



Board of Early Education and Care

October 11, 2011
1:00 PM – 4:00 PM

Westwood High School
200 Nahatan Street
Westwood, MA 02090

MINUTES

Members of the Board of Early Education and Care Present

J.D. Chesloff, Chairperson
Paul Reville, Secretary of EOE
Kathleen Betts, designee of JudyAnn Bigby, M.D., Secretary of EOHHS
Elizabeth Childs, M.D.
Carol Craig O'Brien
Sharon Scott-Chandler, Esq.
Mary Pat Messmer
Eleonora Villegas-Reimers, Ph.D.
Joan Wasser Gish, Esq.
Cheryl Stanley, Ed.D.
Chi-Cheng Huang, M.D.

Sherri Killins, Ed.D., Commissioner of the Department and Secretary to the Board

The meeting was called to order at 1:05 p.m.

Welcome and Comments from the Chair

Chairperson JD Chesloff welcomed participants and board members to Westwood High School and thanked the town of Westwood and the Westwood Public Schools Superintendent, John. J. Antonucci, for hosting the Board meeting. He also thanked Assistant Superintendent Emily Parks and Sandra Raymond, the director of the Westwood Integrated Preschool Program for the tour of the program and noted that it was a great opportunity to hear directly from those working in the program.

Chairperson Chesloff also extended a welcome to Virginia Cazir, mother of Gabriel Josh-Cazir Pierre, and said he hopes the work the Board has done will honor the memory of her son. On behalf of the Board, he wished that Ms. Cazir was attending this meeting under different circumstances.

Westwood Public Schools Superintendent John. J. Antonucci extended an official welcome to the Board and meeting participants. He noted that he was thrilled that the Board meeting was being held in Westwood. Superintendent Antonucci stated that Westwood is proud of their work in the area of early education and was pleased that the Board was able to see it in action during a tour of their Kindergarten program in the Deerfield Elementary School and the Westwood Integrated Preschool Program.

Comments from the Secretary

Secretary Reville provided an update on the FY13 budget. He commented that although some encouraging news exists, preparations are moving forward cautiously. He also expressed deep concerns for the upcoming year based on uncertain revenue projections in the state and potential federal budget cut backs that may impact early education. Secretary Reville stated that for these reasons the upcoming budget exercise is being approached cautiously and that he is somewhat less hopeful than last year.

Secretary Reville said that Governor Patrick is convening an Education Summit on November 9, 2011, and all of the education boards are invited. He stated that the Governor convened this summit to discuss his concerns in the education field and his next chapter of education reform. Secretary Reville noted he is looking forward to bringing the education boards together to work on overlapping domains.

Comments from the Commissioner

Relevant document included in the Board materials:

- Commissioner's Report, dated October 11, 2011

Commissioner Killins welcomed Virginie Cazir and said she will ensure her input is considered so what happened to her son will never happen again. Commissioner Killins also thanked Board Member Carol Craig O'Brien and the officials from Westwood Public Schools for hosting today's Board meeting. She noted that Westwood ranked number one in the state for 3rd grade MCAS scores this year and that she was excited to hear about the work they are doing and the value they place on early education. Commissioner Killins stated that 98 percent of children in Westwood have access to high quality early education and care, which is attributed to later success, and noted it was great to see this in action and to be able to speak with educators about the opportunities and challenges.

She submitted her monthly report to the Board and highlighted the following topics, which are detailed in the Commissioner's Report dated October 11, 2011:

EEC Staffing

Commissioner Killins thanked Janet McKeon for her 23 years of state service, most recently as a Training Coordination Manager in EEC's central office.

Race To The Top – Early Learning Challenge Grant

Commissioner Killins reported that EEC is working hard on the Massachusetts grant application and that she feels that EEC is in a competitive place. Meetings were held across the state to obtain input and feedback from stakeholders in the field. She added that the Kindergarten Entry Assessment is key to the application and noted that 15 districts have already stepped up to pilot assessments statewide.

Income Eligible Access Update

The current forecast for the Income Eligible caseload projects a deficiency of roughly \$4.7M by the end of FY2012. EEC has considered numerous options to address this deficiency and has been working in partnership with EOE and ANF to consider which options will best achieve the necessary results. Commissioner Killins explained that EEC may have to reduce contract slots to stay within the budget and that she will keep the Board informed.

ARRA Access Update

The Department spent 99.9% of the ARRA funds and that 50% of the ARRA funded initiatives offer sustainability, including the purchase of literacy materials, the trainings on the Center for Social and Emotional Foundations in Early Learning (CSEFEL) model, and physical environment improvements.

Strengthening Families Action, Implementation and Momentum (AIM) partnership

The Center for the Study of Social Policy (CSSP) named Massachusetts as one of four states to participate in its Action, Implementation and Momentum (AIM) Community, which is designed to expand implementation of its Strengthening Families approach. EEC will attend a meeting with three other states (ID, TN, and WA) selected to participate in the AIM Partnership. The goal of the partnership is to build and grow the knowledge base around implementation of Strengthening Families at both the state and program levels.

FACE Symposium

EEC will be represented at "Transforming the Educational Landscape: Connecting Educators, Leaders, and Families to Advance Student Success," which is a family and community engagement symposium sponsored by Scholastic, Incorporated. The Symposium will offer the most recent outcomes in child development research and present strategies that focus on connecting schools, families and communities to advance student success.

Hispanic Heritage Month

October is Hispanic Heritage Month in celebration of "Recognizing Latino Educational Excellence." On October 6th, Governor Patrick recognized three early educators, including Board Member Eleonora Villegas-Reimers, for their service. Commissioner Killins thanked Board Member Villegas-Reimers for continuing to make that work prominent for the Board and for ensuring we are not creating barriers for this population, particularly in the Race to the Top Early Learning Challenge work.

State Advisory Council on Early Education and Care (SAC) Needs Assessment

The SAC Needs Assessment will focus on early educators and families. The purpose of the needs assessment is to inform the Board and EEC of the resources that will best serve families and communities in supporting the holistic development of children, which is an important step forward in building our knowledge and understanding of critical issues facing families.

