



**Board of Early Education and Care**

February 11, 2014  
1:00 p.m.-4:00.p.m.

**Department of Early Education and Care**

51 Sleeper Street, 4<sup>th</sup> floor  
Boston, MA 02210

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**MINUTES**

**Members of the Board of Early Education and Care Present**

J.D. Chesloff, Chairperson  
Bridget Rodríguez, designee of Secretary Matthew Malone, Secretary of Education  
Sharon Scott-Chandler, Esq.  
Chi-Cheng Huang, M.D., Vice Chairperson  
Eleonora Villegas-Reimers, Ph.D.  
Joni Block  
Mary Walachy  
Thomas Weber, Commissioner of the Department and Secretary to the Board

**Members of the Board of Early Education and Care Absent**

Cheryl Stanley, Ed.D  
Joan Wasser Gish, Esq.  
Kathleen Betts, designee of John Polanowicz, Secretary of EOHHS

The meeting was called to order at 1:06 p.m.

**Welcome and Comments from the Chair:**

Chairperson J. D. Chesloff shared that EEC and the Department of Elementary and Secondary Education (ESE) had a joint board meeting on January 27, 2014 with great presentations from Carol Nolan. He has been in touch with ESE Board Chairperson Maura Banta to discuss the next steps and how to move joint goals forward.

**Comments from the Secretary:**

Bridget Rodríguez reported that Secretary Malone appreciated everyone's participation at the joint board meeting and he looks forward to future collaborations. There will be a public hearing on the Governor's FY2015 Budget Proposal on February 25, 2014 at UMass Amherst during which the House and Senate Ways and Means Committees will discuss education.

**Comments from the Commissioner:**

Commissioner Tom Weber updated the Board on the following activities:

**Children's Investment Fund Early Education and Out of School Time Capital Fund:** Commissioner Weber shared that he was one of seven individuals presented with an award for creating the Early Education and Out of School Time Capital Fund. He noted that the honor really belongs to EEC's Board and agency staff. He informed the Board that \$4 million of the \$45 million in funds will be released in FY2014.

**Background Record Check Law:** Revisions to the Background Record Check law are ongoing after months of work by the Background Record Check Unit, licensing, and IT staff. Commissioner Weber reported that the Soft Launch of the fingerprinting process started last week. He added that 32 candidates have been interviewed for 10 new positions in the Background Record Check Unit, tripling the number of staff. It is a significant endeavor and EEC is working to secure funds to maintain these positions.

**Waitlist:** Commissioner Weber reported that the Department has distributed 100% of the vouchers to be issued under recent waitlist remediation measures and that the Department has distributed 62% of an additional 1,866 vouchers.

**Contract Utilization:** Commissioner Weber announced that Carole Meehan has been hired as the Caseload Manager to address caseload utilization and identify those providers having difficulty filling their slots. The Department will continue to assess the issue and should be in a good position by March to present more information.

**Legislative Report:** Commissioner Weber thanked the Board and Seán Faherty, EEC Chief of Staff, on their efforts to complete the 2013 Annual Legislative Report. The report will be presented as part of today's agenda.

**Safe Sleep Public Service Announcement (PSA):** Commissioner Weber acknowledged EEC's Northeast Regional Office for developing a PSA on safe sleep in four languages. The PSA was developed in collaboration with Comcast and will be available on EEC's website and Twitter account.

**FY2015 Budget:** Commissioner Weber reported that he has been meeting with members of the legislature to develop the FY2015 budget. These have been positive conversations and the legislature seems to appreciate the importance of EEC's work.

Chairperson Chesloff noted that he also has been spending time with legislators who are impressed with Commissioner Weber and all that he has done.

**Statements from the Public\***

*The Board of Early Education and Care makes up to 30 minutes available for persons in the audience to address the Board on specific agenda items. In order to hear as many speakers as possible, the Board limits individuals to three minutes, although written material of any length can be submitted to Chairperson Chesloff or Commissioner Weber.*

**No Public Comment.**

## **Routine Business:**

- **Approval of January 14, 2014 Board Minutes – Vote**

**On a motion duly made and seconded, it was:**

**VOTED that the Board of Early Education and Care approve the minutes of the January 14, 2014 Board Meeting.** The motion passed unanimously.

