
Board of Early Education and Care

December 9, 2008
1:00 PM – 4:00 PM

Department of Early Education and Care
51 Sleeper Street, 4th Floor
Boston, MA 02210

MINUTES

Members of the Board of Early Education and Care Present

Sharon Scott-Chandler, Chairperson
Michele Norman, Designee of the Secretary of Education
Kathy Betts, Designee of the Secretary of EOHHS
J.D. Chesloff
Elizabeth Childs, M.D
Carol Craig O'Brien
Julie Culhane, Ph.D., Vice- Chairperson
Chi-Cheng Huang, M.D.
Lynson Moore Beaulieu
Mary Pat Messmer

Amy Kershaw, Acting Commissioner of the Department and
Secretary to the Board

Members of the Board of Early Education and Care Absent

Orlando Isaza

The meeting was called to order at: 1:20 p.m.

Welcome and Comments from the Chair

Chairperson Scott-Chandler opened the meeting and noted that Acting Commissioner Kershaw's update will be moved to later in the agenda due to the fact that she and Secretary Reville are meeting with the Governor to discuss the FY10 budget.

- **Formation of Subcommittees:** Chairperson Scott-Chandler announced the formation of three Board Subcommittees and appointed Board Members to each Subcommittee, as follows:
 - Fiscal and Budget – Board Members Chesloff, Huang, and Chase.
 - Planning and Evaluation – Board Members Culhane, Isaza, and Beaulieu.
 - Policy and Programs – Board Members Childs, O'Brien, and Messmer.
- **Birth to School-Age Task Force Launch:** Chairperson Scott-Chandler announced the creation of a Birth to School-Age Task Force which is a key recommendation of the Governor's Education Action Agenda. The co-chairs will be EEC Board Member Lynson Moore Beaulieu, Libby Zimmerman, Director of Connected Beginnings, and Peg Sprague, Vice President for Community Impact at United Way Mass Bay and Merrimack Valley. The charge of the Task Force is to establish a statewide birth-to-school age strategy to ensure the

healthy development of children, particularly very young children from those low-income families. The Task Force is expected to begin its work soon after the New Year.

Chairperson Scott-Chandler added that a budget discussion is not formally a part of the agenda for this meeting, but the Board is encouraged to interject where relevant around budget issues discussed at the November meeting.

Comments from the Secretary (Designee Michele Norman)

Executive Office of Education (EOE) designee, Michele Norman, spoke of the positive reaction from the administration regarding the work EEC and the Board have done in response to the recent fiscal challenges. The Education Secretariat is being recognized as one of the most responsive Secretariats in the state, taking its charge very seriously while also being thoughtful in decision making.

Ms. Norman also stated that EOE has continued to act as a connector of the three education agencies. Ms. Norman provided some updates on developments at the Departments of Higher Education and Elementary and Secondary Education. Updates included the Board of Higher Education's recent recommendation of Dr. Richard M. Freeland as Commissioner of Higher Education, as well as the appointment of a new Board of Higher Education Chairperson, Charles F. Desmond.

Ms. Norman also noted that a Task Force was created at the Higher Education level on 21st Century Skills that is modeled after the Elementary and Secondary Education 21st Century Skills Task Force, with the goal of making recommendations about programs and policies to better serve students.

Finally, a big announcement has come out of the Department of Elementary and Secondary Education regarding the results of the Trends in International Mathematics and Science Study (TIMSS), showing that Massachusetts 4th and 8th grade students have out-performed students in other nations in the subjects of math and science. This is good news but there is caution that on-going challenges remain regarding the achievement gap within certain populations and demographics of Massachusetts students and the work we do here to integrate education continues to be important.

Due to time constraints and concerns that one or more Board members may have to leave the meeting early, Chairperson Scott-Chandler asked that the Board move to the first agenda item and asked that only public comment relative to the selection of the EEC Commissioner agenda item be had before that discussion and vote. Chairperson Scott-Chandler stated that she would reopen public comment upon the conclusion of the Board's discussion and vote on the selection of the EEC Commissioner.

