>A review of the Commission’s business practices and their alignment with the Commission’s fiscal management and contracting policies and procedures will be included in the Commission’s annual audit conducted by an independent certified public accountant.</p>
<p><b>Effective Date:</b></p>	<p>February 25, 2022</p>

## 2. Administrative Costs Limit

<b>Purpose/ Background:</b>	<p>The Board of Supervisors authorized administrative costs limits for First 5 Butte County Children and Families Commission pursuant to Assembly Bill 109, Chapter 284, Statutes of 2005. The purpose of this policy is to establish an administrative costs limit for the Commission.</p> <p>The Commission defines costs in three categories: administrative, program, and evaluation. These definitions are pursuant to the guidelines issued by the First 5 California Children and Families Commission.</p> <ul style="list-style-type: none"><li>• <u>Administrative Costs</u>: Costs incurred in support of the general management and administration of a county commission, for a common or joint purpose that benefits more than one cost objective (other than evaluation activities), and /or those costs not readily assignable to a specifically benefited cost objective.</li><li>• <u>Program Costs</u>: Costs incurred that are readily assignable to a program, grantee, contractor, or service provider (other than evaluation activities) and/or in the execution of direct service provision.</li><li>• <u>Evaluation Costs</u>: Costs incurred in the evaluation of funded programs based upon their accountability framework and data collection and evaluation for required reporting to state and local stakeholders.</li></ul>
<b>Policy:</b>	<p>The Administrative Costs Limits Policy establishes the Commission’s upper limit on administrative costs at 12% of the Commission’s annual operating budget, based on an analysis of its administrative spending needs and best practices in government finance. The Commission shall adhere to the administrative, program and evaluation definitions in its budgeting, accounting, and financial reporting processes.</p>
<b>Procedures:</b>	<p>The Commission shall conduct a periodic review of the validity of the approved definition and percentage (based on changes in state law, regulation, county government requirements, and other relevant factors) and requires Commission staff to report on administrative costs at least semi-annually and as part of the Commission’s annual financial report.</p>
<b>Effective Date:</b>	February 25, 2022



When defining cost elements, we should consider if they are: **justifiable, reasonable and auditable**

<b>Cost Category Delineation</b> <b>(Developed using GFOA guidelines and First 5 Management Guide)</b>		
<b>Administrative Cost:</b> <i>Costs incurred in support of the general management and administration of a county commission, for a common or joint purpose that benefits more than one cost objective (other than evaluation activities), and /or those costs not readily assignable to a specifically benefited cost objective.</i>	<b>Program Cost:</b> <i>Costs incurred that are readily assignable to a program, grantee, contractor, or service provider (other than evaluation activities) and/or in the execution of direct service provision.</i>	<b>Evaluation Cost:</b> <i>Costs incurred in the evaluation of funded programs based upon their accountability framework and data collection and evaluation for required reporting to state and local stakeholders.</i>
General accounting/financial reporting	Direct Services	Program evaluation
Financial planning	Program outreach and education	Evaluation technical assistance/training
Commission/Association meetings and travel	Program planning	Evaluation database management
Expense processing, bookkeeping, etc.	Program Grants and Contracts, including Scope of Work development	Community Annual Report
Indirect expense charged by BCPH (see MOU)	Monitoring contract compliance	First 5 CA Annual Reporting activities
Legal services/Consulting	Program/Provider technical assistance and support	Any portion of a contractor's scope of work for the Commission that relates to the categories above
Audit	Program database management	
Strategic Planning	Any portion of a contractor's scope of work for the Commission that relates to the categories above	
Procurement		
Rent, Maintenance, Janitorial*		
Utilities*		
Insurance		
Any portion of a contractor's scope of work for the Commission that relates to the categories above		
*These costs are spread across administrative, program and evaluation areas when calculating the administrative cost ratio		