Assessment Grant

In FY11 EEC worked with Associated Early Care and Education to support the implementation of assessments and screenings in settings serving preschool children across the Commonwealth. This support included training, technical assistance, coaching/mentoring, and providing assessment and screening tools and materials to programs in the mixed delivery system. About 900 educators benefited from 120 training sessions offered statewide. EEC intends to continue this work by awarding this grant to an Institute of Higher Education that is able connect with existing state systems, such as the Educator and Provider Support (EPS) grantees.

Kindergarten Readiness Assessment Model Design and Pilot Project

In FY11 EEC hired the New York University Child and Family Policy Center (CFPC) as the vendor for the Kindergarten Readiness Assessment Model Design and Pilot Project. The model provided child-level data to classroom educators which can be used to inform classroom practice and individualize instruction for children; data that can be aggregated at the program level for site-based improvement and growth tracking; sample or complete data sets that can be aggregated at the state level to make statements about the school readiness level of children in the Commonwealth and inform policymaker decision making.

Holyoke Pre-K to 3rd Alignment

The Holyoke Public Schools (HPS) are interested in entering into a Memorandum of Understanding (MOU) with the Department, similar to the relationship with Springfield to

align systems from birth to third grade. Presently, HPS does not have a formal assessment for children in preschool.

State Advisory Council (SAC) Rural Opportunities Initiative

The State Advisory Council (SAC) Rural Community Support Grant supports two core functions of rural communities: (1) strategic plans to address child and family needs, as well as the quality and effectiveness of Birth through age 8 alignment; and (2) birth through age 8 assessment and screening, as well as curriculum support, to align pre-kindergarten programs through 3rd grade. Applications for funding under this grant opportunity must be submitted by 4:00pm on October 14, 2011.

Reach Out and Read

Commissioner Killins stated that she was excited to host "The Journey Toward Literacy Begins at Birth...and continues in many languages," conference on Wednesday, November 30th, with Reach Out and Read. The conference will focus on the building blocks of early literacy for children growing up bilingual.

Coordinated Family and Community Engagement (CFCE) Renewal Grant

The Department is working with CFCE programs to formalize their services and move forward with the vision of a consistent system of family engagement and support statewide.

Affordable Care Act Initial Funding for Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Grants

Massachusetts has been approved for both the Competitive Funds and the 2nd Year Formula Funds for the MIECHV Program. In addition to the \$1.4 million in formula funds per year, the competitive funds will give the MIECHV Program additional funding ranging from \$7.6 million to upwards of \$9 million a year, which will allow Massachusetts to roll out the MIECHV program to all 17 communities identified as most at risk. Massachusetts will use a number of strategies to ensure the integration of the MIECHV Initiative into a broader statewide system of care for children and their families.

Supporting Military-Connected Families with Young Children

The Department hosted a webinar to talk to educators about military families and how to identify them and continues to work with agencies throughout the state that serve military-connected families with young children to coordinate services.

STEM Summit

EEC will host a pre-STEM meeting for EPS and CFCE grantees in preparation for the 2011 STEM Summit on October 18, 2011.

End of Commissioner's Report.

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 Killins.

- **Lezli Lee, Program Coordinator of Fitchburg Coordinated Family and Community Engagement (CFCE) Program**, stated that she would like to work with the Board, the Department and the legislature to clean up line item language relative to the CFCE program (Line Item 3000-7050 Services for Infants and Parents), which currently contains references to programs that are not funded

through the line, mentions the PCHP and MFN programs which are rolled into the CFCE program, and does not mention the other core functions of the CFCE grantees.

- **William Eddy, Executive Director of Massachusetts Association of Early Education and Care (MADCA)**, provided the Board with a handout and asked the Board to partner with MADCA to provide high quality transportation regulations and policies to strengthen the existing system. He reminded the Board that EEC's transportation rates are historic and not set on any cost basis. Mr. Eddy provided two recommendations: (1) EEC should meet with EOHHS to discuss the provision of a true cost system and report back in 30 days to the Board; and (2) assuming that the rate is higher than \$9/day, together go to the legislature for a supplemental budget to fund the cost of care for families using this system.

Chairperson Chesloff responded that the Special Commission did talk about transportation rates at the last meeting and noted that compensation is not included in today's recommendation but will be further discussed in Subcommittee.

- **Lori McDermott, Clinton Public School**, provided the Board with a handout, and noted that she runs a program called the *Playschool*, supported by the CFCE grant, in which children, 0-6 years old, and their parents play and learn together. The program is at risk due to a reduction in funding and would appreciate any support the Board can give.
- **Susan Mitchell, Co-Coordinator of the CFCE Support Center, Lawrence** – testified on behalf of the Parent-Child Home Program (PCHP) which has experience working with a high need and high risk population. She asked the Board and the Department to consider the PCHP program as a resource as the RTT-ELC grant is written.

End of Public Comment Period.

Disclosures:

Board Member Sharon Scott-Chandler submitted a written disclosure that her employer is an EEC grantee and contract recipient. Board Member Carol Craig O'Brien verbally disclosed that her employer, Westwood Public Schools, currently receives early education 262 funding and is interested in receiving additional funding. She welcomed the Board members to Westwood, her school district and home town.

Routine Business:

Chairperson Chesloff noted that after the vote on the September minutes, the Routine Business section would be skipped over to attend to the first agenda item.

Approval of September 13, 2011 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 September 13, 2011 Board meeting, as presented by the Commissioner. The motion passed with no objections. Kathleen Betts, designee of JudyAnn Bigby, M.D., Secretary of EOHHS, abstained.