Statements from the Public on the Selection of the EEC Commissioner

**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 Scott-Chandler or Acting Commissioner Kershaw.*

- **Helen Charlupski, Massachusetts Association of School Committees** – commented on her concern that the finalists for EEC Commissioner lack early childhood backgrounds. She added that EEC's mission is education and care and the agency should hire someone with the commensurate background, and referenced the Board of Higher Education who recommended a commissioner who had spent some time as a college president, and the Department of Elementary and Secondary Education who would never hire a commissioner who was not a superintendent or teacher with classroom experience.

I. Selection of EEC Commissioner Candidate to Recommend to Secretary of Education—Discussion and Vote

Chairperson Scott-Chandler briefly recapped the Commissioner Search process that began in April of 2008. She recounted that EEC secured the firm, Isaacson, Miller, to assist and manage the comprehensive nationwide search for candidates, which included a review of over one hundred resumes and communication with more than 200 individuals. After initial screening and selection, Chairperson Scott-Chandler reported that the Search Committee was presented with a preliminary list of candidates in September 2008. She stated that the Search Committee reviewed many resumes and interviewed nine preliminary candidates in executive session to protect the candidates' confidentiality. The three finalists were selected in October/November and publicly interviewed on November 13th by the Board, as well as by members of a Search Advisory Group. Chairperson Scott-Chandler thanked Board Members for all the time devoted to the process and reported that the Board unanimously agreed to bring forward the three most highly qualified candidates. Chairperson Scott-Chandler confirmed that one finalist, Janet Rosenzweig, withdrew her name from consideration. At this point, she opened discussion on the matter to the Board.

Board Member Beaulieu commented the Commissioner Search was a challenging process, somewhat constrained by the open and public nature, which prevented some potentially good candidates from seeking the position. She stated that it was most important to her to find a Commissioner who can connect with the field, has experience working with the ground level and is a good listener. She acknowledged the lack of specific early childhood education professional background in the finalists but emphasized that EEC needs a leader to bring the agency forward. She said that she believes the Board, in recommending Dr. Killins, would have a candidate who has the disposition to do that. She stated that as decisions are made around how to build a system, she is confident that the Board and the department would give the new Commissioner the support and access to the expertise that will enable her to thrive as the early childhood leader that EEC needs.

Board Member Chesloff thanked Chairperson Scott-Chandler for her leadership throughout the search process, and acknowledged and thanked Acting Commissioner Kershaw for her commitment in leading the agency during this transitional time. Board Member Chesloff said he was excited about both candidates. He stated that Judith Meyers was very strong and has shown good leadership. He said he was impressed by Sherri Killins' confidence and competence, and that he trusts that she would make good evidence-based decisions. He added that he thought Dr. Killins would be a strong manager, and he would be excited to see her in action. Board Member Chesloff emphasized the importance of the Board's decision today in light of these very challenging fiscal times, but also noted that it is an exciting time as the Board implements the vision laid out in its strategic plan. He said he was confident that the Board had the right candidates who could steer the Board and the Department through the next couple of years, and keep us to our vision and our plan for children and families in Massachusetts.

Board Member Culhane she was excited about both candidates, though her ideal candidate did not make it to the table. She stated that she had reviewed the candidates' applications searching for someone who would focus on building the education side of the system and using the talents that exist within the agency to accomplish that. Board Member Culhane stated that while Judith Meyers had the strongest skills to build capacity and help programs at the local level, Sherri Killins also had strong skills to manage the system. Board Member Culhane concluded by noting that both candidates were strong and emphasized that the Board needs to make sure that it attends to the education side of things and provide support to the programs that the agency is asking to build capacity.

