

Committee Members

Sandee Blechman Fonda Davidson Meredith Osborn Yohana Quiroz Lygia Stebbing Pat Sullivan Candace Wong Jerry Yang Meenoo Yashar



OECE Citizens Advisory Committee
Thursday, July 18, 2019
4:00 - 6:00 pm
1650 Mission Street, Suite 312
Meeting Minutes

Members Present: Sandee Blechman, Fonda Davidson, Yohana Quiroz, Lygia Stebbing,

Pat Sullivan, Jerry Yang, Meenoo Yashar

Members Absent: Meredith Osborn, Candace Wong

OECE Staff Members Present: Ingrid Mezquita, Denise Corvino, Graham Dobson, Maya

Castleman

Members of the Public Present: Esperanza Estrada, FCC; Elena Ramirez, FCC; Oscar Yang, FCC; Bev Melugin, CPAC; Sara Hicks-Kilday, ECE SF; Licette Montejano, CPAC

I. Call to Order and Agenda Review (5 minutes)
Ms. Quiroz called the meeting to order, welcomed members of the CAC and public, and reviewed the meeting agenda.

II. Minutes of March, 2019 CAC Meeting and May, 2019 Prop C Retreat (10 minutes)

March 21st Minutes:

- Request to change statement about recognition of tying reimbursement to the cost of quality but the CAC did not endorse tying reimbursement to QRIS.
- Process question whether text message between a CAC member and the CAC chair should be included in the minutes since CAC Chair was not present at this meeting. CAC members agreed minutes should reflect comments of members in attendance.
- Motion to revise minutes and review at the next CAC meeting. Seconded and carried.

May 6th Retreat Minutes:

• Motion to approve. Seconded and carried. Minutes Approved.

III. Review CAC Ordinance & Bylaws (see attachments 1 & 2)

- Director Mezquita presented CAC enacting ordinance, bylaws, and rules and governing laws related to public bodies. Director Mezquita clarified OECE is staff to the CAC, and is not responsible for facilitation or leading discussions. The presentation provided members information on the roles and responsibilities of members appointed to public bodies. The presentation highlighted several areas for clarity for the CAC's operating procedures:
 - O What are the decision-making and voting processes of the group?
 - How does the group address conflicts of interests when discussing, as CAC members and grantees, key funded OECE activities?
 - How does the group want to structure public comment? Though
 OECE CAC has historically heard public comment at the end of
 meetings, technically, members of the public have a right to make
 public comment at any point in the agenda. At the same time, the
 CAC chair has the right to implement "reasonable time limits."
- Director Mezquita presented current and proposed levels of CAC involvement in decision-making (see attachment 2). Having clear decision-making protocols avoids confusion of the CAC's input and implementation of recommendations. New members appointed will need established protocols and clear group norms. The CAC must consider adopting a shared decision-making model. Director Mezquita introduced several conceptual frameworks related to decision-making including multi-stakeholder engagement, levels of involvement model, and Community at Work's "groan zone." Director Mezquita expressed her hope that in the next few months the CAC can begin to work through these outstanding questions about expectations, decision-making, and other norms, and protocols.
- CAC members agreed that there has been a gap and need in more clearly
 defining these processes and protocols. A member commented that this lack
 has created unnecessary repetition in meetings as it's hard to tell when items
 have truly been resolved.
- A CAC member commented that it is critical to remember that CAC is an advisory and not a policy group. Rather than making recommendations, the group should discuss and give input and try to come to agreements on what their official advice should be.

IV. Director's Report (see attachment 3)

Director Mezquita highlighted key updates from her written director's report and CAC members discussed as follows:

- FY19-20 Budget & Addbacks / Educator Stipends: Thanks to the leadership of Mayor London Breed and Board President Norman Yee, OECE will issue educator stipends in Fiscal Years 2019, 2020 and 2021. OECE will distribute \$11 million annually to approximately 2,500 educators, inclusive of SFUSD early education teachers. OECE in collaboration with First 5, held a series of roundtables and work group sessions with over 200 participants that provided direct feedback on the use and eligibility criteria for the educator.
 - **i.** How much is going to the school district versus non-school district?
 - OECE response: This data is pending. The application process will identify the number of educators working directly with children. We are determining whether or not to do this via the Workforce Registry as we want to ensure the least burdensome and most efficient process for educators.
 - **ii.** Do we know the magnitude and estimated award amount of the stipends?
 - 1. OECE Response: We estimate approximately 2,500 educators working directly with children in both FCCs and Centers in our city-funded early learning system. The \$11million allocation provides approximately \$4,400 per teacher each year over the next 3 years.
 - iii. Has OECE decided how the stipend will be distributed?
 - 1. OECE Response: OECE and First 5 San Francisco held a series of roundtable meetings with hundreds of early educators from city-funded programs, Centers and FCCs. Through group decision-making at the roundtables, educators determined the stipend should be distributed twice annually to educators working directly with children for 20 hours or more per week.
 - **iv.** Will there be an administrative fee taken out of these funds by the fiscal intermediary?
 - **1.** OECE Response: Yes. This is part of the cost of doing business.
 - **v.** Will there be parameters for how the money is tracked and spent?
 - 1. OECE Response: The intent of the stipend is to ease financial stress on early educators. OECE does not believe it is the business of government to specify how educators choose to spend their money but there may be some data gathering requirements in order to evaluate the impact of the program.

- Infant/Toddler State Contractors Gap Funding: During the closing of fiscal year FY 2018-19, infant/toddler state contractors made OECE aware of a policy and funding discrepancy. OECE reduced city gap funding as the state increased its infant/toddler rates in FY 2018-19. This policy change was contrary to what early learning providers understood of our policy of "holding harmless" providers from local reimbursement as the state increased its rates. OECE has rectified this situation for state contractors serving infant/toddlers by reverting to FY 2017-18 gap rates in FY 2018-19. OECE requested Children's Council to issue payments before the end of July to allow state contractors a brief window before the closing FY 2018-19 to accrue earnings.
 - i. CAC members had no questions or comments regarding this update
- FCC Rates Initial Discussion: Director Mezquita acknowledged the significant, long-standing and justified feedback from the Family Child Care community regarding disparities in reimbursement rates between Centers and FCCs for Infants and Toddlers. Over the next few months, OECE will conduct a market analysis including analyzing the CFA methodology, State's regional market rate and local private-payer market rates to begin developing a plan for FCC rate parity. Additionally, Director Mezquita noted that reimbursement rates represent only one aspect of creating a unified and appropriately resourced mixed-delivery system for San Francisco's families. OECE cannot address disparities in rates alone without also looking at disparities in access to system resources such as early childhood mental health consultation, curriculum enhancement for arts and early literacy; professional development, and higher education etc. Finally, Director Mezquita expressed the planning processes and decisions regarding FCC rates must include conversations with Family Child Care educators. By the end of September 2019, OECE plans to present scenarios to the FCC community for feedback and consideration as the first actionable step towards addressing gaps in funding and support services.
 - A CAC member asked if there wasn't already some feedback and data around FCC rates that came through as part of the Prop C engagement process that OECE could draw on
 - 1. OECE Response: FCC rates were part of the Prop C engagement process and this information will be included as part of our analysis, including reviewing information specific to child enrollment in FCC. We know where most babies under the age of five live, which includes neighborhoods in 94112, 94124, 94134, same neighborhoods with the highest wait list. What we need to

- examine is if/how access is impacted by implementing current CFA-based rate structure.
- ii. A CAC member commented we do not have significant or accurate data on family child care quality and minimal data to conclude significant differences in quality between center-based and FCC-based education and care. While we have data indicating that only 1 in 4 black Kindergarteners entering SFUSD will be considered "school-ready," we do not currently have a system in place to look at those children who are not considered school-ready and trace them back to the type of ECE experience they had. What we do know is that FCCs represent the majority of enrollment spaces in San Francisco's low-income neighborhoods and most families want to find care near where they live. Rather than spending money on building new center facilities, the system should be designed to support those FCCs that are already serving these communities.
 - 1. OECE response: One of the things we must consider when thinking about school-readiness is that a child's early education experience is just one factor that influences readiness. Part of the idea behind bringing together First 5 and OECE is to have a holistic view about school readiness. Our own research confirms ECE is important and to impact K-readiness, we must address physical, mental health, parent engagement and family support. We also have to look at school-readiness through a racial equity lens as we know our educational system has a deeply racist history. We cannot just look at where children go but also what children are experiencing.
 - 2. Another CAC member responded that quality conversations must be data-informed and in order to collect the type of data needed, there has to be uniform data consent processes across the system.
 - 3. OECE Response: Another item that must be considered when thinking about readiness and quality is that the QRIS was not designed to indicate how well a program is preparing a child for Kindergarten but rather, was designed as a framework for identifying highly specific areas of quality improvement. We cannot tie everything about a program's quality to the QRIS.
- Innovation Grants: Director Mezquita explained OECE's decision to withdraw its Innovations 2.0 RFP due to misalignments between HSA's procurement processes as a direct-service organization and OECE's role as a public grantor.

i. CAC members had no questions or comments regarding this update.