### 3. Grant Funding Opportunities

<b>Purpose/ Background:</b>	<p>The Board of Supervisors authorized policies and procedures for First 5 Butte County Children and Families Commission pursuant to Section 130140.1 of the California Health and Safety Code. The purpose of this policy is to provide Commission staff with direction related to applying for grants and writing letters of intent on behalf of First 5 Butte County Commission.</p> <p>First 5 Butte County acknowledges that its primary source of income from Proposition 10, California Children and Families Act of 1998, continues to decrease, and has adopted a Sustainability Resolution.</p>
<b>Policy:</b>	<p>The Commission resolves to seek financial opportunities that promote long-term sustainability in support of the organization’s mission and vision.</p> <p>The Commission will encourage participation and partnerships in leveraging/ matching state, federal, and private foundation sources in applying for grants.</p> <p>This policy applies to funding opportunities outside of Prop 10 allocated revenues.</p>
<b>Procedure:</b>	<p><u>Applying for Grant Funding</u></p> <p>The Director is authorized to accept funding in amounts up to but excluding \$25,000. Funding opportunities in amounts \$25,000 or higher must go to the Commission or the Executive Committee for approval.</p> <p>Upon notification of a grant application opportunity or request to submit a letter of intent for an amount \$25,000 or higher, the Director will seek the Commission’s approval at its next regularly scheduled meeting.</p> <p>When time is of the essence, the Director may call a special meeting of the Executive Committee to discuss the grant application potential or ability to submit a letter of intent to apply for funding.</p> <p>When the Commission is awarded the grant, the Director has the authority to sign the contract accepting the funds.</p> <p>If the grant award requires subcontracting, the Contracting and Procurement policy and procedures will apply.</p>
<b>Effective Date:</b>	February 25, 2022

#### 4. Budget Development

<b>Purpose/ Background:</b>	<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 for developing the Commission’s annual budget.</p> <p>The Commission has exclusive control over its budget and expenditures as described in Health and Safety Code Section 130140.1(a)(2). The Commission allocates revenues consistent with its strategic plan, and in accordance with Commission approved policies and by-laws. Funds are received by the Butte County Treasurer and held in trust.</p>
<b>Policy:</b>	<p>The Commission shall establish its next fiscal year’s operational budget by the end of June. Commission staff will send the approved budget to the county auditor before the start of the new fiscal year on July 1. Staff also will send the approved budget to the Board of Supervisors for information.</p> <p>The Commission will work collaboratively with the Butte County Department of Public Health (BCPH), prior to the start of each fiscal year, to develop the expenditure budget for the support services that BCPH provides to the Commission.</p>
<b>Procedure:</b>	<p>In February of each year, the Commission will review the Strategic Plan and the Long Term Financial Plan, as well as the support services budget proposed by BCPH, and provide guidance to staff on funding priorities for the coming fiscal year.</p> <p>Based on this guidance, Commission staff shall develop budget recommendations for the incoming fiscal year and assign budget amounts based on Commission priorities, current and projected Prop 10 distributions, and the current financial condition of the Commission.</p> <p>At the April Commission meeting, staff will present the draft budget and conduct a budget workshop.</p> <p>The Commission will approve the final budget and any updates to the Strategic Plan at its June meeting. Staff will forward the approved budget to the county auditor before July 1, and to the Board of Supervisors for information.</p>
<b>Effective Date:</b>	February 25, 2022

## 5. Fund Balance Policy

### 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 target fund balance level for the Commission.

The Commission is committed to maintaining a prudent level of financial resources to protect against the need to make service level reductions due to unplanned events such as revenue shortfalls or unpredicted expenditures.

At the same time, since the purpose of Prop 10 funds are to support programs and systems that benefit children and families, Commissions are cautioned against accumulating large Fund Balances without a clear investment strategy.

### Policy:

The Commission will function within its annual allocation and maintain a Fund Balance level that meets target requirements as described below. Adjustments to annual budgets will systematically address increases or decreases in revenue, and adjustments to long term fiscal plans will strategically address the sustainability of Commission operations and direct services.

The Fund Balance Target shall be 2.5 years of the previous year's annual Prop 10 revenues, to be split into the following categories:

- Cash flow (15%): funds to cover payments should Prop 10 or other funds be delayed.
- Leveraging (25%): funding to ensure that federal/state funds can be maximally leveraged.
- Opportunities (35%): opportunities that are too good to pass up, or address needs that arise from a local or statewide emergency.
- Funding Reserve (25%): in the event that Prop 10 funds become permanently unavailable, funds to sustain some programs and staff while staff secures additional funds and/or closes down operations.

