**Board of Early Education and Care**

**May 10, 2022**

**1:00PM to 4:00PM**

**Department of Early Education and Care**

**50 Milk Street, 14th Floor**

**Boston, MA 02109**

**NOTE: This meeting was broadcasted over EEC’s YouTube Channel:** <https://youtu.be/tsnMPmtah8o>

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

Nonie Lesaux, Chairperson

Jim Peyser, Secretary of Education

Amy Kershaw, Acting Commissioner

Joni Block

Paul Belsito

Jamella Lee

Mora Segal

David Cruise (via phone)

Sheila Balboni

Nikki Ruiz

Alison Schonwald (via phone)

**The meeting was called to order at 1:00 PM.**

**Welcome and Comments from the Chair**

Chairperson Lesaux welcomed the Board and the Acting Commissioner to the first in-person Board meeting since March 2020. Chairperson Lesaux discussed the agenda, which will focus on the current COVID-19 landscape and a discussion of data received from the C3 grants.

**Comments from the Secretary**

Secretary Peyser welcomed the Board. Secretary Peyser discussed the recently released Senate Ways and Means Budget, and highlighting that it includes $250 million for the C3 program. Secretary Peyser noted that this funding was not included in the House budget and is a conference matter. Secretary Peyser discussed the importance of resource allocation for summer programs and shared that he will have more announce in the coming weeks.

**Comments from the Commissioner**

Acting Commissioner Kershaw expressed thanks to the Board and EEC staff for their support during her transition. Acting Commissioner Kershaw shared that a delegation from EEC joined a delegation from DESE and Higher Ed to meet with the Governor to reflect on the successes and challenges during the past two years of the COVID pandemic. Acting Commissioner Kershaw then shared department staffing updates. Acting Commissioner Kershaw discussed the release of the Senate Ways and Means budget and stated that the next Board meeting will include more in-depth discussions on budget issues. Acting Commissioner Kershaw shared that EEC continues to work with DPH and DESE to understand the best protocols for quarantine, isolation and testing and any changes to those protocols will be shared. Acting Commissioner Kershaw shared that the June Board meeting will also include updates regarding summer programs and grant programs.

**Statements from the Public\***

Amy O’Leary from Strategies for Children provided public comment. Ms. O’Leary thanked public leaders for their support during the last two years and welcomed Acting Commissioner Kershaw back to EEC. She shared feedback from the field and expressed that it is necessary to support the full early education and care field. Ms. O’Leary discussed the impact of the C3 grants to programs. Ms. O’Leary stressed that it is time for change and stated that advocates are dedicated to help.

**Routine Business:**

* Approval of Minutes from February 8, 2022 Meeting – Vote

Approved by unanimous vote

* Approval of Minutes from March 8, 2022 Meeting – Vote

Approved by unanimous vote

**Items for Discussion and Action:**

* Early Learnings and Proposed Framework for Strategic Action Plan Implementation

Acting Commissioner Kershaw shared observations and conversations she had with internal and external stakeholders during her first six weeks as Commissioner. She discussed a framework for operationalizing the strategic plan. Acting Commissioner Kershaw shared that she has traveled to four of the five regional offices to meet with the licensing teams. She learned that there is strong support and alignment for the key goals contained in the strategic action plan and the greatest issue continues to be workforce, which is in a crisis exacerbated by COVID. Acting Commissioner Kershaw stated that the C3 grant is an important piece of the foundational support needed to create sustainable funding for programs to increase wages, which will lead to higher retention of qualified employees.

Acting Commissioner Kershaw discussed utilizing a human centered design approach to focus on the organizational structure and business processes to put the user at the center of the experience. Acting Commissioner Kershaw stated that there will be a focus on new and expanding technology and a data driven decision making approach to change and modernize the user experience. Acting Commissioner Kershaw noted that the Workforce Council and Advisory Board will be involved.

Acting Commissioner Kershaw highlighted the subsidy program and the BRC process as two key operational priorities. Acting Commissioner Kershaw stated there is currently an end to end process review to identify barriers to access for subsidies. Acting Commissioner Kershaw discussed issues with the BRC process and shared that a review is being conducted to determine how to streamline the administrative process.

Board member Belsito inquired into the turnaround time for a background record check. Acting Commissioner Kershaw stated that the review process may identify information about timelines and she will share that information. Acting Commissioner Kershaw shared that a team from the Governor’s Strategic Innovation Group is assisting with documenting the process and the experience of the user to identify and fix issues.

Board member Balboni asked if there was any consideration of reversing the policy for EEC to make decisions regarding background record checks. Acting Commissioner Kershaw introduced General Counsel Janis DiLoreto Smith, who oversees the Background Record Check unit. General Counsel Smith clarified that background records checks for child care programs are handled by EEC. There was discussion regarding the past and current process for completing background record checks and Commissioner Kershaw stated that information will be shared at the next meeting regarding the impact of shifting background records checks to EEC. Secretary Peyser clarified the administrative process of completing background record checks and Acting Commissioner Kershaw reiterated that the inefficiencies of the process and internal processes are being examined and addressed. Chairperson Lesaux and Acting Commissioner Kershaw discussed the end to end user experience and EEC’s role in facilitating that experience.

Board member Block provided comment regarding the importance of continuing to work on all components that are vital for the child care field, while focusing on the two critical projects of financial assistance subsidies and background records checks. Board member Block also requested that information about the waitlist include the ages of the children on the waitlist, to which Acting Commissioner Kershaw agreed.

