EEC Board Committee
Planning and Evaluation

Thursday April 19, 2012
10:00am-1:00pm

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

AGENDA

Members of the Committee Present
Sherri Killins, EEC Commissioner (Ex-Officio)
Carol Craig O’Brien, Committee Chairperson
Eleonora Villegas-Reimers, Board Member

EEC Staff Present
Jennifer Louis, Management Analyst
Jay Swanson, Policy Analyst
Carmel Sullivan, Interim General Counsel
Tom Weierman, Assistant General Counsel
Tara O’Brien, Policy Analyst
Phil Baimas, Director of Educator Provider Support

Guests
Aundrea Kelley, Deputy Commissioner Higher Education

Members of the Public

The meeting was called to order at 10:10am.

Welcome and Introductions
Committee members were welcomed to the meeting and introduced themselves to the members of the public.

Routine Business:

Minutes
Members had an opportunity to review the minutes. No changes were necessary for the January 26, 2012 and March 22, 2012 minutes.

Disclosures
Committee Chair Carol Craig O’Brien disclosed that she works for the Westwood Public Schools as an Early Childhood Coordinator and is a recipient of a CFCE grant and 262 grants and interested in future funding.

Board Member Eleonora Villegas-Reimers disclosed that she works for Wheelock College who is a recipient of EEC grant funds.
Commissioner/Committee Updates

- **391 QRIS Alignment**

  Committee Chair Carol Craig O’Brien updated the Committee on how EEC is bringing the 391 grantees and more broadly the public school in general. Commissioner Killins noted 3 issues:
  1. Where are we at that what we are doing fits in child care and public school setting? EEC needs to map with ESE review visits with QRIS standards.
  2. Should EEC create a separate space for public schools to give them voice? There are currently 49 public schools in QRIS.
  3. Who owns K, 1st and 2nd grade? Who starts supporting what happens in those early grades. Commissioner Killins noted that environments are more of an issue than other standards because for public schools there is no guidance on this.

  Committee Chair Carol Craig O’Brien noted a concern public schools have with QRIS. She suggested that when public schools come into QRIS there should be a drop down menu that gives you a choice about selecting ESE license. This should be counted as being in the registry however as Commission Killins noted this won’t count as meeting the competencies. This still needs to be worked on. Committee Chair Carol Craig O’Brien is hearing from the field that there is a requirement that a school needs a letter from the school system saying they are a regulated public school system. Commissioner Killins believed this was a license exempt letter and EEC Policy Analyst Jay Swanson will find out and share with the Committee the steps to become a license exempt provider as it is not automatic.

  Commissioner Killins noted that there are currently 49 school districts in QRIS however she doesn’t know which districts or if they are 391 grantees. EEC Policy Analyst Jay Swanson will work on getting a list of the school district and which are 391 grantees.

  For the Board vote on this issue in May, Commissioner Killins and Committee Chair Carol Craig O’Brien want to add an amendment to the motion. There should be a statement about a pre-k-3 link. The language should be similar to the language in UPK including the 5 areas.

  Commissioner Killins also clarified that the QRIS requirement should be that 391 grantees should be in QRIS by June 30, 2013 and not that they have to be in and at level 2. EEC Policy Analyst Jay Swanson will confirm that this is what is required in the RFR.

  Along the lines of QRIS, Commissioner Killins wanted the Committee’s feedback about possibly combining levels 1 and 2 and combining levels 3 and 4 and then 5 rename them to self assessment, externally validated and child outcomes. The Committee discussed the idea and it was suggested that there still be levels 1-5 however that there be a “veil” of phases. The phases being Self-assessment (which includes levels 1 and 2), externally validated (levels 3 and 4) and child outcomes (level 5). Though programs can continue to advertise the level they are in EEC will only talk about phases.