## **Board Committee and Advisory Reports:**

### Fiscal Committee:

Board Member Elizabeth Childs summarized the Fiscal Committee's meeting of February 3, 2014. The Committee discussed the ratified Family Child Care Union contract and the rate increase that will be distributed in the March billing cycle and received in April. The Committee also discussed the caseload review. EEC is looking at the income eligible accounts to determine why there is a \$5 million surplus with only 89% of the contracted slots filled. Board Member Childs reported that the Department is on budget for the Department of Transitional Assistance slots and every account remains open. She noted that in spite of an increase in placements, the numbers on the waitlist remain steady. Board Member Childs reported that EEC is currently projecting a \$7.7 million surplus. When asked whether the Department will need to increase its maintenance budget in FY2015 to account for additional placements from waitlist remediation, Board Member Childs responded that an increase will be needed with new children in care, but there will also be attrition which is addressed in the Governor's FY2015 budget. She added that the Fiscal Committee also discussed the Capital Bond Fund which is a great opportunity for EEC.

### Policy and Research Committee:

In the absence of Board Member Joan Wasser Gish, Board Member Sharon Scott-Chandler summarized the Policy and Research Committee meeting of February 3, 2014. The Policy and Research Committee discussed the Legislative Report that will be presented today. Board Member Scott-Chandler reported that Wendy Valentine from United Way provided an overview of the modified QRIS Improvement Grant, including increased training and technical assistance.

Board Member Mary Walachy asked how the United Way became involved in the QRIS grant process. Commissioner Weber replied that the Department chose to delegate its authority to the United Way because the Department did not have the internal capacity. United Way manages the QRIS application process and distributes the QRIS funding. Carol Nolan, EEC Director of Policy, added that Gwen Alexander, Program Quality Specialist and QRIS Manager, meets regularly with the United Way to provide guidance.

### Planning and Evaluation Committee:

Board Member Eleonora Villegas-Reimers reported that the Planning and Evaluation Committee met on February 10, 2014. She updated the Board on WIDA training, noting that the speakers have been confirmed and that interest in the program is high. She also reported that the Planning and Evaluation Committee reviewed the Legislative Report and provided feedback. Board Member Villegas-Reimers stated that the Committee received a demonstration of the Child Care Financial Assistance application under development. She noted that the Planning and Evaluation Committee is finishing the Strategic Plan, having received feedback from the Board and the Advisory Council. A new draft will be sent to the Department for further feedback. Finally, Board Member Villegas-Reimers reported that the Planning

and Evaluation Committee is beginning work on the Commissioner's evaluation, noting that the process will be completed by June 2014. The next meeting of the Planning and Evaluation Committee is scheduled for March 11, 2014, but may change.

#### Advisory Council:

Board Member Joni Block reported that the Advisory Council met on January 24, 2014 at a well-attended meeting at EEC's Worcester office. She reported that Ms. Alexander provided an update regarding QRIS. Additionally, EEC Head Start State Collaboration Director Jennifer Amaya-Thompson discussed the early English Language Learners project. The Council provided feedback regarding the Strategic Plan. Board Member Block stated that the next Advisory Council meeting is scheduled for February 24, 2014 at 1:00 p.m. at the State House.

#### **New Business**

No new business was raised.

- **Disclosures**

Board Member Scott-Chandler submitted a written disclosure that she is employed by ABCD, a recipient of EEC funding and may have a financial interest in the agenda items related to the FY2015 Budget. Board Member Villegas-Reimers submitted a written disclosure that she works for Wheelock College, a recipient of EEC funding. Board Member Block submitted a written disclosure that her position, as the Coordinated Family and Community Engagement (CFCE) Coordinator with Brockton Public Schools, is funded by EEC.

#### **Items for Discussion and Action:**

##### **I. 2013 Annual Legislative Report - Discussion and Vote**

###### Relevant resources included in Board Materials:

- *Department of Early Education and Care 2013 Annual Legislative Report, PowerPoint Presentation dated February 11, 2014.*

Seán Faherty, EEC Chief of Staff, presented a summary of the 2013 Annual Legislative Report. He thanked the Board for the opportunity to present but acknowledged that EEC staff was essential to the production of the report. The Legislative Report meets all of the statutory requirements and aligns with both the Board's Strategic Plan and the report issued by the Special Commission on Early Education and Care. Mr. Faherty explained that the Legislative Report attempts to tell the story of the Department, rather than simply report the numbers and statistics. He noted that the framework was more narrative this year than in years past.

