**Board of Early Education and Care**

**November 8, 2022**

**1:00 PM – 4:00 PM**

**UMass Amherst Center at Springfield**

**1500 Main Street, Second Floor, Room SPFLD R014**

**Springfield, MA 01103**

[https://www.youtube.com/c/EECMass](https://urldefense.com/v3/__https:/nam04.safelinks.protection.outlook.com/?url=https*3A*2F*2Furldefense.com*2Fv3*2F__https*3A*2Fwww.youtube.com*2Fc*2FEECMass__*3B!!CUhgQOZqV7M!mtJGkDA0V8yVgg2uKSG9uy90hzVOfMC6kxew8RLmPytYEKM5G63U2wNQX5lmit0oRma9LJJQvSy2Xg9khjIXdBkRMbjsJqM*24&data=05*7C01*7Cmike*40renvisioning.com*7Cfc2fcdfea44a4844760708da926316e2*7C804f5616b15149f0831435a91562ab97*7C0*7C0*7C637983251547746626*7CUnknown*7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0*3D*7C3000*7C*7C*7C&sdata=GfmZaBZpVTD29gjgCI6wqLvtPwwz9k3Ct84ytJS62uk*3D&reserved=0__;JSUlJSUlJSUlJSUlJSUlJSUlJSUlJSUlJSUl!!CUhgQOZqV7M!nAONvpYnuUFeIIGmPyWAYzixbXXP4opicM2oKiaL2PxTSq3vmDXa1fDb49UwAzr-myowXZhp4oTO75KqUO9_ZCMBwQ$)

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

Nonie Lesaux, Chairperson

Jim Peyser, Secretary of Education

Amy Kershaw, Acting Commissioner

Paul Belsito, Co-Chairperson

Carolyn Kain, J.D., Designee for HHS Secretary Marylou Sudders (via phone)

Jamella Lee

Maria Gonzalez Moeller

Mora Segal (via phone)

Allison Schonwald (via phone)

Nikki Ruiz de Luzuriaga (via phone)

The meeting was called to order at 1:05 PM.

**AGENDA:**

**Welcome and Comments from the Chair**

Chairperson Lesaux welcomed the Board to EEC’s Western Massachusetts office and thanked the University of Massachusetts for hosting the meeting and providing the meeting space. Chairperson Lesaux indicated that Board members Segal, Schonwald, and Kain were joining the meeting by phone. Chairperson Lesaux stated that this meeting represents progress and highlighted that the agenda item and the vote regarding rates represents an unprecedented and critical increase. She thanked Acting Commissioner Kershaw and her team for their work and celebrated this increase as a deep commitment of the agency and the Board to collaborate and capture costs to finance the system, which will drive the work forward in an inspiring and important way.

**Comments from the Secretary**

Secretary Peyser provided an update to the FY22 Supplemental Budget that was recently passed by the legislature which includes an additional $150M for the C3 program, making it possible to extend the program through the fiscal year. Secretary Peyser discussed funds that were not included in the supplemental budget and stated he anticipated there would be an opportunity to include those proposals in funding going forward. Secretary Peyser discussed data released by the US Department of Education regarding the National Assessment of Educational Progress and stated that the data was consistent with state assessment MCAS data and showed a continued decline. Secretary Peyser stated that recovery will take a significant effort through accelerated efforts and highlighted that the average masks significant declines in high needs communities.

**Comments from the Commissioner**

Acting Commissioner Kershaw thanked UMass for providing the meeting space and the thanked the Springfield office for their hospitality.

Acting Commissioner Kershaw provided personnel updates and introduced Tyreese Nicolas, Deputy Commissioner of Family Access and Engagement, Haji Shearer, Associate Commissioner of Family & Community Supports, and Amy Whitehead-Pleaux, Director of Headstart Collaboration. Acting Commissioner Kershaw stated that the agency is continuing to build capacity and highlighted a new position that was posted for Supervisor of Applied Behavioral Analysis Programs.

Acting Commissioner Kershaw discussed the supplemental budget and reiterated that the impact of the new language is still being analyzed. She stated that the supplemental budget also included $315M for the High Quality Early Education and Care Affordability Trust.