V. Public Comment (10 minutes)

- A member of the public commented that she is really happy that the Office is talking about addressing the FCC rates as the community is very desperate to see a change that recognizes their value to the system. She expressed that while there are only 3 FCC participants present at the meeting, they are representing over 700 programs and taking time out of their day to be here because they want to see positive changes for the FCC community. And while she is hopeful for positive change, she also expressed that the sooner OECE can take action, the better.
- Another member of the public expressed that the "feeling" in the field that others spoke about in the distinction between FCCs and centers has been around for so long and is unfair. FCCs and Centers are on the same level and should be treated fairly.
- Another member of the public commented that parity between FCCs and Centers is not only about the provider, it's about the kids too – kids should be able to have access to the same services regardless of whether they go to a Center, and FCC, and ELS Provider or a non-ELS provider. There must be some way for eligible kids to have to the same access instead of moving kids to another provider. Kids should not have to move to another provider because they need certain services.

VI. Closing (5 minutes)

 A CAC member commented in response to earlier comments about HSA processes that there have been issues around the way that HSA processes and disburses grant payments. He hopes OECE and HSA can work together to resolve this issue.

Meeting adjourned at 5:58PM

Next scheduled meeting: September 19, 2019, 4pm-6pm.

For questions or assistance, please contact Maya Castleman Email: maya.castleman@sfgov.org Phone: (415) 355-3669

Attachments

- I. OECE CAC Bylaws Presentation
- **II. Models of Decision-Making Powerpoint**
- III. Director's Report

^{**}Know Your Rights Under the Sunshine Ordinance: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. (415) 554-7724 / fax (415) 554-5163 sotf@sfgov.org

Attachment 1: OECE CAC Bylaws Presentation



OECE CAC: Enacting Ordinance, Bylaws, and Open Government Laws and Regulations

OECE CAC: Enacting Ordinance

OECE CAC was established as part of the enacting ordinance for the Office of Early Care and Education in 2014. In addition to seat membership requirements, the enacting ordinance establishes the following:

- The OECE CAC must meet at least 4 times each calendar year
- Any member who fails to attend at least half of the meetings held in a calendar year shall be deemed to have resigned from the committee
- · The committee will elect a chair and vice chair
- A majority of members (5 or more) must be present to constitute a quorum
- No member may serve more than 2 consecutive terms

OECE CAC: Enacting Ordinance

Continued

Duties of the Committee:

The OECE CAC shall make recommendations to OECE "regarding the OECE's mission of providing early care and education for children ages zero to five in San Francisco and other City departments involved in early education initiatives."

Specifically, the OECE CAC shall:

- Work with OECE to develop a strategic plan and proposal to be submitted to the BOS by January 1, 2016
- Advise OECE on development of funding guidelines
- Provide input to OECE on the evaluation plan for tracking results of City investments
- Review OECE's needs assessments, plans, and funding allocations but shall not have any approval authority over these matters

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OECE CAC: Bylaws

Building on OECE's 2014 enacting Ordinance, the OECE CAC adopted Committee Bylaws in 2015. In addition to the requirements defined by the enacting ordinance, the bylaws included the following:

Officers:

- Chair and Vice chair shall serve for one FY and election of officers shall be conducted at the last regular meeting held in each fiscal year
- The chair shall preside at all CAC meetings and, working with the Vice Chair, shall oversee the prep and distribution of agendas of all meetings.
- In the absence of the Chair, the Vice Chair shall preside. In absence of both Chair and Vice chair, the attending members shall select a member to preside for the course of that meeting.
- OECE staff, along with Chair and Vice chair shall prepare meeting agendas

OECE CAC: Bylaws Continued

Meetings:

- A regular meeting schedule will be established and meetings will be held at OECE
- The chair or a majority of members may call for special meetings and/or sub-committees
- Agendas of all regular and special meetings will be posted at the meeting site, OECE's website, and SFPL and will be distributed to each CAC member and any member of the public who files a request.
- The chair may cancel a meeting if they are aware that a quorum will not be present