Funds exceeding the 2.5 year Fund Balance Target shall be referred to as Unassigned. During its annual budget approval process, the Commission may allocate Unassigned funds to programs and initiatives. The remaining Unassigned funds shall be available to be requested for community investment in accordance with the following principles:

- Prioritize the highest need children in Butte County
- Address the impact of local disasters on vulnerable families with young children

	<ul style="list-style-type: none"> <li>• Build and support long-term sustainable impact</li> <li>• Positively move an indicator identified in the Strategic Plan</li> <li>• Elevate the Commission as a systems partner</li> </ul>
<b>Procedure:</b>	<p>Based on guidance from the Commission at its February meeting, staff shall develop budget recommendations for the incoming fiscal year, and assign budget amounts based on Commission priorities, current and projected Prop 10 distributions, and the current financial condition of the Commission. The dollar amount for the Fund Balance Target and the Unassigned funds for the incoming fiscal year shall be identified and approved by the Commission at its April meeting.</p> <p>Budget revisions that would require a reduction in the Fund Balance Target during a given year must be approved by the Commission.</p>
<b>Effective Date:</b>	February 25, 2022

## 6. Fund Balance Reporting

<b>Purpose/ Background:</b>	<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 fund balance reporting procedures for the Commission.</p> <p>The Governmental Accounting Standards Board (GASB) is the independent organization that establishes standards of accounting and financial reporting for U.S. state and local governments. Established in 1984 by agreement of the Financial Accounting Foundation (FAF) and 10 national associations of state and local government officials, the GASB is recognized by governments, the accounting industry, and the capital markets as the official source of generally accepted accounting principles (GAAP) for state and local governments.</p> <p>GASB Statement no. 54, Fund Balance Reporting and Governmental Fund Type Definitions, is an accounting and financial reporting provision that is intended to improve the usefulness of the amounts reported as fund balance in annual audited financial statements by providing more structured classification. The statement also clarifies the definition of existing governmental fund types.</p>
<b>Policy:</b>	<p>The Commission’s fund balance shall be reported in the annual audited financial statements using the following five categories, which are consistent with Statement 54 of the Government Accounting Standards Board (GASB):</p> <ol style="list-style-type: none"><li>1. Nonspendable</li><li>2. Restricted</li><li>3. Committed</li><li>4. Assigned</li><li>5. Unassigned</li></ol>
<b>Procedure:</b>	<p>The determination of how the fund balance is reported under these categories shall be consistent with the guidelines provided in the First 5 Financial Management Guide. At year end, the fund balance shall be reported out in accordance with the following five categories.</p> <p><u>Nonspendable Fund Balance</u></p> <p>This category includes elements of the fund balance that cannot be spent because of their form, or because they must be maintained intact. Examples would include:</p> <ul style="list-style-type: none"><li>• Assets that will never convert to cash, such as prepaid items and inventories of supplies</li><li>• Assets that will not convert to cash soon enough to affect the current period, such as non-financial assets held for resale; or</li></ul>

- Resources that must be held intact pursuant to legal or contractual requirements, such as funds committed to leveraging State or Federal funds.

#### Restricted Fund Balance

This category includes resources that are subject to constraints that are externally enforceable legal restrictions. Examples would include:

- Funding from the State Commission or foundations that are legally restricted to specific uses. For example, funds advanced by First 5 CA under specific agreements for services, or matching funds for specific initiatives would be reported as restricted funds.
- Amounts collected from non-spendable items, such as the long term portion of loan outstanding, if those amounts are also subject to legal constraints.

NOTE: Tobacco tax revenues are not automatically categorized as restricted fund balance because the purposes for which tobacco tax allocations may legally be used are no narrower than the purpose for which the commissions were created in Proposition 10 enabling legislation.

#### Committed Fund Balance

Two criteria determine the committed fund balance:

- The use of funds is constrained by limits imposed by action of the Commission – the governmental unit’s highest level of decision making.
- Removal or modification of the use of funds can be accomplished only by action of the Commission. (Both the establishment of the commitment and/or modification or removal must occur prior to the end of the fiscal year being reported upon.)

Resources in this category would include:

- Resources committed for a future initiative when Commission action is required to remove or modify the commitment.
- Resources that have been committed by the Commission for specific agreements that have not yet been executed when Commission action is also required to remove this commitment.
- Resources committed as the local match for a State Commission initiative.
- Funding that has been designated for previously executed legally enforceable contracts but not yet spent, including multi-year contracts, when cancellation of such contracts would require Commission approval.