Board Member Messmer acknowledged the search process as an activity that brought the Board, and new Board members, together and stated that it was a meaningful and deliberative process, which allowed the Search Committee to disagree and have some valuable conversations. She said she relied heavily on the public comments in making her decision because EEC and the Board are

accountable to the public. She stated that she looked for a management style that was direct and decisive. Board Member Mesmer stated that she found that in Sherri Killins, and that she feels Dr. Killins is a good choice for Commissioner.

Board Member Craig O'Brien echoed the sentiments of those before her and thanked Chairperson Scott-Chandler for ensuring the endurance-- and attendance-- of the Board through the search process. Board Member Craig O'Brien stated that her goal in this process was to ensure strong early education leadership, but also agreed on the need for strong manager to support the department through tough fiscal times. She emphasized that as the Board chooses a candidate, it needs to look specifically at the capacity and strategies to ensure a strong, well-identified Department of "early education," with highly qualified staff. She stated that the Board's expertise should be utilized in this regard. She praised the staff for their tireless work and stressed the need for more support that would help the Department move forward particularly in the area of professional development, including building upon the existing staff capacity and recruiting early education experts both locally and nationally.

Board Member Childs thanked Chairperson Scott-Chandler for her leadership during the search process and thanked Acting Commissioner Kershaw, recognizing the difficulty of her role during the middle of a search for a new Commissioner. Board Member Childs emphasized that the importance of the Board's decision is what made it such a hard process. She commented that many of the candidates interviewed had great gifts and talents but in the end the Search Committee was trying to find the right combination of skills and attributes that would balance competing interests and needs. Board Member Childs said it was critical to select a candidate that could command the support and respect of the public, the governor and the community. Additionally, she recognized fellow members' comments regarding an emphasis on education and reiterated that it was a difficult choice because both candidates were very qualified. At this point, Board Member Childs moved that the Board recommend one candidate to the Secretary as a unified Board, and noted that she heard a tremendous amount of support for Sherri Killins.

On a motion duly made and seconded, it was:

VOTED that the Board of Early Education and Care approve Dr. Sherri Killins as the recommended candidate for Commissioner of Early Education and Care, and authorizes the Chairperson to submit Dr. Killins to the Secretary of Education for approval. The vote was 9 in favor and 1 abstention. Executive Office of Education Designee, Michele Norman abstained. The motion passed.

Chairperson Scott-Chandler thanked Acting Commissioner Kershaw for her leadership during the interim period and stated her appreciation for the full support of the Board in moving forward. Chairperson Scott-Chandler acknowledged the large task ahead in taking the Department to the next level during the difficult fiscal environment. She asserted that it is an exciting day and noted that Dr. Killins will next have to be approved by Secretary Reville.

Chairperson Scott-Chandler asked the Board to take a 20 minute break (recess).

Comments from the Commissioner

Agency Updates from Acting Commissioner Kershaw

Acting Commissioner Kershaw thanked the Board for their confidence in her and noted it was an honor to serve them, the administration, and especially EEC staff.

- **Early Childhood Mental Health Consultation Grant Funds:** Acting Commissioner Kershaw reported that the RFR for \$250,000 in Mental Health Consultation grant funds has been posted on the EEC website and eligible applicants have been notified. The deadline for submissions is January 9th. EEC expects to make grant selections by January 23rd. Grantees can apply for up to \$50,000 in grant funds. As discussed at last month's Board meeting, eligibility has been limited to current EEC Mental Health programs.

- **UPK Evaluation**
 - **Grant Renewal:** 85% (179 out of 210) of the Classroom Quality grants have been approved programmatically, and 73% (153 out of 210) have been paid. 98% (63 out of 64) of the Assessment Planning Renewal grants have been approved programmatically, and 77% (49 out of 64) have been paid.
 - **Expansion to Current Grantees:** Expansion to current Classroom Quality grantees includes 67 new UPK classrooms at current center and public school sites, as well as the addition of approximately 28 new family child care providers within current UPK family child care systems. EEC is in the process of working with current grantees affected by this expansion to revise their budgets and contracts accordingly.
 - **New Classroom Quality and Assessment Planning grant RFRs** will be posted in the next few weeks (the Classroom Quality RFR will be posted the week of this Board meeting). The RFR for the next phase of UPK evaluation will also be posted this week and the child assessment/longitudinal study design has also been identified as a key priority for the Chiefs technical assistance grant.