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OECE CAC: Bylaws Continued

Meetings:

- If the meeting has a quorum, then any member of the CAC may craft a proposal for vote and ask the chair to poll the group. Present members shall vote "yes," "no," or "need more information/discussion" unless the member is excused from voting on a matter by a motion adopted by the majority of the members present or the member has a conflict of interest that legally precludes participation in the vote.
- The CAC will conduct its meetings in compliance with all applicable laws including the Brown Act, SF Charter, Sunshine Ordinance, and California Public Records Act

OECE CAC: Bylaws Continued

Public Comment:

— "The OECE CAC and any subcommittees of the OECE CAC shall hold meetings open to the public in full compliance with state and local laws. The OECE CAC encourages the participation of interested persons. The Chair may limit time permitted for public comment consistent with state and local laws."

· Amendments:

 "Amendments of the Bylaws shall be by at least five members of the OECE CAC after presentation of the proposed amendments as an agenda item at a meeting of the OECE CAC"

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The Brown Act

The Ralph M. Brown Act, (California Government Code 54950 et seq.) is an act of the California State Legislature, authored by Assembly member Ralph M. Brown and passed in 1953, that guarantees the public's right to attend and participate in meetings of local legislative bodies.

The Brown Act

"In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."

OECE

The Brown Act:

Important Highlights for OECE CAC Members

- The Brown Act includes a detailed definition of legislative bodies that includes any "commission, committee, board, or other body of a local agency, whether permanent or temporary, decision making or advisory, created by charter, ordinance, resolution, or formal action of a legislative body."
- Any congregation of a majority of CAC members (five or more) in which OECE CAC "subject matter jurisdiction" is discussed, constitutes a CAC meeting and should be open to the public. Discussion and decisions at such a meeting must be documented and made publically available.
 - Includes teleconference and electronic/email communication

The Brown Act:

Important Highlights for OECE CAC Members

- Every CAC meeting (as described above) should provide an opportunity for members of the public to directly address the body on any agenda item of interest.
 - Body may adopt "reasonable regulations" for public comment including time limits.

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The San Francisco Sunshine Ordinance

The Sunshine Ordinance was adopted by SF voters in November 1999 and went into effect in January 2000. The Sunshine Ordinance builds on the Brown Act to insure easier access to public records and to strengthen open meeting laws. The Sunshine Ordinance also outlines a procedure for citizens to follow if they do not receive public records they have requested. In addition to reiterating and adding more stringent accountability to Brown Act regulations, the Sunshine Ordinance also:

The San Francisco Sunshine Ordinance

- Adds to the definition of what constitutes a public meeting
 - Majority of members
 - A series of gatherings each of which may involve less than a majority of a policy body if the cumulative result is that a majority of members has become involved in such gatherings
 - Any other use of personal intermediaries or communications media that could permit a majority of the members of a policy body to become aware of an item of business and of the views or positions of other members with respect thereto, and to negotiate consensus thereupon

The San Francisco Sunshine Ordinance

- Requires that meetings must be held in free, open, and accessible facilities
- Requires that each meeting must be video and/or audio recorded. Members of the public have the right to request these recordings and/or make their own recordings
- States that "No action or discussion shall be undertaken on any item not appearing on the posted agenda" except in response to specific questions or comments from the public

Citizens Advisory Committee

Any committee from a Charter or an ordinance, resolution, or other formal action of a policy body creates or initiates is itself a policy body subject to the requirements of the Brown Act and Sunshine Ordinance.

Source: Good Government Guide, SF City Attorney

 The OECE CAC shall make recommendations to OECE "regarding the OECE's mission of providing early care and education for children ages zero to five in San Francisco and other City departments involved in early education initiatives."

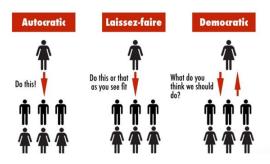
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Current CAC Level of Involvement



How do we get from Input to Shared Decision Making?