Items for Discussion and Action:

I. **Special Committee on Transportation - Vote**

Relevant documents included in Board materials:

- *Review and Recommendations for Improving Transporting Service in Early Education and Care Settings. PowerPoint, dated October 11, 2011*
- *Transportation Policy, Word Document, dated October 11, 2011*
- *EEC Transportation Provider Performance Standards, Word Document, dated October 11, 2011*
- *Proposed Motion to Approve Recommendations of the Special Committee to the Board of Early Education and Care Regarding Policy and Regulation Changes Relative to the Safe Transport of Children*

Chairperson Chesloff presented the Board with an overview of the special Ad Hoc Committee's work. The Ad Hoc Committee members included himself, Secretary Paul Reville, Board Members Chi-Cheng Huang and Sharon Scott-Chandler, Judge Gail Garinger, the Child Advocate for the Commonwealth, and Karen Wells, Senior Counsel for Law Enforcement, Executive Office of Public Safety. He expressed his appreciation and recognized Carmel Sullivan, EEC's Acting General Counsel and the Department for the inordinate amount put into the materials and recommendations.

A great deal of interesting and useful information was uncovered in a short amount of time regarding possible ways to enhance the current regulations to ensure the safety of all children. He pointed out that under 606 CMR 7.13, a driver must take attendance before/after each trip, including complete vehicle inspection after every trip to ensure no child is left on the vehicle.

Carmel Sullivan, EEC's Acting General Counsel presented the Board with the recommendations of the Committee. She stated that the Special Committee reviewed identified best practices, and started by looking transportation standards in early education settings that address drop-off and pick-up and child passenger safety. The Committee then compared EEC's regulations with those of other New England States, Texas, Arizona, Oklahoma, Delaware, North Carolina and Tennessee. Similarities included requirements for written transportation plans; driver requirements; vehicle requirements regarding registration, inspection and insurance; and vehicle safety requirements. Areas of Discrepancy included identification of management responsibility, parent notification requirement for child absences, child safety issues around passenger logs and secondary vehicle inspections and vehicle monitoring devices or addition of an adult monitor, and transportation performance standards. In addition, the Ad Hoc Committee received input from the EOHHS transportation unit.

Ms. Sullivan then presented the Ad Hoc Committee's five recommendations:

1. Provider is responsible for full compliance with transportation laws/policies, regardless of how transportation is provided.

The basis for this recommendation is that there must be an assumption of responsibility for the child while the child is being transported to and from the child care program as well as during child care hours. TN and AR have required this assumption of responsibility by their licensed child care providers; MADCA also articulated that the child care provider is responsible for the safety of the child, regardless of how the service is delivered. This recommendation would require a regulation change and will require additional educator training and monitoring by EEC (additional EEC licensors).

2. Providers shall notify parents immediately if/when a child does not arrive at child care within 30 minutes of his scheduled arrival time, unless parents have previously notified the program of the child's absence or alternative arrival time.

The basis for this recommendation is that it ensures that children are accounted for and promotes accurate attendance, consistent with best practices. WI, OK, and VT have required this notification from their licensed child care providers through their regulations. MADCA recommended a policy for enhanced communication within a defined time limit of a child's expected arrival. This recommendation would require a transportation policy be developed with eventual regulation change and additional educator training and monitoring by EEC (additional EEC licensors).

3. The driver shall carry and complete a passenger log for each route, identifying the name of each child transported, the time picked up, the time dropped off and initialed by the educator or parent/guardian. The driver shall sign the passenger log at the conclusion of the route, certifying completion of the inspection of each seat, surface area, etc. If a monitor is required on the vehicle, the driver shall give the passenger log to the monitor (or additional reviewer, if no monitor is required and vehicle is not equipped with a vehicle monitoring device), who shall physically inspect the vehicle in the same fashion and sign off.

This recommendation ensures that no children are inadvertently left on a vehicle. Additionally, it requires that drivers inspect the vehicle as required and that the vehicle is in a safe and operable condition. This recommendation would require a transportation policy to be developed (no regulation change or contract amendment required) and will require monitoring by EEC and/or an oversight entity.

4. All vehicles designed to transport 6+ children shall be equipped with monitoring devices, approved by the State, that prompt staff to inspect the vehicle front to back. Vehicle monitoring devices are not required for vehicles that carry an assigned monitor, which only transport school aged children, unless the children are developmentally or physically disabled or on vehicles that are only used for occasional field trips or other similar trips.

The basis for this recommendation is that it ensures that drivers physically walk through vehicle as required and no children are inadvertently left on a vehicle. This recommendation would require a regulation change and contract amendment. There will also be cost implications for transportation providers and will require on-site, periodic monitoring by EEC and/or an oversight entity and may require additional EEC contract monitors.

Chairperson Chesloff clarified that transportation providers would have three options:

- The driver performs a post-trip inspection and a second person then walks through the vehicle and signs the passenger log;
- Two people, a driver and a monitor, would be on a vehicle, so there are always two sets of eyes; or
- Install and use a vehicle monitoring device.

Judge Gail Garinger, the Child Advocate for the Commonwealth, agreed and confirmed that the purpose of the device is to require the driver to walk to the back of the bus to turn it off, which, in turn, would require the driver to traverse the vehicle and check for children.

5. Develop customized transportation performance standards, based upon those created by the Human Service Transportation (HST) Office of EOHHS, to be incorporated into all EEC contracts for transportation services. Standards must be adhered to by all transportation providers and are applicable to all Family Child Care Systems/Providers.

The basis for this recommendation is that it provides defined expectations of transportation services and responsibilities of contractors and subcontractors for transportation services. This recommendation would require a contract amendment to include an acknowledgment that the standards have been read by the Transportation Provider, Early Education and Care Provider and Family Child Care System, if applicable, and will require monitoring by EEC staff and/or an oversight entity.

Ms. Sullivan stated that the proposed recommendations address and clarify existing regulations. She noted that Secretary Reville had raised a point that tinted windows obstructed views into vehicles and his concern that one should be able to see into the rear of the vehicle.

Chairperson Chesloff expressed that it was an important step to incorporate all the regulatory, contract, and policy requirements into one document and to develop a process, so that all who provide transportation, read it, understand it, and sign it, acknowledging their responsibilities. Current regulation should have prevented this death and it seems we need a second layer of responsibility in the form of a sign off.