Mr. Faherty added that this year's Legislative Report features an expanded budget section to serve as a useful reference tool for legislators. The 2013 Legislative Report also discusses key initiatives of the Department, including:

- a complete internal review to ensure that regulations and policies are being followed by the Department,
- implementation of the new Background Records Check law,
- the development of a differential licensing system,
- the targeted investment in waitlist remediation, and
- the continued development of ECIS, Kinderwait, and other IT projects.

Mr. Faherty stated that the Legislative Report must be submitted by February 14, 2014.

Board Member Chesloff noted that although Mr. Faherty gave credit to EEC staff, Mr. Faherty needed to be thanked for his work on the Report. Board Member Scott-Chandler commented that the Legislative Report should include the Capital Bond budget, along with a description of the families that EEC reaches. She suggested that this information could be part of an executive summary that highlights EEC's accomplishments. Board Member Block added that she likes the narrative form and recommended that the Report highlight the number of children that EEC assists that are not in regular programs. Board Member Childs reiterated the importance of including the Capital Bond budget in the Legislative Report and proposed that the motion be amended to include language to that effect.

**On a motion duly made and seconded, it was:**

**VOTED that the Board of Early Education and Care hereby approves the Annual Legislative Report for Fiscal Year 2014, as presented and included in the Board Materials of February 11, 2014, and authorizes the Department to submit the Annual Legislative Report on its behalf, and to include language regarding the Early Education and Out of School Time Capital Bond Fund.** The motion passed unanimously.

**II. Family Child Care Rate Increase - Discussion and Vote**

Relevant resources included in Board Materials:

- *FY4 SEIU Rate Increase, PowerPoint Presentation dated February 11, 2014*

William Concannon, EEC Deputy Commissioner for Administration and Finance, presented the Family Child Care Rate Increase. He provided historical context for the increase, explaining that EEC had negotiated a collective bargaining agreement (CBA) with the Services Employees International Union (SEIU)/Local 509. Deputy Commissioner Concannon explained that the CBA includes a 4% increase in FY2014 to the family child care providers' reimbursement rate, with Consolidated Net Surplus funding providing 2.3% of the rate increase. The reimbursement rate will then increase an additional 3.0% in FY2015 and 3.0% in FY2016. The rate increase applies across the board to all family child care providers but parent fees are.

Board Member Childs reported that the Fiscal Committee urges the Board to support the rate increase, remarking that there are equity issues between center-based care and family child care. There was then discussion about the equity issues and whether the increase would affect center-based unionization efforts. Commissioner Weber responded that it is speculative to discuss the impact of the rate increase on the center-based child care unionization bill. He informed board members that discussions about EEC's rates will be coming in the near future.

**On a motion duly made and seconded, it was:**

**VOTED that the Board of Early Education and Care hereby approves, subject to appropriation, the Department's recommended fiscal year 2014 increase of 4% to the reimbursement rates paid to family child care providers that serve subsidized children, retroactive to July 1, 2013, as presented at the Board meeting of February 11, 2014.** The motion passed unanimously.

**III. FY2015 House 2 Budget Recommendation - Discussion**

Relevant resources included in Board Materials:

- *FY2015 House Two, PowerPoint Presentation dated February 11, 2014*

Deputy Commissioner Concannon summarized the FY2015 House 2 Budget Recommendation. On January 22, 2014, Governor Patrick released his FY2015 Budget demonstrating his commitment to early education with a budget of \$531.7 million, reflecting \$22.3 million more than FY2014. Deputy Commissioner Concannon explained that the Governor's budget would provide maintenance or level funding for most accounts, but included notable investments to rebuild EEC staff supports; \$15 million for Birth through Pre-School access expansion to provide care for approximately 1,700 children; \$2 million for a K1 Classroom Grant Program; and \$2.5 million for QRIS IT funding through the Executive Office of Education.

Board Member Childs stated that the Governor's budget is a great budget for EEC. While many other state agencies are receiving level funding or reduced funding, EEC's funding would be increased. Board Member Childs called on the Board and the early childhood education community to support the Governor's proposed budget.