Discussion

**Higher Education**
(Materials-Early Education to Higher Education Advisory handout)

Committee Chair Carol Craig O’Brien introduced this discussion by briefly reviewing that at the December meeting Higher Education Commissioner Richard Freeland and Higher Education Board Chair Charles Desmond attended to discuss the how the work at both Departments intersect. The intersection is most prominent in the area of workforce.
Commissioner Killins asked Higher Education Deputy Commissioner Aundrea Kelley how it is working having an early education person sitting at Higher Education. Higher Education Deputy Commissioner Aundrea Kelley felt that it is working wonderfully. The staff that was hired has been wonderful as her dissertation fits perfectly with what EEC and DHE are trying to accomplish. The staff is presenting work at the SCOPE meeting and a conference.

Commissioner Killins informed the Committee that EEC put out a Dual Language Learners Grant at this time Urban College, North Shore Community College and Boston College have submitted intents to bid, however the intents to bid are not required.

The Committee began a discussion of how to move forward with the advisory group. Commissioner Killins reviewed that the document was Higher Education Commissioner Freeland’s recommendation for a joint advisory group.

Higher Education Deputy Commissioner Aundrea Kelley thought the issue of licensure vs. credential programs is possible to begin moving forward on. One issue of confusion she noted was that the terminology is different. At some point, EEC might want to consider calling the credential a license. The Committee discussed that the core competencies should be in every program not just ones that go toward credentials. She proposed that a pathway be created that has a common trunk for both licensing programs and credential programs. At the top of the trunk there are two branches. One goes toward meeting the licensing requirements and the other toward the credential requirements. This would eliminate the needs for new programs or tracks. Wheelock College currently does something similar to this idea. Wheelock College’s model has common classes and then splits off with those getting licensed and taking MTEL preparation and the preschool and grades 1-3 practicum which the credential path is a practicum for birth to 3 or preschool. It was noted that there needs to be clear roadmaps for students as well as the individuals advising the students.

Higher Education Deputy Commissioner Aundrea Kelley recommended a meeting that includes, EEC, Higher Education, EOE and Elementary and Secondary Education to agree to accept the competencies across the board. Committee Chair Carol Craig O’Brien noted that the there is a need to align the pathways with the competencies. Ms. Kelley stressed that the same terminology needs to be used by all agencies. For example, licensing talks about what courses are needed but EEC talks about core competencies. Commissioner Killins thought that ESE was moving toward competencies rather than courses. Ms. Kelley agreed but unless both agencies are talking about the same thing it will continue to silo us. Board Member Eleonora Villegas-Reimers explained that in the licensing programs, except for math it’s not about courses but it’s about content such as literature, history, sciences, etc. It’s not the particular course but it’s the content which is not the same as competencies. It’s important to remember that there are many moving pieces at one time since both departments are making changes at the same time. EEC will need to continue to work with Higher Education but also needs to work with Elementary and Secondary Education.

Higher Education Deputy Commissioner Aundrea Kelley offered a recommendation that EEC require NAEYC accreditation because it would force the programs to offer what EEC is looking for them to offer regarding the competencies. This is done in other program areas such as business, engineering, nursing, social work, etc. Currently Board Member Eleonora Villegas-Reimers noted that programs have to be approved for teacher preparation by Elementary and Secondary Education and national accreditation is optional. EEC Director of Educator and Provider Support Phil Baimas noted that most community college program have NAEYC accreditation already.

Commissioner Killins asked if the accreditation requirement would have to be co-passed by the Board of Higher Education and the Board of Early Education and Care. Higher Education Deputy Commissioner Aundrea Kelley stated not necessarily as the Board of Higher Education could do their own assessment and determine that it would be beneficial for students to be in accredited programs. Committee Chair Carol Craig O’Brien asked if the accreditation requirement would only apply to EEC credential programs or would it apply to licensing programs as well. Ms. Kelley noted that both EEC and Elementary and Secondary Education would all have to agree. She recommended that the Executive Office of Education convene a meeting with EEC, Higher Education and
Elementary and Secondary Education to agree to a competency agreement and to discuss the issue of requiring NAEYC accreditation.