Secretary Reville added that he appreciated Ms. Sullivan's point relative to tinted windows and asked where information, at that level of detail, is covered. Ms. Sullivan responded that it is included in the performance standards and would be disseminated as a contractual amendment. Secretary Reville asked for clarification on the day's actions. He asked if the Department is calling for review of the Performance Standards and then make amendments to those and asked if that was subject to the Board's approval. Ms. Sullivan responded that the recommendations are subject to the Board's approval; the Department may look for additional input and assistance from HST regarding monitoring, which would then be incorporated. Secretary Reville asked if today's vote is to vote on the process for a review of the standards and then will consider modifications to those through a final approval in December. Ms. Sullivan replied that if regulations are proposed from the recommendations, then draft regulation language can be written. Board Member Scott-Chandler and Chairperson Chesloff agreed that it was their understanding that today's vote was on the recommendations put forth from the Committee.

The Board asked the Department which portions of the recommendations could move forward. Ms. Sullivan responded that anything that does not require a regulation change can be voted on at the current meeting and can be immediately enacted, such as the Transportation Policy. All pieces that need a regulation change will be expedited and any that can move forward with immediate action will.

Board Member Messmer asked if rates of reimbursement could be added to the language, so that issue does not get lost. Chairperson Chesloff responded that the focus is only on safety and the Finance Committee will go over the financial implications. Secretary Reville added that the urgency is with safety and the Board should focus upon ensuring an even greater degree of safety.

Kathleen Betts, designee of JudyAnn Bigby, asked if there was anything addressing the operating ability of the driver, such as the use of drugs and alcohol. Ms. Sullivan responded that motor vehicle violations resulting drug and alcohol use were included in the

Performance Standards. Ms. Betts clarified that the language is in the proposed performance standards and not regulation; Ms. Sullivan confirmed that currently it is not in regulation and that the requirement of random drug testing is not specifically described in the current Performance Standards document. Board Member Scott-Chandler added that the requirement is likely to be in the RMV regulations.

Board Member Childs expressed that this is a critically important issue and is glad it will be on the Fiscal Committee agenda, so they can move through the process and be thorough. She noted that the Department will need a fiscal analysis of the total costs as the FY2013 budget is being created and the timing is tight; She noted that she loved that her colleagues' recommendations included strengthening family and provider communication, as it is the greatest thing we can do for child safety. The most important hand off is our child to the next person responsible for them and strengthening that, if not face to face, then over the phone is a terrific addition to the recommendations and is one policy the Board can vote on for immediate implementation.

Chairperson Chesloff thanked Ms. Sullivan and David McGrath, Deputy Commissioner for Field Operations and asked that the proposed motion be re-drafted in such a way that recommendations can be immediately implemented and those that are not immediate, will be expedited.

Chairperson Chesloff then asked Virginie Cazir, mother of Gabriel Josh Cazir, for any comments she would like to share.

Ms. Cazir commented that if tinted windows were prohibited, she would likely not be here today because someone may have seen her son and could have helped him. The driver is just one person; with 8 or 9 children in a vehicle it is not safe. She noted that her son could not talk and needed a second set of eyes to help them. She understands the vehicle safety device is a proposed option, but she feels transportation vehicles still need two people to ensure safety. She remarked that her older son has a bus driver who needs help with the children; the driver cannot keep turning around to manage the children. She added that there needs to be a manual that instructs parents to be called; if someone had called her to say her son never arrived in care, she would have found out where her child was. She does not want other parents to go through what she is going through.. She noted everyone needs to be more concerned about these children and more people need to be hired. The most important changes include the day care calling parents to let them know their child did not arrive and having an extra person/monitor in vans/buses that transport children.

Chairperson Chesloff thanked Ms. Cazir for her comments and added that the Board members' hearts break for her and she is a strong and amazing woman.

Mayra Welsh, godmother of Gabriel Cazir Pierre, then addressed the Board. She voiced her concern at the length of time that the adoption of regulations could take. She commented that this should never have happened and her research indicated that there is a large rate of similar incidents due to a lack of communication that a baby is left in a car. Ms. Welsh noted she was not clear on EEC's ability to make law but she will not rest until there is a law to protect children being transported with criminal offenses tied to it. The MSPCA has passed laws regarding the abuse of animals being left in a car because people galvanized to create laws regarding cruelty to animals. Ms. Welsh asked the Department and Board to do everything in their power, and in partnership, to make regulations attach to criminal offenses, not just taking away a driver's license. Ms. Welsh added that no parent wakes up and gives their child to someone and expects to never see them again and thanked the Board for caring.

Chairperson Chesloff thanked Ms. Welsh for her comments and said the Board will incorporate the possibility of adding criminal offenses into future discussions.

Attorney Ernst Guerrier addressed the Board, opining that he was not hearing consistency as to who is going to assume responsibility. He noted that a number of drivers have second jobs and this job, along with the safety of children, is not their sole focus. In listening to presentation Attorney Guerrier commented that he did not hear a lot of parental involvement in the regulations. He reiterated his commitment to work with the Board and Department and he has enlisted Marie St. Fleur at the State House and has made requests of the Governor's office. There are changes to be made and the Board and Department are the most qualified to make those changes. He asked that other parents be engaged before decisions are made.

Chairperson Chesloff suggested that the Board review the revised motion and implement any recommendation that can be implemented immediately and then for those regulation changes that are bound by process, they will be put out as emergency regulations. Lastly, the Performance Standards will go to the Policy Committee for review. Chairperson Chesloff added that the items on Ms. Cazir's list will happen immediately, if possible, or will happen in an expedited way.

Secretary Reville told Ms. Cazir that she was courageous and if she goes away with one thing, it is that the Board and Department share her sense of urgency and will do everything they can as quickly as possible. They cannot enact a statute, but are willing to work with the legislature. The Department can make changes to regulation, but are bound by statute on the process to do so and will stay within those boundaries, but will attempt to work in an expedited fashion. Secretary Reville added that many considerations were raised today relative to tinted windows, parent participation in regulation changes and the speed at which we would like new regulations. A balance must be achieved and the Board pledges themselves to work hard on these issues.