- **Response to License Plate Funds:** EEC received 103 submissions from across the Commonwealth for this round of the Quality Improvement grant (license plate revenues). The total amount requested from all regions is approximately \$1.86 M and approximately \$200,000 is available for this round of funding. EEC intends to announce these awards by the end of December.

- **Quality Rating and Improvement System (QRIS):** The QRIS standards will be put out for public comment soon.

- **Market Rate Survey:** EEC has selected Mills Consulting Group and Goodman Research Group to work, in conjunction with the Massachusetts Child Care Resource and Referral Network, with EEC on the 2009 Market Rate Survey which will gather new and valuable information from the provider community, and enable EEC to compare current prices to existing state regional reimbursement rates and analyze possible alternatives.

- **Update on 9C:**
 - The elements of the 9C reductions that are still in process are the transition of subsidy management from local CPCs to on-line and automated systems, and the correlated rate adjustment to consistent state rates by region.
 - Income Eligible (Low Income) EEC contracted providers will be completing an on-line utility about the number of CPC children currently served in order for EEC to implement the first phase of the transition. EEC is also working with CPCs and CCR&Rs on our next phase, which will focus on providers who serve CPC children and also take vouchers.
 - A letter (in the Board packet), went out to all CPCs and CPC providers explaining the 9C reduction and describing the implementation plan.
 - Programs have been asked to identify themselves to EEC directly if the rate change would affect their ability/willingness to serve EEC subsidized children. We have not received any calls yet, but will keep the Board posted.
 - As a matter of practical enforcement, EEC is no longer able to require programs serving CPC children to meet certain standards in the RFR, which include accreditation and use of the Pre-School Standards and Guidelines. However, because these are both already required for UPK participation, they will likely be recommended priority selection criteria for the income eligible RFR and are expected

to be key elements of our QRIS, so EEC has strongly encouraged providers not to back away from these requirements.

- **Limitations to Income Eligible Financial Assistance:** EEC is continuing to oversee the strict access limits that have been placed on EEC's Income Eligible account. The fiscal climate causes us to be more stringent about deadlines and reassessments. It is not a fun time, but it is necessary as we try to carefully and precisely manage funds. If we are not consistent and fairly strict we will never be able to do that. One of our biggest concerns is that access to child care financial assistance for foster parents has had to be shut down and this child care funding enables people to be able to become foster parents, EEC hopes that it can reopen this access.

Board Member Beaulieu stated that as EEC moves toward stricter adherence to deadlines, she wanted to make sure that is EEC provides some warning for parents. Acting Commissioner Kershaw stated that strategies are being put in place to reduce the impact on families. She noted that families are notified 45 days before they are due for an eligibility reassessment, and then are notified multiple times after the initial contact. EEC has asked all CCR&Rs, CPCs and contracted providers to be aware of financial assistance end dates for families as they schedule appointments and that everything should be done to ensure that reassessment dates are not missed.

Board Member Messmer disclosed that her agency receives EEC funding and asked why the Rate Reserve is not on the list of things to be reviewed? Acting Commissioner Kershaw said that it is on the list and noted that EEC's first priority is to fix the accounts that are "in the red", make them positive and then address the rate increases in February to be retroactive from July 1, 2008.

Board Member Messmer also asked why EEC is unable to enforce quality standards for programs serving CPC children? Acting Commissioner Kershaw responded that as EEC moves the subsidies to contracted providers, EEC does not currently have the monitoring capacity and tools to make sure quality requirements are met. Acting Commissioner Kershaw added that EEC's focus is on the future piece of the puzzle and on what is about to be re-procured. EEC is not walking away from quality standards. We need to figure out what we can do to make sure that EEC is able to monitor those standards. Since many of these issues will be addressed in the new re-procurement– in terms of QRIS, UPK, etc.– EEC is focusing on forward movement with an emphasis on incentives and accountability.