#### Assigned Fund Balance

The assigned portion of the fund balance reflects the Commission’s intended use of resources, which can be established either by the Commission or the Director. The “assigned” component is similar to the “committed” component, with two essential differences, shown in the following table:

Key Differences between Committed and Assigned Fund Balance

	Committed	Assigned
A decision to use funds for a specific purpose requires action of the Commission	Yes	No
Formal action of Commission is necessary to impose, remove or modify a constraint and formal action has taken place before end of the reporting period	Yes	No

The purpose of the assignment must be narrower than the fund itself. For this reason, tobacco tax revenues would not automatically be placed in the “committed” component. Resources to be included in this category include:

- Appropriation of all or a portion of existing fund balance sufficient to eliminate a projected deficit in the subsequent year’s budget.
- Funding that has been designated for previously executed legally enforceable contracts but not yet spent, including multi-year contracts, when cancellation of such contracts would not require Commission approval.
- Resources assigned to a specific program or project or organization for which the commission has approved a plan or budget.
- Resources approved by a commission for a long range financial plan where formal approval is not required to modify amounts.

For First 5 Butte County, the Commission can assign amounts under this category, and may also authorize the Director to assign amounts under this category when that decision is consistent with the approved long term financial plan. This authorization is consistent with the Commission’s other existing policies.

Unassigned fund balance

Resources in the fund balance that cannot be classified into any of the other categories are included here.

**Effective Date:**

February 25, 2022



## 7. Fraud Policy

<b>Purpose/ Background:</b>	The Board of Supervisors authorized a fraud policy for First 5 Butte County Children and Families Commission pursuant to Section 130140(d)(1)(A) of the California Health and Safety Code. The purpose is to establish a fraud policy for the Commission.
<b>Policy:</b>	<p>The Commission will facilitate the development of controls, which will aid in the detection and prevention of fraud. It is the intent of the Commission to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.</p> <p>This policy applies to any fraud, or suspected fraud, involving Commissioners, employees, grantees or outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with the Commission.</p>
<b>Procedure:</b>	<p>Management is responsible for the detection and prevention of fraud, misappropriations, and other inappropriate conduct. Fraud is defined as an intentional deception made for personal gain or to damage another individual. Staff and Commissioners will be familiar with the types of improprieties that might occur and be alert for any indication of irregularity.</p> <p>Any fraud that is detected or suspected must be reported immediately to the Commission Chair and Director, who coordinate all investigations with the Legal entity and other affected areas, both internal and external.</p> <p>If the Director is suspected of fraud, staff shall report to the Commission Chair who will work with the BCPH Director and County Counsel to manage the investigation.</p> <p><u>Actions Constituting Fraud</u></p> <p>The terms defalcation, misappropriation, and other fiscal wrongdoings refer to, but are not limited to:</p> <ul style="list-style-type: none"><li>• Any dishonest or fraudulent act</li><li>• Forgery or alteration of any document or account belonging to the Commission</li><li>• Forgery or alteration of a check, bank draft, or any other financial document</li><li>• Misappropriation of funds, securities, supplies, or other assets</li><li>• Impropriety in the handling or reporting of money or financial transactions</li><li>• Disclosing confidential and proprietary information to outside parties accepting or seeking anything of material value from contractors, vendors or persons providing services/materials to the Commission. Exception: Gifts less than \$50 in value</li></ul>

- Destruction, removal or inappropriate use of records, furniture, fixtures and equipment; and/or
- Any similar or related inappropriate conduct

The Commission Chair and Director have the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. If the investigation substantiates that fraudulent activities have occurred, the Commission Chair and Director will issue reports to the Executive Committee and the Commission.

Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management, as will final decisions on disposition of the case.

#### Confidentiality

The Commission treats all information received confidentially. Any Commissioner or employee who suspects dishonest or fraudulent activity will notify the Commission Chair and Director immediately, and *should not attempt to personally conduct investigations or interviews/interrogations* related to any suspected fraudulent act. The Commission Chair and Director will engage with County Counsel and the Director of BCPH to designate an Investigation Unit.

If the Director is suspected of fraud, staff shall report to the Commission Chair who will work with the BCPH Director and County Counsel to manage the investigation.

Investigation results *will not be disclosed or discussed* with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the Commission from potential civil liability.

#### Authorization for Investigating Suspected Fraud

Members of the Investigation Unit will have:

- Free and unrestricted access to all Commission records and premises, whether owned or rented; and
- The authority to examine and copy any portion of the contents of files, desks, cabinets, computers, and other storage facilities on the premises without prior knowledge or consent of any individual who may use or have custody of any such items or facilities when it is within the scope of the investigation.