Ms. Cazir thanked the Board and said she appreciated their work; noting that her older child is in a child care program. She urged the Board to keep doing what they are doing; it is important to parents. Ms. Cazir concluded that she looks forward to the results and will come to future meetings.

Chairperson Chesloff noted that all the Board members are parents and they understand. The information shared will help update the Board's actions.

On a motion duly made and seconded, it was:

VOTED that the Board of Early Education and Care approves the Special Committee's recommendations by:

- (1) enacting the transportation policy recommended by the Special Committee that details the procedures for the drop-off and pick-up of children by Transportation Providers and for Parent/Program Notification in the event a child does not arrive at a program;**
- (2) reviewing the proposed Transportation Provider Performance Standards in an expedited manner for contract implementation; and**
- (3) reviewing regulation amendments relative to the safe transport of children to be presented to the Board in December, 2011.** The motion passed unanimously.

Board Member Chi Cheng Huang thanked Ms. Cazir for coming and said in the last 30 days, although he never met her son, he has thought of him and has lost a few nights of sleep

thinking about him. He asked Ms. Cazir not to hold the Board accountable for this, but to walk with them; the Board needs her insight to ensure this never happens again.

Board Member Joan Wasser Gish also thanked Ms. Cazir for coming and noted her comments were important and she does not want them to get lost. In the spirit of working collaboratively, there is much to be done on the policy and legal front and there needs to be a cultural shift to make sure children are safe. It is a great opportunity for the Department, Board, providers and for the community that want to work on a campaign to help save a life by checking seats.

Ms. Cazir thanked the Board again for listening and for their attention to this matter; she is sad to be here but will support the work of the Board and the Department.

II. Early Learning Challenge Grant Application- Discussion

Relevant documents included in Board materials:

- *Early Learning Challenge Opportunity: Massachusetts' Plan, PowerPoint, dated October 11, 2011*

Commissioner Killins presented the Board with an overview of the Massachusetts application. She reviewed the Early Learning Challenge priorities and explained that there is one absolute priority to promote school readiness for children with high needs; two competitive priorities to include all programs in tiered QRIS and to understand the status of children at kindergarten entry; and two invitational priorities to sustain effects in early elementary grades and encourage private-sector support.

A core area addresses successful state systems, where the state's past commitment to early learning development is discussed, along with the reform agenda and goals, alignment and coordination across the state, and the budget to implement and sustain the work. Another core area is around high-quality, accountable programs, where statewide tiered QRIS is referenced as well as validating the system, the promotion of QRIS participation, rating and monitoring programs, and promoting access to high-quality programs for children with high needs. The application also addresses Focused Investment Areas such as promoting early learning development (ELD) outcomes for children, a great early childhood workforce, and measuring outcomes and progress.

Commissioner Killins stated that the application leverages the EEC Board Strategic Plan, which was used to guide decision-making in the application process. She reiterated that public forums were held across the state to solicit feedback and a leadership team, made up of EEC Advisory Council members and Board Member Villegas-Reimers, to inform the development of the application. The Department was also fortunate to work with national experts, provided through the Early Learning Challenge Collaborative TA initiative, to solidify details of the application. Multiple MOUs were developed with participating state education and health and human services agencies for shared work (DMH, DCF, DCHD, etc.) and letters of support endorsing the state's application were received from key stakeholders and will be included in the final application, which will be signed by the Governor, Attorney General and participating state agency heads and will then be submitted on behalf of the Governor.

Commissioner Killins remarked that the application will demonstrate Massachusetts' position as a leader in education with a strong governance structure. The application includes the strategic goals of enhancing children's healthy growth and development through quality early childhood programs, both formal and informal; strengthening community, school, state and family supports to support parents as first teachers; and identifying developmental risks to support school readiness and prevent the achievement gap.

Commissioner Killins added that the state needs to invest in the early education workforce to increase skills, knowledge, abilities and compensation to retain quality educators in the field. She noted that support for high needs children happens on multiple levels, i.e. state, regional, community and program levels. The application will identify how we achieve our strategic goals by outlining the outcomes we want for children; how we support their achievement; where to target resources; how we track our investments and measure growth and how we will know we have achieved our goals.

The Department has worked closely with the Leadership Team relative to the Massachusetts High-Quality Plan, which includes common core elements:

- The design and implementation of a comprehensive assessment system. This work began with a pilot of 10-15 CFCE programs providing universal screening. In partnership with Commissioner Chester, the Department wants to ensure the kindergarten readiness assessment (KRA) will align across the board. A cohort of communities have been invited to pilot the initiative to help understand how to best implement a KRA in MA. The pilot communities represent a mix of geography and diverse populations. Representatives Wolf and Peisch successfully went to the legislature for assessment resources.
- Engaging and strengthening communities and families by formalizing community family engagement grants. More tools are needed in the field around literacy based models that can be added onto a program. The Department received support from the Boston Children's Museum and Countdown to Kindergarten and EEC is seeking to expand the role of museums and libraries statewide to continue building off of the *Brain Building in Progress* campaign.
- Supporting workforce development, increased compensation, and formalized coaching and mentoring by looking at evidence based models. Paraprofessionals will be supported and there will be a focus on educators whose first language is not English. Wheelock College is discussing a post Masters program to develop practice based research. The Department will also focus on literacy and numeracy and is talking to Walter Gilliam about social emotional development. The Department is also working to align work with the Readiness Centers and with EPS.
- Improving program quality, primarily through the QRIS System to provide resources to advances on the QRIS ladder through on-line courses and a QRIS validation study.
- Linking schools and communities to promote healthy child development pre-k to 3rd grade by engaging leadership, developing a universal screening process, and building a formative assessment system.
- Building data systems to support infrastructure, through the design and implementation of a Comprehensive Assessment System that includes screening (ASQ/ASQ SE) and needs and risk assessment; a Massachusetts Kindergarten Entry Assessment (MKEA); PK-3 formative assessment system alignment with Common core and PARCC; and support, training and data analysis. The Massachusetts Kindergarten Entry Assessment (MKEA) will call for the identification of formative assessment tools and it is anticipated that 12-15 districts will participate the first year.