During the December meeting, there was a discussion about a small focused group to discuss these issues. A joint list for membership has been developed. One group that has worked well for Higher Education is the College Participation group. The members include administrative leaders and content leaders such as principles, superintendents and the school committee association. In addition, an outside voice was brought in from Achieve in Washington DC to keep the group focused and moving. EEC Director of Educator and Provider Support Phil Baimas noted that EEC is still trying to figure out who that national voice is. NCCIC had helped in the past but they are no longer federally funded so the person who helped before would have to be found.

The Committee discussed whether a second compact would need to be developed for the credential branch. Committee Chair Carol Craig O'Brien thought the current compact should include information about credentialing. Commissioner Killins noted that the compact would need to be edited to show the credential track as currently the compact requires students to pass the MTEL which is not applicable to those doing the credential track. Higher Education Deputy Commissioner Aundrea Kelley thought Higher Education and EEC can work on this.

An additional issue is the availability of credentialing programs. Currently only UMass Boston and Bridgewater State University offer the credentialing program. There needs to be a plan to bring this program across the state. Ms. Kelley suggested that EEC should conduct a market analysis if data isn’t already available. The analysis would need to include the analysis of job openings. Commissioner Killins asked Ms. Kelley for a copy of a completed market analysis to see what’s involved and EEC will conduct one with funds from the Collaboration Office.

Committee Chair Carol Craig O'Brien had a concern that there are many similar conversations about alignment of teacher preparation of early educators between Elementary and Secondary Education, Higher Education and EEC, that we ensure that our conversations align and are part of these other conversations. Higher Education Deputy Commissioner Aundrea Kelley thought that members of the advisory should be those working on these issues which would be an advantage of having EOE bring people together. Committee Chair Carol Craig O'Brien noted that the three key players for Commissioner Killins for EEC, Aundrea Kelley for Higher Education and Julia Phillips at Elementary and Secondary Education.

The Committee discussed whether it was more advantageous to start with the small working group and then convene the larger group to accept the recommendations of the smaller group or vice verse. Higher Education Deputy Commissioner Aundrea Kelley stressed that Elementary and Secondary Education needs to be involved from the start. The Committee thought that higher education institutions might be more open to having credential programs if they did not have to go through Elementary and Secondary Education but only had to go through EEC. Ms. Kelley thought this might work as long as the core of both programs was the same. Commissioner Killins noted that the first step in the analysis is to determine what the core of the licensure programs were. Committee Chair Carol Craig O'Brien noted that it is important to look at our competencies and how they align with Elementary and Secondary Education’s core courses.

The next step for EEC is to add Elementary and Secondary Education people to the joint advisory membership and to get a date for the first meeting. It’s important that the information is aligned with what’s already out there and being discussed so parallel tracks aren’t development. Another next step is to explore creating a licensure status for early education and out of school time.

**QRIS Validation Study**
(Materials-Updated Proposal and Questions)

Commissioner Killins updated the Committee regarding the QRIS Validation Study. EEC will be convening a workgroup on April 30 to provide suggestions and feedback regarding the design being developed by UMass Donahue. Planning and Evaluation committee members will be invited to participate on the workgroup.
**Subsidy Regulation Amendment**  
(Materials- PowerPoint- EEC Subsidy Review Process)

EEC General Counsel Carmel Sullivan provided the Committee with a review of the EEC Subsidy Review Process. EEC General Counsel Carmel Sullivan is looking for feedback and suggestions from the Committee as discussed at the April Board Meeting. The Committee agreed to assist in developing a plan. She provided the committee with the categories of why a parent would request a review. Reasons include:

1. **Denial of Care**- occurs small percentage of time.  
   a. Lack of service need  
   b. Lack of financial eligibility  
   c. Failure to submit required documentation at assessment (i.e. not submitting documents or being abusive to CCR&R staff or provider)

2. **Termination of Care**- largest percentage of reviews and usually happens at reassessment  
   a. Lack of service need  
   b. Lack of financial eligibility  
   c. Non-payment or late payment of fees  
   d. Unexplained or excessive absence  
   e. Failure to submit required documentation at reassessment  
   f. Submission of false or misleading information/documentation  
   g. Failure to comply with EEC, CCR&R or contracted provider policies