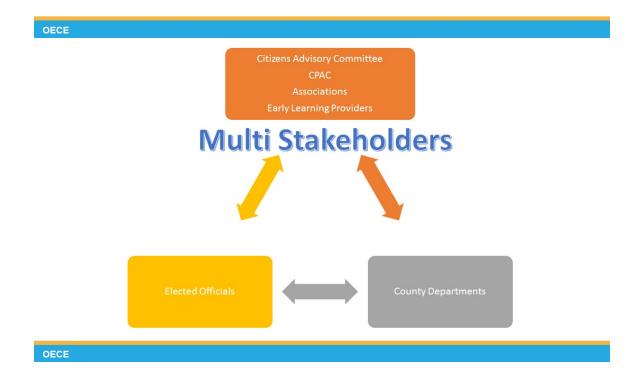


Conceptual Frameworks for Shared Decision Making

No one organization has all of the requisite knowledge, power, relationships, or resources to comprehensively address a complex issue that affects multiple stakeholders.

Multi Stakeholder Engagement





Engagement Matters

- Purpose: A specific issue, challenge, opportunity, or possibility that provides the reason for convening.
- People: The participation of multiple representatives must include government, business, nonprofits, higher education, and program participants.
- Place: Where we meet in person (and, as needed, virtually) for the sake of dialogue.
- Process: A process of shared inquiry, learning, problem solving, and (potentially) decision making in new ways that addresses stakeholder concerns.
- **Practice:** The efforts made on a regular basis to develop the skills, mind-sets and spirit of collaboration.

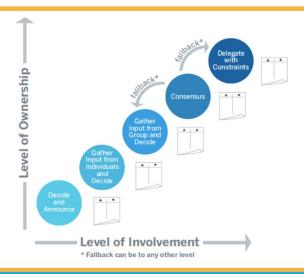
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Decisions Matter



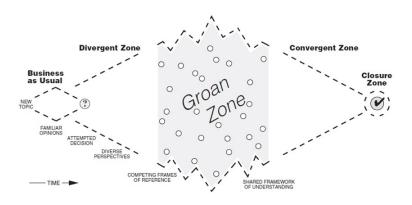


Levels of Involvement in the Decision Making Process



OECE

LIFE IN THE GROAN ZONE





To: OECE Citizen's Advisory Committee Members

From: Ingrid Mezquita, Director

Date: July 10, 2019
Re: Director's Report

I am currently in my third month at OECE since my appointment by Mayor Breed and have focused on development of an organizational assessment and capacity building to develop a shared vision and goals between First 5 and OECE. This process engages multi-stakeholders and solicits input/feedback for system development and ongoing quality improvement in public fund stewardship, grant making and monitoring. This is the first phase of our alignment work with First 5 and we are pleased of the progress with bridging policy areas, including an evaluation process focusing on key indicators that influence kindergarten readiness. OECE, First 5, SFUSD, and Our Children and Families will work jointly to engage other county departments in this effort. The Kinder Readiness Assessment data and analysis, utilized by several county departments, is one of the City's population-level information used for service planning and resource allocation for children and families well-being.

During the next few months, OECE will develop a timeline and process to engage our community of thought partners and key stakeholders and provide an overview. In the meantime, there are several operational priorities requiring OECE attention:

San Francisco and OECE Budget FY 2019-2020: Mayor Breed along with our County Board of Supervisors has approved the City's Budget totaling \$12.6 billion. The budget included priorities for housing, homelessness, safety net programming and public health. During this process, Mayor Breed, along with Supervisor Fewer (as Budget and Finance Chair) and Supervisor Yee (Board President) championed early childhood and added funds to our department's budget, which included over \$50 million through fiscal year 2021-2022.

New Funds

\$ 9 million (\$3m annual commitment for 3 years) for infant/toddler spaces

\$10 million one-time new/expansion funds for ECE Facilities

\$33 million (\$11m annual commitment for 3 years) for Educator stipends

\$52 million Grand Total in NEW funds

The funding allocated to the OECE budget will ensure three-years of added revenue from ERAF and general funds to support rate increases and additional capacity for our birth-to-five system. We are extremely thankful to our elected officials named above who prioritized early childhood during this budget process.

Educator Stipends: With much gratitude to Board President Yee, we are pleased to announce that OECE will issue educator stipends in Fiscal Years 2019, 2020 and 2021. OECE will distribute \$11 million annually to approximately 2,500 educators, inclusive of SFUSD early education teachers. OECE in collaboration with First 5, held a series of roundtables and work group sessions with over 200 participants that provided direct feedback on the use and eligibility criteria for the educator. This inclusive process designed to elevate the voices from early learning providers allowed for the development of eligibility criteria by early educators. Family Childcare educators were especially appreciative of this process, expressing that it was different from past experiences where they felt they were left out of conversations and planning.