Commissioner Killins reminded the Board that the application is due October 19th and stated she believes Massachusetts is in a good position. She explained that the Board will

not need to vote because the Governor submits the application on behalf of the Commonwealth.

Chairperson Chesloff noted that he is clear on the “guts” of the proposal and asked Commissioner Killins if there is anything the Board can do to further support the application. Commissioner Killins responded that Board members could submit a letter of support and that after the application is submitted, Board members can help to move the state forward by aligning existing resources.

III. FY2013 State Budget – Discussion

Relevant documents included in Board materials:

- *FY13 State Budget Discussion, PowerPoint, dated October 11, 2011*

William Concannon, Deputy Commissioner for Administration, updated the Board on the Department’s preparation of its “maintenance” budget for FY13. He reminded the Board that ANF Guidance defines “maintenance” as the funding level, after minimal adjustments in specific areas, to enable a department to carry out the same level of service in FY13 that can be provided in FY12. No additional items, either expansion or savings, should be proposed as part of the maintenance budget.

Deputy Commissioner Concannon identified the need for an increase of \$395,988 in the FY13 administrative line item to account for step increases, collective bargaining agreement raises, and the increased lease costs in the Boston office. He also highlighted that EEC continues to fulfill the mission of the Department despite a reduction of 28.7 FTEs over the past three years. He reviewed the FY12 Proposed Staffing Budget and recommended that the Board fill essential positions in order to rebuild infrastructure, which includes hiring a Director of Community Partnership and Outreach, two Fiscal Monitors, and two Child Care Licensing Specialists. Chairperson Chesloff asked to be reminded of the job description for the Director of Community Partnership and Outreach. Deputy Commissioner Concannon responded that this position would have been charged with handling all freedom of information act requests received by the Department over the past few weeks as well as serving as the Department’s media/legislative liaison.

He then outlined the expectations for the FY13 Proposed Caseload accounts. For Supportive Child Care, the Department will request level funding, even though current forecasts project a \$3.1M surplus. EEC also anticipates level funding in the DTA Related Child Care account, despite the current FY12 forecast projects a \$4.2M surplus. The need for additional funds in both accounts cannot be definitively forecasted because of the volatility in caseload may change the status. He also noted that spending in both the Supportive and DTA accounts reflects the legislative language that there cannot be a wait list in either account. Due to the current projection of a \$4.7M deficit, the Department anticipates an increase in the Income Eligible account.

Deputy Commissioner Concannon reviewed the other accounts, including:

- 3000-2000: Access Management - Funded at \$5.9M in FY12 to support 10 CCR&R contracts and funding for Information and Referral services;
- 3000-5000: Head Start - Funded at \$7.5M in FY12 to support 29 Head Start grants;
- 3000-5075: UPK - Funded at \$7.5M in FY12 to support over 200 UPK grants and other quality projects;
- 3000-6075: Mental Health - Funded at \$750K in FY12 to support 6 grantees;

- 3000-7050: Services for Infants and Parents - Funded at \$18.1M in FY12 to support grant programs (107 CFCE grantees and 6 Professional Development grantees) and other quality projects that are all CCDF quality eligible;
- 3000-7070: Reach Out and Read – Separated from the Family Engagement line item in FY12 and funded at \$800K.

Deputy Commissioner Concannon confirmed that there is no separate appropriation to fund the Quality Rating and Improvement System (QRIS), but noted that has not stopped the Department's efforts in managing QRIS, which was funded in FY10 with state funds, in FY11 with ARRA funds and will be funded in FY12 using funds from two state appropriations. He noted that EEC may make a request to include funding for QRIS in its maintenance budget.

Deputy Commissioner Concannon then presented the Board with two charts: (1) the Department's FY13 Proposed Maintenance Budget; and (2) the Department's FY13 Proposed Maintenance Plus budget, which includes infrastructure investments. Chairperson Chesloff and Board Member Childs asked if EEC should address transportation costs in the Maintenance Plus budget. Commissioner Killins responded that transportation costs are assumed to be built into the Income Eligible line item. She noted that the Department could estimate that 20,000 children served out of that line item receive EEC-funded transportation. Assuming an increased rate of \$25/day as suggested by MADCA, EEC can determine the estimated costs. Board Member Childs added that it is important to know if ANF will recognize these costs as maintenance or a proposed increase. Commissioner Killins commented that it will not be seen as maintenance. Chairperson Chesloff noted that if it is recommended that two monitors are required on each bus in FY12, these funds could potentially be provided in FY12 through a supplemental budget. If so, he noted that maybe we can assume part of these funds in the FY13 maintenance budget, as opposed to maintenance plus. Board Member Childs added that understanding of transportation costs related to the FY12 and FY13 budgets is critical because if this not funded by a supplement, or recognized and built into the budget, then there needs to be a conversation about making tradeoffs in the budget.

Board Member Huang asked how the Department was trending prior to the economic crisis. Deputy Commissioner Concannon responded that EEC has done well during past fiscal years. Commissioner Killins added that there has been no increase, but also no decrease.

Chairperson Chesloff said he would like to see a more obvious connection to the transportation regulations and cost implications. The cost to provide transportation is a separate discussion from the budget discussion, but we need to see how it all aligns. Deputy Commissioner Concannon said he understood and will work on that.

Board Member Craig O'Brien added that for the Early Learning Challenge (ELC), and looking forward to FY13, we need to all be clear that ELC funds may not be used to supplant previous state funding.

Deputy Commissioner Concannon presented a FY13 Budget Process chart and noted that the Department will be communicating with the Board on this throughout the year. Chairperson Chesloff noted that the Board needs to vote next month and will need to address transportation costs. He then asked if the Department was providing an aspirational budget this year. Deputy Commissioner Concannon indicated that the Maintenance Plus budget is the aspirational budget. Chairperson Chesloff said a Maintenance budget with transportation should be a separate document and not tied to the other budget documents.