Acting Commissioner Kershaw provided an update on the modernization of the Background Records Check system and stated that all FCC providers have been migrated into the Navigator system, resulting in quicker approval times. She stated that the next step is to integrate Residential and Placement staff into the system over the next several months.

Acting Commissioner Kershaw announced that the agency has used its discretion to allow programs to close for the week between Christmas and New Years without financial penalty.

Acting Commissioner Kershaw stated that the December Board meeting will be held at EEC’s Central Office in Boston and stated that there will be an opportunity to recognize Chairperson Lesaux’s service to the Board after the meeting.

Finally, Acting Commissioner Kershaw provided an update regarding the Preschool Development Grant, which was submitted last month.

**Statements from the Public\***

Laura Frogameni, Preschool and Partnership Coordinator for Northampton Public Schools, thanked the Board for engaging and listening regarding the voucher system and asked the Board to consider allowing EEC providers to join the state benefit system. Ms. Frogameni also suggested allowing public schools access to the BRC Navigator system to streamline the service to clear candidates. She thanked the Board for the partnership grants that allow her to work in community and collaboration and highlighted that Deputy Commissioner Jocelyn Bowne provided helpful guidance.

Anna Fernandez from Valley Opportunity Council provided comment regarding her experience working in childcare while also attending college and the difficulties she has faced due to low pay in childcare. She also discussed difficulties she sees due to an increased need for therapy services for the children she works with and their parents’ ability to access services.

Anna Diaz from Valley Opportunity Council discussed how both the staff and the parents at her program struggle to provide for their children.

Steve Huntley, Executive Director of Valley Opportunity Council, thanked Anna Fernandez and Anna Diaz for sharing their stories and acknowledged their courage. Mr. Huntley thanked the Board for coming to Western Massachusetts and for listening to the comments provided at the last meeting to provide more time to consider other options for rate increases. Mr. Huntley stated that there continues to be regional inequalities in the rates and stressed that time is of the essence. Mr. Huntley discussed the non-traditional investments VOC makes to ensure high quality programs. He highlighted that VOC was recently selected to become the operator of the Gore Center at Mount Holyoke College, which was committed to changing their contract because the current provider would not accept subsidized students. He shared that their program was recognized for high-quality care for children with special needs and trauma and stated that the rates need to reflect that level of care.

Kim Dion, Assistant Vice President of Seven Hills Childcare Resources, on behalf of the Massachusetts Childcare Resource and Referral Network thanked Acting Commissioner Kershaw for getting out the most recent amendment. Ms. Dion stated that she is looking forward to engaging on the additional $5M designated by the legislature to CCR&Rs to help parents navigate the complex subsidy system. She stated that it is important for parents to understand their options and eligibility and discussed the pilot program Seven Hills is participating in to help identify barriers. Ms. Dion discussed how the CCR&R network engages with providers to educate and navigate the subsidy system.

Meryl Micelli, Education Coordinator at Valley Opportunity Council, discussed program quality and a more equitable voucher reimbursement rate for Western Massachusetts. She stated that quality is intertwined with care and discussed what high-quality care and teaching looks like. She discussed low wages paid to early educators and how stress placed on educators affects the children in their care. Ms. Micelli stated it is vital for Western Massachusetts to receive a fair share of the reimbursement rates.

Gillian Budine from Community Network for Children Program discussed how CFCE programs meet the priorities of the CFCE grant and how they support families. She discussed how options for early education programs have become more limited in rural communities and emphasized that CFCE programs are vital for families for enrichment and socialization. Ms. Budine stated that the CFCE grant has been reduced or level funded for the past nine years and adequate funding is needed to strengthen communities’ capacity to meet the needs of families. Ms. Budine shared comments from families participating in programs.