#### Reporting Procedures

	<p>Great care must be taken in the investigation of suspected improprieties or wrongdoings so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way.</p> <p>An employee who discovers or suspects fraudulent activity will contact the Commission Chair and Director immediately (except when the Director is suspected of fraud, in which case the Chair will be contacted). The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the Legal entity. No information concerning the status of an investigation will be given out.</p> <p>The reporting individual should be informed of the following:</p> <ul style="list-style-type: none"> <li>• Do not contact the suspected individual in an effort to determine facts or demand restitution</li> <li>• Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically required by legal counsel of the Commission</li> </ul> <p><u>Termination</u></p> <p>If an investigation results in a recommendation to terminate an individual, the recommendation will be reviewed for approval by the representatives of the Commission and, if necessary, by outside counsel, before any such action is taken.</p>
<p><b>Effective Date:</b></p>	<p>February 25, 2022</p>

## VI. Other Operations

<b>1. Public Records</b>	
<b>Purpose/ Background:</b>	<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 retention, destruction and public review of Commission records.</p> <p>The California Public Records Act (CPRA) of 1968 ensures public access to records maintained by state and local public agencies. In 2006 the California Secretary of State provided guidelines for the treatment of public records by local government agencies, based on the principle that records shall be kept only as long as they have some administrative, fiscal or legal value.</p>
<b>Policy:</b>	<p>All Commission documents will remain on file in hard copy or electronic form for five years. Program files may be retained longer, as long as they have some administrative, fiscal or legal value.</p>
<b>Procedure:</b>	<p>“Commission records” includes any writing containing information relating to the conduct of the Commission’s business prepared, owned, used, or related by the Butte County Children and Families Commission or its staff, regardless of physical form or characteristics. Examples of Commission records include signed contracts, program forms, scope of work agreements, action plans, audit documents, monthly invoice backup, evaluation documents, communications and commission meeting documents.</p> <p><u>Destruction</u> Commission staff will destroy applicable records on an annual basis during a pre-identified, regular month of the year.</p> <p><u>Access</u> The Commission will respond to a records request no later than 10 days from the date of receipt of the request, or up to an additional 14 days in “unusual circumstances,”<sup>2</sup> as long as the Commission informs the requester of this extension in writing. The response must state the estimated date when disclosable records will be made available.</p> <p>The Director will review and respond to public records requests per the CPRA, but to the extent that they require legal review they will be referred to County Counsel for consultation.</p>

<sup>2</sup> "Unusual circumstances" include the need to search, collect records from other field facilities, review a voluminous amount of records, consult with another agency, compile data, or establish a program to extract data.

<b>Effective Date:</b>	February 25, 2022

## 2. Surplus Property

<b>Purpose/ Background:</b>	<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 guidance on the disposition of property owned by the Commission.</p> <p>Periodically, equipment purchased by the Commission is deemed to be no longer needed by the office or program which originally purchased it. In such cases, the equipment is declared as surplus.</p>
<b>Policy:</b>	<p>The Commission shall dispose of surplus property in an economic, efficient and responsible manner as outlined in the procedures below.</p>
<b>Procedure:</b>	<p>Commission staff shall notify Butte County General Services when surplus property is available so another department has the opportunity use it. Commission staff shall inspect all equipment including computers, file cabinets, safes and desks prior to disposal to ensure all sensitive information has been removed. Purchasing Services may sell, lease, transfer, dispose of or exchange surplus property as provided by the Butte County Code, Government Code and Board direction.</p>
<b>Effective Date:</b>	<p>February 25, 2022</p>