Deputy Commissioner Concannon noted that if the transportation costs were included in a FY12 supplemental budget, then they would be included in FY13 Maintenance. Commissioner Killins noted that the Department currently pays to transport 20,000 children a day. She opined that the Board may need to weigh in on how many children we can transport safely; maybe the Department cannot afford to transport them all. Board Member Childs agreed that this is the type of tradeoff conversation the Board will need to have depending on the direction of EOE and ANF and how they want to view potentially additional transportation costs.

Board Member Wasser Gish added that there may be some one-time expenditures to account for in a supplement. Deputy Commissioner Concannon noted he will put together a budget on transportation with the Fiscal Committee.

IV. Inclusion for All Learners – Panel Discussion

Relevant documents included in Board materials:

- *Inclusion for All Learners, PowerPoint, dated October 11, 2011*

Sarah Harding, EEC Director of Operations and Human Resources, presented the Board with information relative to supporting diverse learners and early childhood special education. She reviewed funding strategies that provide increased access and opportunity for early learning experiences in inclusive environments for young children with diverse learning needs, disabilities, and developmental delays or who are educationally at-risk. Ms. Harding reviewed EEC's system of support for diverse learners. She explained that the Department's Family and Community Quality Specialists touch the regions and school systems; the EPS grantees provide professional development for the education system; the Department's policy team and grants management handle technical assistance and funding to LEAs; and the Department's licensing unit with input from the legal unit review special requests for flex pool spending.

Six Regional Consultative Programs (RCPs) provide technical assistance and support to pre-school settings on special education transition and inclusion of 3-5 year olds with disabilities. These regional programs are available to assist families to consult with public schools, early intervention, and early education and care programs. The Department also supports multiple meetings that focus on inclusion for all learners, such as the Summer Institute. Community of Practice Meetings are held throughout the year and focus on transitioning from early intervention to special education supports.

Ms. Harding summarized the three funds the Department administers to support inclusive learning:

Special Needs Flex Pool funding - In 2010, these funds served approximately 100 children at the cost of \$1,167,212.

Inclusive Preschool Learning Environments, Fund Code 391 - support direct service activities. In FY11, 96 grantees received \$9M in IE state funds and renewal grants were available to 97 public schools districts and lead agencies to support preschoolers with disabilities in inclusive settings. These funds are typically used for educator salaries and children's transportation.

The Early Childhood Special Education Grant, Fund Code 262 -- the IDEA Federal Entitlement Grant for 3-5 Year Olds administered by EECs (through an ISA with ESE) and is offered to 310 LEAs and charter schools to support public preschools serving children 3, 4, and 5 year olds with disabilities. The Early Childhood Special Education

Allocation for FY12 is \$7.3M with 263 school districts and charter schools providing early childhood special education services and related services to 14,854 children.

Ms. Harding outlined communities that serve the largest populations of children ages 3, 4 and 5. Board Member Huang asked if the funds are proportionally spent throughout the population. Ms. Harding responded that the Department follows the guidelines provided by the federal government. Commissioner Killins added that if the data was displayed by district, it would look different as it does not reflect local spending.

Ms. Harding summarized the Inclusion for all Learners panelists:

- Ron Benham, Director, Bureau of Family Health and Nutrition, Massachusetts Department of Public Health
- Vicki C. Milstein, Principal of Early Education Brookline Public Schools
- Patricia Murray, Disabilities Manager, Greater Lawrence Community Action Council, Inc.
- Sandra L. Raymond, Director of Westwood Public Schools, Integrated Preschool

Mr. Benham has worked at DPH for 30 years, mostly with the Early Intervention (EI) program which annually serves 33,000 children, age birth to three through 65 funded programs. The children present through a birth condition or developmental delay or are at risk of delay due to environmental issues. Fifty percent of children are referred from a doctor or hospital due to a birth condition; the others are referred from a DCF supported investigation, child care agencies where educators have strongly encouraged a family to get their child evaluated, and some families self-refer because they are aware of EI as a resource. Children served in EI must be served in a natural environment, which is any setting typical to participating in natural life (i.e. a child care setting, YMCA, family network, etc.). This is more so for toddlers in group activities; EI tries not to recreate a group and uses existing groups whenever possible. Mr. Benham referred to Ms. Harding's presentation and noted that relative to transition, DPH, Head Start, and EEC authored a document on transitions that showcases how well the field works together. Mr. Benham noted that some of the 3,500 three year old children on IEPs come out of EI. Under Commissioner Killins' leadership, the Departments are working on ways to obtain parental consent for data sharing to understand if children are maintaining the progress they made in EI. It is great if children did well in EI, and it is even better to say they are still doing well in 3rd grade and there are not recurring issues.

At age two EI lets schools know the number of children that are coming so the schools can plan their special education program. Mr. Benham noted that children are not expelled from EI -- often those challenging behaviors are the reason they are in EI and that the programs are generally staffed by professional developmental specialists with therapeutic backgrounds.

The next panelist, Vicki Milstein thanked the Board for inviting her and for the opportunity to share her work. Brookline began as a research model for at risk children in the 1990s with 12 programs and now has 22, which speaks to the increased number of children that require services. The programs are growing significantly; in the integrated classrooms, 25% of children are "at risk". Brookline is often thought of as a homogeneous community, but it has families that are English Language Learners, live in subsidized housing, are eligible for free and reduced lunch, etc. and the school tries to provide an inclusive setting. In the Brookline programs, there is only one model that is substantially separate; all children with identified needs are included with their typically developing peers and each classroom has a Master's level teacher and two paraprofessionals, many of whom also have Master's degrees. Brookline is seeing a dramatic increase in children with multiple disabilities and

Autism Spectrum Disorder (ASD). Programming for those with ASD is a part-day substantially separate classroom. These children behave in such a way that can alienate them from their peers and interfere with their development. Once they are aware of their peers, they are fully included in the classroom. Specialists work with those children on a more intense basis. All of the classrooms have children on the spectrum and children are often not identified until they are in the classroom.