**Routine Business:**

* Approval of Minutes from October 11, 2022 Meeting – VOTE
  + Approved unanimously
* Board Working Group: Workforce Recruitment & Retention – UPDATE

Board member Moeller provided an update on the most recent meeting of the Workforce Recruitment and Retention Working Group, where they brainstormed about a public outreach campaign and the need for a strategy to uplift the field, encourage others to join the field, and share the importance of early education. Vice-Chairperson Belsito highlighted that Ms. Fernandez and Ms. Diaz’s public comment related directly to the work being done by the working group and thanked them for their comments.

* 2021 Annual Report – VOTE

Chairperson Lesaux provided background information about the 2021 Annual Legislative Report and stated that the purpose of the report is to document the progress of the agency towards its goals. Chairperson Lesaux recognized the strategic work done during the pandemic which placed the workforce and children and families at the center.

Acting Commissioner Kershaw shared that the Annual Report reflects a creative, hardworking response to the field.

Board member Kain echoed that the report was very well written, and she appreciated all the hard work that went into the report.

* + Approved unanimously with Secretary Peyser abstaining.

**Items for Discussion and Action:**

* Child Care Financial Assistance (Subsidy)

Acting Commissioner Kershaw provided an update from the October Board Meeting regarding the Market Rate Survey and Cost Analysis and discussed the restrictions placed on the agency by the federal government. Acting Commissioner Kershaw presented the revised proposal and discussed the proposal for Center Based programs, Family Child Care programs, and Supportive, Young Parent and Homeless Contracts. She highlighted that the total cost is the same as the previous proposal and stated that the recommendation is fully annualized into next year and the timeline remains the same, with rates available in December for November billing, retroactive to July.

Board member Segal asked for clarification on the difference from the October board meeting to the information being presented today. Acting Commissioner Kershaw stated families will continue to have access to at least the 30th percentile and additional funding was captured by applying the rate increases in a different order. Acting Commissioner Kershaw asked Greg Norfleet and Carole Meehan Oyama to discuss the impact of the revised recommendations.

Mr. Norfleet thanked the Board for their previous feedback and opportunity to revisit the recommendations. He clarified that the main difference in the new proposal is that a 1.5% increase was applied across the board first and then if a region was not at the 30% threshold, they were brought up. Mr. Norfleet provided a comparison of the rates by region, age group, and fiscal year for both center based and family child care. Acting Commissioner Kershaw stated that the market rate survey is being applied as required and discussed the longer-term strategy for funding the sector. Acting Commissioner Kershaw highlighted the specific revised recommendations to the proposal and stated that recommendations for revising the existing rate structure will be presented to the Board within six months and work will begin on developing a new methodology for the Market Rate Survey, which will need to be presented to the Federal government for approval by July 2025.

Board member Ruiz highlighted the historic increase of 10% across the board and commended the agency for their sizable investment in children and the workforce. Board member Kain echoed Board member Ruiz’s comments and thanked the Commissioner and her team for their work. Board member Moeller reflected on the huge opportunity to increase the rates and commented that it would be beneficial for a new methodology to inform, rather than react, to the budget and expressed that it would be beneficial to compress the six-month timeline. Acting Commissioner Kershaw recognized Board member Moeller’s comments regarding the timeline and suggested that the agency would provide interim recommendations and updates to the Board. Chairperson Lesaux acknowledged that the Board and the agency are aligned and data driven. Secretary Peyser thanked the Commissioner and team for their hard work and thanked the Board and the field for their feedback that informed the process. He acknowledged that this historic annual increase to provider rates is an important part of significant investments over the past eight years. Vice Chairperson Belsito echoed appreciation to the Commissioner and the agency for their revisions based on feedback.

* + Rate Increase Proposal – VOTE: Approved unanimously
  + Proposed Regulation Revisions – Overview

Acting Commissioner Kershaw provided an overview of the proposed revisions regulations for child care financial assistance and stated that the goal of the revisions is to provide dignity and respect for families engaged in the system, modernize the system to reduce barriers for families seeking to access care, and facilitate economic mobility. Acting Commissioner Kershaw discussed the timeline for the proposed regulations and stated that the redlined version of the regulations will be presented to the Board in December, after which they will be presented for public comment. Acting Commissioner Kershaw discussed the guiding principles for improving financial assistance for child care.