Board member Segal supported focusing efforts on the subsidy and background records check areas to allow for impact to be demonstrated and reiterated that the statistics shared about the number of children on the waitlist and the number of children receiving subsidies demonstrate the priority. Board member Segal inquired about any collaboration with DESE to develop a pipeline of educators starting in high school or earlier. Acting Commissioner Kershaw shared that she and Commissioner Riley are committed to working together to address workforce issues and professional development. She discussed different approaches to addressing workforce issues, such as apprenticeship and vocational programs. Board member Segal inquired how Acting Commissioner Kershaw plans to balance her leadership while overseeing the two priority projects and focusing on workforce issues. Acting Commissioner Kershaw stated that a top priority is supporting and building the team to provide them with the tools they need. She shared that discussions about the user experience will translate into the organizational chart at EEC to build systems.

Board member Ruiz and Acting Commissioner Kershaw discussed the need to address the administrative hurdles faced by families when applying and re-authorizing for subsidies. Acting Commissioner Kershaw acknowledged that there will be a focus on ensuring families can enroll with ease and stay in the program.

Acting Commissioner Kershaw introduced Deputy Commissioner for Research, Innovation and Supports Jocelyn Bowne to discuss the C3 program.

* Commonwealth Cares for Children (C3)
  + Workforce Bonus Funds
  + Stabilization Grants Update & Preliminary Outcomes

Deputy Commissioner Bowne provided key takeaways and successes from the provided stabilization funding, and shared data that has been collected as part of the grant process. Deputy Commissioner Bowne provided a background and summary of the C3 stabilization grant funding. Deputy Commissioner Bowne stated that 87% of eligible programs have received grant funding and more than $320M has been disbursed, with $95M in funding left to be distributed. Deputy Commissioner Bowne shared feedback from programs on how they are utilizing the funding.

Chairperson Lesaux inquired about the late application for funding by some GSA programs and Deputy Commissioner Bowne shared that administrative burden was likely the reason that some programs did not immediately apply for funding. Chairperson Lesaux also asked about the 13% of programs that have not applied at all for funding and Deputy Commissioner Bowne shared that the programs are smaller and less likely to use subsidies and stated that there is ongoing discussions on how to engage with these programs.

Deputy Commissioner Bowne stated that grants will be provided monthly through the end of the fiscal year in June and the budget will determine next steps. Acting Commissioner Kershaw added that the Senate budget includes funding into FY23 and Secretary Peyser clarified that based on the current program, the Senate budget includes funding that will sustain the program through the end of the calendar year. Acting Commissioner Kershaw shared that approximately $400M will be spent in total, including the monthly payments and bonus payments. There was discussion regarding the sustainability of the grant funding and the need to build infrastructure for long-term support of the field.

Deputy Commissioner Bowne provided information regarding one-time workforce bonus funds that are being distributed to programs in June. Deputy Commissioner Bowne clarified that the funds can be used for stipends and bonuses or other quality investments. Board member Block inquired about how the data is being collected to track where the funds go and how it impacts programs. Deputy Commissioner Bowne affirmed that the provider survey will provide data on what investments programs have made into stipends, bonuses, salary increases and benefits.

Board member Balboni inquired about providing flexibility for providers to create subsidies for their employees and Deputy Commissioner Bowne stated that is not prohibited and the program was designed with flexibility. There was discussion about how the flexibility of the C3 programs allows programs to be creative.

Deputy Commissioner Bowne shared feedback from the April provider survey and highlighted information that was collected from providers pertaining to grant expenditures, enrollment and staffing. There was discussion regarding the structure of the survey and best practices to make the survey manageable for providers while also collecting quality data. Deputy Commissioner Bowne shared data regarding recovery and highlighted that 923 programs have opened since 2020. Secretary Peyser inquired how many of the new 923 programs received C3 grants and Deputy Commissioner Bowne stated that information is available, and she will provide it. There was discussion on how to support new programs to build towards success. Deputy Commissioner Bowne shared that enrollment is continuing to trend upwards but it is not consistent across program type, which shows the importance of understanding how program types are recovering in different ways while providing families with the care and services they need.

Board member Segal inquired on how to collect data on quality of programing and how EEC defines quality. Deputy Commissioner Bowne recognized that QRIS was paused during the pandemic and shared there is an existing framework that is built around continuous quality improvement and it is important to focus on a supportive perspective.

Deputy Commissioner Bowne shared that the average range of salaries are trending upwards in small increments, which shows that the field is using resources to respond to challenges. Deputy Commissioner Bowne stated that staffing levels appear to be constant. Secretary Peyser clarified that the salary information does not include any other monetary benefits. It was noted that salaries remain very low.

* Market Rate Study

Deputy Commissioner Bowne provided an overview of the market rate study that will be conducted in FY23 and highlighted the federal requirements for conducting the study. Deputy Commissioner Bowne stated the Board is required to provide final approval and more information will be shared at the September Board meeting. Deputy Commissioner Bowne stated that the federal expectation is to set rates at 75% of the market. Deputy Commissioner Bowne clarified that the subsidy rate is the same for each family and vary by age, type and region and parent fees vary by family size and income. The market rate survey captures the tuition rates across the state and that informs the subsidy rate so that parents could afford to access at least 75% of the market. Deputy Commissioner Bowne shared the timeline for the market rate survey. Analysis and recommendations will be shared with the Board in September for formal approval. Throughout the process, there will be ongoing stakeholder engagement.

Chairperson Lesaux commented that the two strategic projects and the C3 grants are driving the work on multiple levels to evolve the agency into an innovative service agency that meets its health and safety mission.

Chairperson Lesaux called the roll to move the meeting into Executive Session to discuss pending litigation, and indicated that the Board would not reconvene in open session following executive session

Open session concluded 3:15pm.

**Executive Session – Litigation Update**