The vast majority of participants requested educator stipends distributed twice a year for retention purposes; equal amounts to avoid value judgements around responsibility or job title; and include only educators that work directly with children without a minimum of hours or salary cap.

Originally, we listed the CA-Workforce Registry as the source for employment verification. OECE is assessing how to best use the Workforce Registry to determine employment verification since we are aware of how time consuming this data system is for both the educator and employer. We are seeking alternative methods for employer verification besides the Registry, including on-line survey or paper application to expedite educator stipend payment. If all goes well, OECE expects to issue first educator payment in late fall. However, should the Registry prove to be the best system for collecting necessary information, we will request educators to update their profiles with minimum requirements.

Family Childcare Reimbursement Rates: numerous providers have voiced their concern to OECE regarding the disparity between FCC and center-based rates — especially for infants and toddlers. Family Childcare raised this issue as early as 2017 when the Comprehensive Fiscal Analysis (CFA) methodology used for the Notice of Funding Availability (NOFA) for the Early Learning Scholarship program highlighted this rate difference. In response to this concern in unequitable per child reimbursement rates, OECE is currently developing an analysis to compare existing CFA methodology with market rate and regional market rate. During the first quarter of FY 2019, we will begin addressing child reimbursement rates and develop a plan for parity for Family Childcare. This planning process must include discussions and decisions regarding early childhood policy and practice with Family Childcare educators.

The difference for Family Childcare child reimbursement rates also represents unequal access to important early learning system resources, including, early childhood mental health consultation, curriculum enhancement for arts and early literacy; professional development, and higher education to name a few. The adoption of the CA-Quality

Rating and Improvement System (QRIS) made resource gaps more visible. The first phase in a multi-phase process to begin addressing the child reimbursement rates requires examination of all areas of access for our early learning system for Family Childcare.

By end of September 2019, OECE will present scenarios for feedback and consideration for child reimbursement as the first actionable step towards addressing gaps in funding and support services. In collaboration with First 5, Quality Partners, and FCC educators, we will collectively design an early childhood system that truly supports children birthto-five in high-quality early learning settings.

Infant/Toddler State Contractors: During the closing of fiscal year FY 2018-19, infant/toddler state contractors made OECE aware of a policy and funding discrepancy. OECE reduced city gap funding as the state increased its infant/toddler rates in FY 2018-19. This policy change was contrary to what early learning providers understood of our policy of "holding harmless" providers from local reimbursement as the state increased its rates. Consequently, when state infant/toddlers contractors reconciled city reimbursement in Q3, this rate and policy confusion became obvious in comparison to prior fiscal year earnings.

OECE has rectified this situation for state contractors serving infant/toddlers by reverting to FY 2017-18 gap rates in FY 2018-19. OECE requested Children's Council to issue payments before the end of July to allow state contractors a brief window before the closing FY 2018-19 to accrue earnings. In retrospect, OECE acknowledges that these type of policy changes with resource implications must include clear written communication, including a transparent process that allows early learning partners to voice their comments and concerns, prior to adoption.

Innovation 2.0 Grants: OECE withdrew its Request for Proposals (RFP) due to requirements on the ranking system for selection of applicants developed through HSA's contract and procurement division. Several applications with cut off scores would have been eligible with the type of ranking system HSA has adopted. This type of procurement process requires all applications to receive funding within the ranked tier. Due to this unusual type of criteria for public grant making, it was not possible to fund all applications that ranked above the cut off scores.

We will work with the contracts and procurement division to explore how best to align its public bidding process to other county departments with best practices in public grant making, e.g., DCYF and First 5, which use different criteria for selection of qualified applications.

Citizens Advisory Committee Vacancies: there is one (1) Mayoral appointment pending for incumbent member, Dr. Yang and one (1) for a new SFUSD representative replacing

Meenoo Yashar as her second term ended. The two Mayoral appointments are in process for approval through the Mayor's Office. In addition to the aforementioned seats, two (2) additional appointments by the Board of Supervisors are required. The first is a pending reappointment of incumbent member Dr. Sullivan. The second is for Seat 8, previously held by Candace Wong. Seat 8 represents a broad category for representation: family support, educators working with children with special needs, expertise in early education, early childhood mental health, philanthropic, business or others interested in early care and education issues. OECE received several applications from interested community members and forwarded them to the Board of Supervisors to begin the process of appointment through its Rules Committee. We are waiting to hear back from the Rules Committee on the schedule for Seat 8 CAC appointment.