There was a general discussion regarding the re-procurement process and enforcement of quality standards. Board Member Craig O'Brien questioned how it is that EEC cannot enforce standards? She commented that there are over 1,000 National Association for the Education of Young Children (NAEYC) accredited centers in MA because the CPCs enforced that requirement. The Guidelines are the key to making the link between the Massachusetts curriculum frameworks and early childhood. She stated that it is very critical that EEC not drop any requirement around the curriculum frameworks and noted that she does not view QRIS and UPK as mechanisms to maintain quality, particularly as these programs are aspirational, and are not fully funded. As such, Board Member O'Brien stated that there is a big quality "hole" and it is not realistic to use QRIS and UPK to bridge that gap. Board Member O'Brien cautioned that EEC is going to lose a lot of programs that will be unable to hold on while EEC figures this out, and she urged the Board and EEC to figure out a thoughtful strategy to make things happen both in the interim and long term.

There was general agreement that the Board should send a strong message that quality is to be maintained as we move forward, through the new procurement and otherwise. Board Member Childs referenced EEC's recent letter that discussed quality requirements, and noted that EEC has a huge job ahead of it as EEC seeks to maintain existing standards while also trying to raise those same standards. Member Beaulieu asked for a recommendation as to how EEC can keep the same requirements and continue to maintain and increase quality standards. Acting Commissioner Kershaw responded that the re-procurement discussion will address some of these issues and that

the Board will have the opportunity to weigh in on accreditation at the next Board meeting. Acting Commissioner Kershaw clarified for the Board that the only administrative function transferred from the CPCs was billing and enrollment.

Chairperson Scott-Chandler reminded Board members that they will have an opportunity to continue the quality discussion during the re-procurement discussion, and asked the Board to move on. Board Member Beaulieu added that she viewed translation services as non-negotiable because EEC needed to reach out to families with ESL and literacy issues, and these are often the families with the biggest challenges.

Statements From the Public* – Continued

- **Gwynn Hughes – Executive Director of the Massachusetts Afterschool Partnership-** submitted written testimony and commented that Community Based Organizations (CBOs) are required to be licensed to run after school programs and public school programs are not, and that dichotomy should not be further entrenched. Ms. Hughes asked that EEC engage in a thoughtful planning process to address this and further bridge collaborations between public school and CBO's and come up with an intentional plan.
- **Margaret Greirson – Going Places Preschool-** submitted written testimony and commented that there seems to be a disconnect between what is actually occurring in quality centers and what is happening at EEC. Ms. Greirson noted that she doesn't believe that providers want to back away from quality because they know their commodity is children and families. CPCs are being asked to put families into regional systems that are very difficult to navigate and she strongly and respectfully recommend all CPC rate reductions do not go forward.
- **Kathy D'Agostino– Family Child Care Provider in Watertown-** submitted written testimony and commented on the negative impact of lowering CPC rates. She stated that CPC has supported the very foundation of high quality early childhood in MA by offering community providers college courses, workshops, accreditation supports, etc. She stated that due to the lowering of rates, she will be unable to renew her NAFCC accreditation and is three courses away from BA degree, but cannot afford to finish her degree.
- **Bill Eddy – The Massachusetts Association for Early Education and Care (MADCA)-** Thanked Acting Commissioner Kershaw for her stewardship and commented on the re-procurement and rates. Regarding the re-procurement, he suggested that EEC look at fairness, a level playing field, and what is best for children and families, and he urged EEC and the Board to reject programs that apply that do not have an EEC license and to only accept programs that are full day and full year, and not school day and school year. There are quality programs that are open year round that meet the needs of families.
- **Kit Cox – Massachusetts Family Networks (MFN) –** submitted written testimony and read a letter from WIC thanking the local MFN for their outreach efforts, which facilitate connecting families to WIC and all the supports they give to families.
- **Amy O'Leary – Early Education for All -** applauded the Board's vote for FY10 planning which included a focus on quality. Ms. O'Leary stated that there has been progress in Massachusetts and we have a newly elected president with early childhood on his national agenda. She added that children depend on us to come together as a field; now is not the time to go into our bunkers and work against each other; access and quality are not mutually exclusive and we need to work together to make this vision come true for children and families even in the midst of this fiscal crisis and continue to use research to make our case.