### 3. Social Media Use

<b>Purpose/ Background:</b>	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 policy and procedures governing social media use by Commission staff and contractors.
<b>Policy:</b>	<p>The Commission utilizes social media tools for the purposes of providing education and advocacy related to the Commission’s mission, vision, guiding principles and strategic plan.</p> <p>When using social media, Commission staff and contractors are expected to adhere to professional standards of behavior and judgment. The Commission will comply with all laws and regulations protecting the privacy of users.</p>
<b>Procedure:</b>	<p><u>Commission Procedures</u></p> <p>“Social Media” refers to community created content sites like blogs, forums, Flickr, YouTube, wikis, social networks, Pinterest, Twitter and other content sharing sites. It includes:</p> <ul style="list-style-type: none"><li>• Material created by Commission staff on sites utilized by the Commission</li><li>• Material created on other social media sites when acting as a Commission employee</li></ul> <p>Commission social media offerings are intended to create a welcoming and inviting online space where the community will find useful information. In some forums, users may be able to interact with Commission staff and other community members.</p> <ul style="list-style-type: none"><li>• Social Media accounts are only created by or through contracts with the Commission. The names of pages or accounts should not be changed and should clearly represent the Commission.</li><li>• Decisions regarding new social media outlets are made by the Director. Contractors should not create accounts on new sites.</li><li>• All content is reviewed and is subject to being edited or deleted by the Director and Program Staff.</li><li>• Where possible, each social media page should clearly indicate that it is maintained by the Commission and should have Commission contact information prominently displayed.</li><li>• Where possible, each social media page/profile should include an introductory statement about the page/profile.</li><li>• Where possible, social media pages should link to the Commission’s official website and this social media policy.</li></ul>

- User discussion and contribution on Commission social media sites is subject to the Public Terms of Use. This shall be clearly indicated on the social media page that invites participation.
- Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
- Content is subject to public records laws.
- Content shall be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.

#### Staff and Contractor Responsibilities

When staff or contractors use social media, behavior and content is not only a reflection of the individual, but also of the Commission. This policy complements, rather than overrides, any existing requirements that staff and contractors act professionally, respectfully and honestly.

If a staff member or contractor is about to publish something that makes them even the slightest bit uncomfortable, do not send. Review the guidelines to determine the issue and address before posting. If the staff member or contractor is concerned, discuss it with the Director. When representing the Commission via social media, staff and contractors should:

- Conduct themselves at all times as representatives of the Commission
- Identify themselves as Commission personnel
- Not make statements about community members, or post, transmit, or otherwise disseminate confidential information
- Not conduct political activities or personal business
- Observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media

#### Public Terms of Use

The Commission has no affiliation with any advertisements or other material posted by third party sites or software. By choosing to comment on Commission Social Media sites, public users agree to these terms:

- Comments are moderated by Commission staff and contractors, and the Commission has the sole discretion to not post or to remove comments that are unlawful, offensive, profane or off-topic.
- Persons who violate these terms may be barred from further postings.



	<ul style="list-style-type: none"><li>• Social media should not be used to attempt communication with staff for official or unofficial Commission business. Members of the public should use email, telephone or Commission website to communicate with staff.</li><li>• The Commission is not obligated to respond to any questions or comments posted on social media, and shall not engage in debate or argument with social media users.</li><li>• The Commission does not collect, maintain or otherwise use the personal information stored on any third party social media site in any way other than to communicate with users on that site.</li></ul>
<b>Effective Date:</b>	February 25, 2022

#### 4. Staff Compensation

<b>Purpose/ Background:</b>	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 policies and procedures for Commission Staff Compensation.
<b>Policy:</b>	<p>The Commission will abide by Butte County personnel policies and procedures to the extent that they apply to Commission activities, and do not conflict with California Health and Safety Code Section 130100 et seq.</p> <p>The Commission has the authority to determine the number, qualifications, and compensation of employees serving in positions allocated to the Commission, consistent with the County of Butte Merit System and Personnel Rules.</p>
<b>Procedure:</b>	The Commission will work with BCPH to establish and define each position. The Commission will provide BCPH with a recommended job description and salary range for each position. BCPH will designate the position either to an existing appropriate County classification, or if one does not exist, BCPH will advocate with County Human Resources to support the creation of a new classification for the position.
<b>Effective Date:</b>	February 25, 2022

## 5. Staff Evaluation

<b>Purpose/ Background:</b>	<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 procedure is to establish guidelines for Commission Staff Evaluation.</p> <p>The Butte County Department of Public Health (BCPH) provides staffing services to the Commission. The purpose of this policy is to identify a process by which Commissioners play an active role in the staff evaluation process by providing input to the Director of BCPH.</p>
<b>Procedure:</b>	<p>The Commission will identify a hiring committee that will select the person who will serve as Commission Director. As a BCPH employee, the Commission Director will report to the BCPH Director on an administrative basis but will work at the direction of the Commission. For review purposes, the Chair will solicit feedback from Commissioners on the Commission Director’s performance and submit the feedback to the BCPH Director who will incorporate the feedback into the performance review. This process will occur annually in alignment with County personnel procedures.</p>
<b>Effective Date:</b>	February 25, 2022