3. **Reduction in Care**- occurs small percentage of time.  
   a. Service need changes from full time to part-time

Board Member Eleonora Villegas-Reimers noted that at a meeting at one of the Gateway Cities, she met a staff member from the local CCR&R. The staff explained that when their office stays open late only usually one person is at the office. There was an incident recently where a CCR&R staff member was pushed by an angry parent. Commissioner Killins suggested that there needs to be more training to help CCR&R staff deal with angry parents. EEC needs to get a better understand of these situations and develop a plan to train staff to have an emergency plan.

EEC General Counsel showed the Committee the steps in which a parent must go through to request a review. The steps are as follows:

1. Whenever a subsidy is denied, terminated or reduced, the parent must receive written notice at least 14 days before the effective date.
2. The notice must explain:  
   a. Action taken and reason(s)  
   b. Authority for action (regulation violated)  
   c. Ability to continue child care services pending review
3. Parent submits Request for review form to EEC within 30 days. Care continues if filed before effective date of termination/reduction. If care is continued, EEC contacts CCR&R or Contracted provider to continue voucher.
4. Within 7 days of receipt of Request for Review, EEC Review Officer notifies CCR&R or Contracted provider and requests evidence in support of decision.
5. Parent has 14 days after submitting Request for Review to submit additional documentation; CCR&R or Contracted provider has 7 days from notice by EEC Review Officer to submit documentation.

Commissioner Killins asked EEC General Counsel Carmel Sullivan how does a parent know what additional documentation needs to be submitted. Ms. Sullivan noted that it is included in the notice to the parent in step 2.
Ms. Sullivan continued by describing the process that the EEC Review Office does through to make the final decision. The process is as follows:

1. Determines whether parent is challenging legality of state or federal law (can then uphold decision if so determined); otherwise, review to determine basis for CCR&R’s or Contracted provider’s decision and parent’s argument against the decision.

2. Reviews all information submitted by parent and CCR&R or Contracted provider; may contact parent, CCR&R or Contracted provider for clarification or for additional information. If needed, requests additional documentation from parent to support his/her argument; may obtain documentary evidence from local, state, and/or federal agencies (i.e. RMV, Board of Assessor’s office, Registry of Deeds, Secretary of State’s Office).

3. Written decision made within 30 days or as promptly as administratively feasible:
   a. Overturns- allows parent back into care
   b. Upholds- provides at least 2 week notice that care will end; informs parent has 7 days in which to request an informal hearing to appeal decision and that care will continue if a timely notice of appeal is filed with EEC General Council.

Committee Chair Carol Craig O’Brien asked EEC General Counsel Carmel Sullivan how many decisions are overturned and upheld. EEC Policy Analyst Tara O’Brien explained that most are overturns with notes meaning the CCR&R or Contracted provider did what they were supposed to do and now the parent provides the needed information so they are now eligible for care.

EEC General Counsel Carmel Sullivan asked the Committee if EEC should allow the CCR&Rs give parents 2 weeks to get information to them before provide a termination notice. Commissioner Killins agreed that EEC should and she will continue to work on this. Board Member Eleonora Villegas-Reimers asked if when the CCR&R or Contracted provider give notice if there needs to be documentation or if they can go on a suspicion. EEC General Counsel Carmel Sullivan explained that there needs to be some documentation. For example, if a parent completes a new form and puts the father down as an emergency contact with the same address and phone as they mother but tells the CCR&R or Contracted provider that the father doesn’t live there, this information can be used as the basis.

EEC General Counsel Carmel Sullivan provided the Committee with data of the number of requests received, requests processed and requests still outstanding from 2010 to 2012. There are still 33 outstanding requests from 2010, 373 outstanding from 2011 and 140 outstanding in 2012 so far. She is working with the EEC Review Officers to figure out what is happening with the remaining outstanding requests from 2010 and 2011.