New children that move to Brookline are unknown to the public schools through the EI program, so the school will get 5-6 children at the end of summer with transition plans or IEPs from another school. This often makes trying to plan for all children an on-going process. At three years old children leave EI and come to the public schools. Brookline has three supervisors, social workers and dedicated therapists, and has two co-taught models (for those with intensive special needs) which may include a nurse and/or one-on-one aide to fully include a child. The level of disability is not a barrier to full inclusion.

During the summer, the schools worry about children that are deemed "at risk". The LAUNCH program serves them during the summer to bridge learning and is provided five days a week with a focus on literacy, math and social emotional/behavioral objectives that is taught by certified teachers and paraprofessionals. The program is possible for working families through a recreational camp partnership; the children spend the afternoon at camp and can stay in care until 5-6 p.m. Through data collection, it has been noted that any child that attends the program for a minimum of four weeks exits with improved skills before the end of summer; not only were there no learning losses, but gains were made. To ease transitions, Brookline invites receiving schools to visit the school during a Peek and Practice day, where all children who will attend Kindergarten participate in a practice day and receive a certification that they have been to Kindergarten. A summer SPARKS program goes into housing authority buildings to reach children and targets math and literacy for children aged 3-7.

The next panelist, Patricia Murray noted that Lawrence is a high risk community and the services it offers reflect that. Children are recruited into Head Start (HS) in multiple ways including distribution of flyers door to door, word of mouth, and referrals from doctors and mental health agencies. The supports in place for HS are not just for the children, but for their families as well. HS operates on a case management team basis with a commitment to kindergarten readiness. In the city of Lawrence, 90% of children in programs have English as their second language. The HS classrooms all have two teachers and bi-lingual staff. The Child Support Service Team provides mental health and nutrition services (along with other comprehensive services) and can assist families with finding services for their children. HS is mandated to refer to EI and acts as a support for parents such as attending meetings to advocate on behalf of parents.

Difficult behaviors are an on-going problem and a new curriculum has been implemented and is the focus of the first two months of programming with the message of "be kind, safe and respectful"; the message is for teachers, parents and children.

Commissioner Killins asked what percent of children are identified through an IFSP or IEP. Ms. Murray responded that 10-11% of children are but if mental health issues are added, an additional 8-10% could be added to that figure.

The next panelist, Sandra Raymond, discussed that Westwood has three preschool classrooms and is fortunate to have highly qualified teachers with Master's degrees and substantial experience. They have at least two assistants/paraprofessionals, several certified teachers, one occupational therapist working as an assistant and a full time speech,

occupational, and physical therapist as well as a school psychologist and behavioral specialist available.

Through generous grants from EEC, funds were used last year to support the district's technology efforts by allowing Westwood to purchase computers and 10 IPADS, which are a powerful tool for children have disabilities because their computer looks like their peer's computer. Ms. Raymond stated that Westwood is committed to working with the school and with EI around children who will transition. She provided an example of how the transitional meetings occur and what is discussed. During the first week of school, preschool teachers in Westwood visited the kindergartens where children with intensive needs were enrolled to see the child, meet the teacher, explain the system of support, and ensure there were no questions so that a strong connection could be made. Westwood is seeing more children with behavioral issues that who can be provided regular education programming with the use of the school psychologist and behavioral specialist.

The Board was asked if they had questions for the panelists. Chairperson Chesloff began by asking Ms. Milstein what full inclusion for a child with ASD looks like. Ms. Milstein responded that if the child was not identified by EI and has been at home being cared for by parents or a nanny etc., the child may not yet have developed awareness of the world around them and of ways to interact. The program will start with more support so they can then move toward inclusion; the program may be a half day of inclusion and then the more skills the child learns, the more fully included they will be and their peers will be more likely to fully integrate the child into the classroom. Brookline also has five social skill groups, so once fully included, children with additional needs may access these groups which provide such information as how to go on a field trip -- the skill will be practiced so the child is comfortable when it happens and peer acceptance is maximized because the peers see them as normally interacting on that day.

Board Member Huang asked about the projected numbers of children with ASD in the next five years. Ms. Milstein responded that in Brookline that number is rapidly increasing; the number has doubled in five years; some come with a diagnosis and end up with a dual diagnosis. Ms. Murray responded that in Lawrence, there were two children last year and five this year. Mr. Benham added that EI has seen 10-15% growth in the past, but it is currently at 5%.

Board Member Craig O'Brien asked what supports are given to the early education and care community in a consultant role. Ms. Raymond responded that Westwood has an active council and has a preschool network of directors for private and public programs that talk about overall needs of children and how to collaborate together. Last year, seven children received an intervention in private programs and, as a result, all but one stayed in their program with these supports and the one child who could not entered the public program. Ms. Murray said Lawrence works closely with parents and provides opportunities for parent education by meeting regularly with public school staff and EI staff to review how everything is working. Ms. Milstein complimented the Westwood program for their good work.

Board Member Childs acknowledged that she had two children under Ms. Milstein's leadership and both received a terrific education due to the quality of the programs. She asked how to facilitate additional classrooms and supports. Ms. Milstein replied that if they had resources, there is a lot they could do, like an Inclusion Institute, conducted in the past, where Brookline teachers and paraprofessionals could come as well as any private provider, free of charge, to receive training. Speech and occupational therapist training is also critical because sometimes a child's behavior is related to a mental health issue or a language

access issue or a social development skill, and all can be supported through different expertise.

Chairperson Chesloff thanked Westwood for hosting the meeting and said he would soon provide a document that outlines the work of each Committee.

**On a motion duly made and seconded, it was:
VOTED that the meeting adjourn at 4:21 p.m., subject to the call of the
Chairperson.** The motion passed unanimously.

Respectfully submitted,
Sherri Killins, Ed.D.
Commissioner of the Department and
Secretary to the Board