End of Public Comment Period.

**The Income Eligible Child Care Financial Assistance Re-procurement Discussion was continued from the November 18, 2008 Board Meeting. At that meeting, certain Board members had disclosed conflicts of interest in light of the items for discussion. Both Chairperson Scott Chandler and Board Member Mary Pat Messmer had submitted written disclosures stating that their respective employers have a financial interest in the EEC budget and procurement agenda items. Board Member Carol Craig O'Brien had verbally disclosed that her employer, the Westwood Public Schools, currently receives CPC funding and has a potential interest in receiving funding under the income eligible procurement and the EEC Budget agenda items.*

II. Income Eligible Child Care Financial Assistance

Ken Branscome provided the Board with a presentation on the upcoming Income Eligible contract procurement. The presentation had originally been scheduled for November but was tabled due to time constraints. The presentation included an update on data requested during the October meeting, a summary of findings from the Request for Information (RFI), and options for establishing minimum eligibility criteria.

In discussing the findings of the RFI, Branscome noted that the response rate was strong with responses from 313 center-based organizations, 57 family child care systems, 100 school districts and 68 family child care homes. It was further noted that 93% of existing contract providers responded to the RFI, including 100% of family child care systems.

During the presentation of data on the distribution of contract resources, the Board discussed the distribution of CPC direct-service funding through contracts. Board members also sought clarification on the inclusion of Head Start and public preschool data in the analysis of EEC resources, and asked for additional information on the number of children on the EEC waiting list in each EEC region.

The presentation included options available for setting minimum eligibility criteria for contracted providers. Contract awards have previously been made to licensed center-based programs and family child care systems that operated on a full-day and full-year schedule, followed state financial assistance policies and met all child care licensing and requirements.

It was noted that public schools do not have a formal way to become licensed under existing statute and regulation, and that family child care homes must be affiliated with a child care system in order to have access to contract slots. The presentation included options that would allow licensed-exempt providers – by meeting additional requirements - to be eligible to participate in the contract program.

Acting Commissioner Kershaw noted that the creation of the Department of Early Education and Care brought together two groups of programs with standards focused in different areas, one focusing on health and safety and the other focusing on building quality through teacher education and student outcomes. While the development of the Quality Rating and Improvement System will help EEC in setting equivalencies and baseline standards for all providers, the system is still in development.

Several Board members expressed interest in establishing eligibility criteria, at least on a pilot basis, that would allow schools and family child care homes to participate in the contract program. However, Board members also expressed concerns over creating separate contract standards for different providers, one set for licensed providers and another set for licensed-exempt providers.

Board member Childs noted the opportunity the procurement presents in linking early childhood education and public education, but also noted the time and funding constraints. She urged staff

to consider developing recommendations that would allow EEC to implement policy options through the new contract, once new funding becomes available.

Return to Routine Business

Due to the Board meeting running over time, Chairperson Scott-Chandler asked the Board if they would like to vote to approve the minutes of the November 18, 2008 regular meeting as presented by Acting Commissioner Kershaw. Board Member O'Brien said she had a correction to the minutes and it was decided to table the vote until the following meeting.

On motion duly made and seconded, it was:

VOTED that the meeting adjourn at 4:25 p.m., subject to the call of the Chairperson. The vote was unanimous.

Respectfully submitted,
Amy Kershaw
Acting Commissioner of the Department
and Secretary to the Board