Board Member Block asked how the K1 Classroom Grant Program differs from the Universal Pre-Kindergarten (UPK) program. Commissioner Weber noted that the language of the K1 grant requires EEC and ESE to work together on funding. The proposed funds would be part of EEC's budget, which reflects the sensitivity of the work to be done.

Vice Chairperson Huang inquired into why the Governor's budget is so favorable to EEC. Deputy Commissioner Concannon responded that the Department has demonstrated a tremendous effort to carry out the Governor's education agenda and that this effort has been well received by the legislature. Board Member Childs added that EEC has a proven track record in managing its budget and credited that confidence in EEC's leadership leads to a better budget. Chairperson Chesloff noted the cyclical nature of budgeting, with early education currently in focus and gaining momentum.

#### **IV. Differential Licensing - Discussion**

##### *Relevant resources included in Board Materials:*

- *EEC Differential Monitoring - Foundations and Overview, PowerPoint Presentation dated February 2014*

Dave McGrath, Deputy Commissioner for Field Operations, together with Family Child Care Supervisor Brian LeTendre, Residential and Placement Supervisor Timothy Keane, and Group and School Age Child Care Licensor David Micka, presented the differential licensing initiative. Deputy Commissioner McGrath stated that EEC's licensing regulations are some of the strongest in the nation and use a model that treats all programs similarly. However, Massachusetts falls short in national rankings regarding oversight of family and center-based programs, particularly the frequency of licensor visits. The differential licensing model increases monitoring of those programs with poor compliance with key regulations that correlate closely with program quality. The model identifies a subset of key indicators that statistically predict compliance with the entire set of regulations. Deputy Commissioner McGrath set forth the benefits of a differential licensing model, including increased monitoring for programs with low levels of compliance, a more effective use of staff resources, increased identification of providers needing technical assistance, and more consistency in enforcement actions.

While some states employ variations on the differential licensing model, no state has a plan that Massachusetts is able to replicate. Because of this, Mr. LeTendre stated that Deputy Commissioner McGrath has asked the EEC licensing staff to think “outside the box” to improve the licensing process. As a result, a differential licensing oversight committee was formed to shape the process, with three subcommittees representing family child care, group and school age child care, and residential and placement care. Mr. Micka provided an overview of the Group and School Age subcommittee's work and goals. Mr. Keane provided an overview of the Residential and Placement subcommittee's work and goals. Mr. LeTendre then summarized the Family Child Care subcommittee's work and goals. Deputy Commissioner McGrath discussed the oversight committee's work and goals, focusing on reduced desk time, process time, and travel time.

Board Member Walachy asked whether the differential licensing model looks at the fiscal health of a program. Deputy Commissioner McGrath responded that licensors look at a program’s fiscal health and utilize the fiscal unit, if needed. Commissioner Weber noted that IT is an important component of differential licensing and Deputy Commissioner McGrath added that the EEC IT team has been extremely supportive of this initiative. Board Member Scott-Chandler inquired into the role of family child care systems within differential licensing. Mr. LeTendre responded that family child care systems should be an extension of EEC. She then asked how the differential licensing model aligns with QRIS. Deputy Commissioner McGrath responded that all licensing is impacted by QRIS, and that ideally, a licensing visit would occur in coordination with a QRIS visit.

Board Member Block asked whether providers have been involved in the differential licensing discussions. Deputy Commissioner McGrath responded that providers have not yet been included, but will be soon. Vice Chairperson Huang offered some advice for the differential licensing model, including a focus on reducing risks to children. Ms. Rodríguez asked whether differential licensing costs are included in the FY2015 budget. Deputy Commissioner McGrath responded that there is no money budgeted specifically for differential licensing, but that most of the costs will be for IT enhancements and training. Commissioner Weber noted that the Department is looking at funding opportunities and is committed to this initiative. Chairperson Chesloff commended Deputy Commissioner McGrath on utilizing innovative solutions to resolve a huge challenge. He commented that EEC's commitment to this project is obvious from the passion of the presenters.

**On a motion duly made and seconded, it was:**

**VOTED that the meeting adjourn at 3:38 p.m., subject to the call of the Chairperson.** The motion passed unanimously.

Respectfully submitted,

Thomas L. Weber  
Commissioner of the Department and  
Secretary to the Board