Acting Commissioner Kershaw introduced Deputy General Counsel Robert Orthman and Joy Cohen, Director of Policy Development. Deputy General Counsel Orthman provided an overview of the three areas of reform that seek to increase overall system efficiency, prioritize family needs and experience, and modernize and update the system. Deputy General Counsel Orthman highlighted that there are 41 regulatory changes.

Ms. Cohen emphasized that the proposed regulatory changes prioritize family need and provide solutions to better support families to access and navigate the subsidy system. Ms. Cohen shared that the goal is to reduce rigidity and increase flexibility.

Acting Commissioner Kershaw highlighted the proposed changes related to subsidies for parents with special needs, including updates to align with other agencies and adding appellate rights for individuals who receive a denial of their subsidy.

Deputy General Counsel Orthman discussed efforts to modernize and update the subsidy system and highlighted changes to the provisional authorization period. Acting Commissioner Kershaw discussed the timeline for regulation revisions.

Vice-Chairperson Belsito inquired about the level of engagement with current stakeholders. Ms. Cohen stated that engagement with providers and stakeholders began in 2021 and engagement is ongoing to gather data and metrics during implementation. Acting Commissioner Kershaw further detailed engagement efforts and highlighted that the agency now has a dedicated team for family engagement. Chairperson Lesaux pointed out that the public comment period is another opportunity for feedback and engagement.

Board member Segal expressed approval for the proposed revisions, commented that the public comment period is over the holidays and may limit engagement. She suggested that metrics should be identified to measure improvements and accomplishments. Acting Commissioner Kershaw stated that metrics have been identified and will report to the Board in December to further identify targets.

Board member Moeller expressed excitement regarding the proposed revisions and highlighted the importance of aligning with other agencies.

Secretary Peyser expressed thanks to Acting Commissioner Kershaw and the team for their work. He shared that a critical goal is to ensure greater stability for families and to reduce barriers to providers to participate in the subsidy system. Acting Commissioner Kershaw concurred and added that increased rates and recognition of the need for schedule flexibility will increase the pool of providers who participate in the subsidy system.

Board member Ruiz de Luzuriaga commended the proposed revisions to the regulations and appreciated seeing feedback received from families reflected in the revisions, which she anticipated would be a step in a continued effort to improve the system.

Board member Kain echoed the previous comments and thanked the team for their work on the proposed revisions.

* Fiscal Year 2024 (FY24) Budget Priorities

Chairperson Lesaux provided an overview of proposed priorities for the FY24 budget. Acting Commissioner Kershaw discussed the proposed priorities in detail as they relate to families, educators, programs and the state system.

Board member Moeller recommended that the FY24 budget priorities be reconciled with the recommendations from the Early Education and Care Economic Review Commission.

Secretary Peyser commented that the $175M fund requires additional appropriation from the legislature.

Board member Segal inquired about funding for the incentivizing innovation and Secretary Peyser confirmed that funding was not passed by the legislature and stated that if the legislature supports the recommendations, they could allocate additional funds through the budget process or they could draw down the $175M at their discretion. Acting Commissioner Kershaw clarified that these funds are dedicated to the agency, but the legislature must approve and take action to allow the agency to spend the funds. She expressed commitment to work with the Board to develop key strategies and initiatives to be funded. Secretary Peyser stated that he will work with the outgoing administration and the incoming administration on the budget priorities. Vice-Chairperson Belsito commented that the budget recommendations presented represents the robust agenda discussed.

* EEOST Proposed Regulation Revisions – VOTE

Deputy General Counsel Neil J. Flynn provided an overview of the proposed revisions to EEOST regulations. Deputy General Counsel Flynn stated that public comment was received from the Alliance of YMCA which supported the proposed changes and recommended to maintain the changes in perpetuity. Acting Commissioner Kershaw clarified that the proposed changes will change the amount of the grants.

* + Approved unanimously

Meeting adjourned to Executive Session at 3:45 PM. Prior to adjournment, Chairperson Lesaux noted that the open meeting would not reconvene following Executive Session.