EEC General Counsel Carmel Sullivan showed the Committee the steps they will use to meet the following goals:

   a. Weekly meeting with Review Officers to expedite reviews
   b. If required, meet with CCR&Rs to confirm outstanding caseload and obtain outstanding documentation. Commissioner Killins suggested weekly calls with each of the CCR&Rs.
   c. Determine if there are particular cases that can be immediately acted on (i.e. recoupment matters to be assigned to Assistant General Counsel).

Goal 2: Issue decision within 30 days
   a. Guidance to CCR&Rs and Contracted providers to extend subsidy in particular circumstances (i.e. additional documentation of paystubs, pending employment or extenuating circumstances).
   b. Institute process within the Unit whereby all documentation must be received within 14 days of receiving Request for Review
   c. Strictly enforce regulation that a Request for Review must be received within 30 days of notice of decision to deny, reduce or terminate and educate parents, Contracted providers and CCR&Rs of this policy.
   d. Determine if there are particular types of cases that should be expedited (i.e. family no longer receiving care, child re-entering care within 30 days, recoupment of fees for period of non-employment).
Commissioner Killins reminded the Committee and EEC General Counsel Carmel Sullivan that unless parent’s salary increased more than 20% that EEC would not look to recoup funds. Commissioner Killins would like to reduce looking back and recouping funds as long as the federal government doesn’t require looking back. She is interested in reducing suspicious look back that happens when it is found out that the parent had a change in income months before.

Committee Chair Carol Craig O’Brien noted that it’s difficult when fraud is suspected to not do anything since there are other children who are waiting for care that are eligible. Commissioner Killins asked what is fraudulent. EEC Policy Analyst Tara O’Brien provided an example that documents that have been doctored are blatantly fraudulent.

The Committee discussed how to expedite the process. Commissioner Killins suggested that the Request for Review form be changed so parents are asked to send all possible documentation when they submit their form.

Board Member Eleonora Villegas-Reimers asked if the termination letter sent regular mail. EEC General Counsel noted that yes it is and it is also sent to the place of care as well. There is a need to train the provider that when the provider receives it they should notify the family as well. Commissioner Killins suggested that providers put a copy of the letter in the child’s backpack.

Commissioner Killins asked EEC Assistant General Counsel Tom Weierman to review and possibly tweak the 3 month break in service policy. In addition Commissioner Killins suggested doing a webinar for the CCR&Rs and contracted providers to make them aware of the small clarifications that were made during this meeting and for preparation for the new subsidy regulations. The webinar should be about educating them about the changes to come.

Commissioner Killins requested that EEC General Counsel Carmel Sullivan being collecting data that could be used for the Board and to update her on the unit’s process. She would also like a list of cases that are taking longer than 30 days to come to a decision. She would like data on if giving the CCR&Rs the authority to provide families with 2 weeks of care helped, how many cases over 30 days and why it’s taking over the 30 days for a decision, date Request came in, number of contacts made and the number of Requests by each CCR&R over a period of time.

Committee Chair Carol Craig O’Brien suggested that for the May Board meeting that the boxes in the presentation be more active oriented. For example instead of saying “Institute process within Unit whereby all documentation must be received within 14 days of receiving Request for Review” it might say “Decisions will be made on what’s received by 14 days of receiving the Request for Review.” Commissioner Killins suggested adding benefits and consequences.

Committee Chair Carol Craig O’Brien also thought parents should be educated of the process. If parents don’t understand have we allowed them due process? EEC Assistant General Counsel Tom Weierman noted that the Unit does a lot of hand holding of parents through the process. Committee Chair Carol Craig O’Brien thought it would be helpful to have a document that gives parents information about their rights. This would need to be written at a 4th grade reading level to make it easier for parents to understand.

Commissioner Killins requested that the financial assistance policy be translated into other languages in addition to Spanish.

The next meeting of the Planning and Evaluation Committee is May 17 at EEC Boston from 10:00am-1:00pm.

Possible Agenda items:
• Subsidy Regulation Amendment
• QRIS Validation Study

The Committee convened at 1:00pm.