

**EARLY LEARNING COALITION OF SARASOTA COUNTY**  
**BOARD OF DIRECTORS**

School Board of Sarasota County, Brown Awning Building  
The Landings, 1960 Landings Boulevard, Sarasota  
6:00 PM – February 18, 2009

**MINUTES**

**ATTENDANCE**

a. Voting Members Present:

Laura Benson	Tami Conetta	Laura Bauman	Mike Breton
David Hicks	Jill Jacoby	Chris Kofler	Kathryn Stuckey
Pauline Tracy	Cheryle Williams		

b. Non-Voting Members Present:

Lisa Williams	Connie Snyder	Sonia Figaredo-Alberts
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c. Absent (Voting):

Steve Spangler	Bill Little	Janice Mee
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d. Absent (Non-Voting):

Hope Kinney	Dr. Norman Goldstein
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e. Staff:

Janet Kahn	Mary Wolf	James Pawlak	Gary LaFemina
Linda Mason	Julia Smirnov		

f. Visitors:

Wendy Harris	Raphael Gomez	Randee Tolbert	Virginia Bess
Eva Balcar	Jennifer Ourednik	Jackie Fountaine	

**1. CALL TO ORDER/WELCOME GUESTS.**

Laura Benson called the meeting to order at 6:02pm, welcomed everyone and had asked guests and new members to introduce themselves.

Gary LaFemina is with ELC and now coordinating the Positive Behavior Support project through a contract with the Partnership for Children's Mental Health. Connie Snyder is the director of Pines of Sarasota Child Care and is the new provider representative member of the Board. Wendy Harris is with Head Start and is attending in place of Hope Kinney (who was absent at this board meeting). Virginia Bess is from Sarasota County Health Department. She oversees child care licensing.

**2. CONSENT AGENDA.**

Approval of Agenda for tonight and Approval of Minutes from January 21, 2009 meeting.

Consent Agenda items were unanimously approved. (Motion-Chris Kofler 2<sup>nd</sup> Mike Breton)

**3. PRESENTATION.**

**a. Local Child Care Ordinance renewal process**

Virginia Bess gave an update on the Child Care Ordinance renewal process. As part of the process of informing the public and early care and education stakeholders, Ms Bess is informing the ELC Board of Directors of this process. In October of 2008 the Health Department sent out flyers to all of the child care centers asking them for any ideas, thoughts, or suggestions for changes they would like to see. Centers can contact the health department by phone or email. There have not been any responses from providers at this time probably as per Ms. Bess because there are not any substantial changes to the ordinance at this time since at the last renewal there were many changes and there had been many meetings. The Department will have a public hearing tentatively planned for May.

Laura asked Virginia to forward any new or additional information to Janet Kahn so that the Coalition could inform providers.

#### **b. Readiness Rates-brief report**

Janet provided a brief update on the readiness rates. The State releases the general readiness rates for the counties based on the Kindergarten readiness screenings that take place in the Fall. Then the VPK providers' readiness rates are calculated and DOE determines the cut off score for minimum readiness rate. DOE has not yet determined the cut off point for the VPK Low Performing sites, although it is expected to be somewhere between 211-214. We have some repeat LPP sites and some that are first time low performing.

There is ongoing discussion and debate around the state and among many stakeholders as to the variables that affect children's readiness rates: poverty, community, family life, etc. A higher percent of children receiving free and reduced lunch are represented in the sites that are considered low performing sites. Yet there are inconsistencies in that some sites serving similar children, in similar communities have differing scores. Overall however DOE routinely presents data that shows that children participating in VPK programs do better than those who do not participate, including those children who are non English learners and those who present with other risks.

Sonia Figaredo-Alberts added that any early childhood program that provides an English second language program targeted to develop skills that are necessary should show positive results.

Janet shared that Sarasota County's general school readiness rate this year is 90% (rounded up) with the state average being 88%. Janet shared a handout showing the ECHOS school readiness rate trends since 2006 and the DIBELS early literacy measure results since 2002. The DIBELS shows a significant upward trend in Sarasota since 2002. In addition Janet reported that the ELC has been conducting surveys for about 3 years now with parents when they come for registration asking them to name 2 things that they do with their children to promote early literacy. The results show that parents do demonstrate an understanding of not only the importance of early literacy but things that they can do to help their children succeed. The responses are very individualized and show that parents are actually thinking about the issue and are implementing the tips that ELC and others in early education are promoting.

Janet also commented that the DIBELS will no longer be used and a new tool that was piloted this year has been selected to replace the DIBELS beginning in the Fall 2009. In addition DOE will be reevaluating the ECHOS as it is required to do so every three years and it is possible that this tool will also be changed in 2010.

Once all of the results are in, a more in depth report and power point can be shown at a future Board meeting. Laura Benson confirmed that the Board members do want to see that information.

#### **c. Overview of Results of AWI monitoring of ELC and Discussion of enforcement of expectations**

Janet provided an update on the AWI monitoring of ELC. She reminded the Board that we recently went through 2 different monitoring processes, a triennial extensive monitoring of all functions including governance, where the Board and providers were also interviewed, and the annual eligibility monitoring. The reports are not finalized yet although we have seen the preliminary results with an opportunity to respond.

The annual eligibility monitoring was favorable overall with minimal "findings" in the file reviews and no questioned costs. There were 3 files that we were not able to fully resolve. We also had to revise our VPK provider profile to include all required information including teacher education level. There was only 1 VPK provider file that had an issue and all VPK child files were fine.

For the triennial program monitoring, Governance and Operations and Management areas were fully in compliance. There were only minor issues with Child Care Resource and Referral and most are now already completely resolved. For Educational Services delivery there is one finding due to one provider who was interviewed not being able to fully articulate her use of curriculum, although she denies this. The report concludes that we “failed” to ensure that appropriate curriculum was in use. However, short of removing SR children from her care, we had done everything to assist this provider to come into compliance including training, TA and a denial of a mini grant until she complied.

Janet responded that such action would require an amendment of our approved Plan where we would remove children from a provider who do not comply. The Board has had this discussion in the context of Look for the Stars (if provider do not meet minimum of 3 star or not working on improvements, that state funded children will be removed). At the time of this monitoring however this process has not been finalized through the approved plan amendment process, something we will now do.

Laura Benson stated that this does lead to another situation where we may need to consider removal of SR children, where a provider possibly committed intent to fraud involving a parent, and whether or not we would take actions to terminate our provider contracts for non-compliance.

There was general discussion as to the nature of our contracts, whether they are in fact binding and what liability exists for the Board. Our policies and language in the contract have evolved to allowing for increased enforcement of mandates, especially if assistance is offered and there is still noncompliance.

Tami, stated that any well written contract has a specific provision on what happens if there is a breach in the contract Tami clarifies the problem is that if staff couldn't prove that fraud took place, it wouldn't matter what the contract says So Tami suggests that our response should be in writing i.e. “It has come our attention... we consider that it could be a breach of your contractual obligations, this is your one warning, and if it happens again your contract will be terminated”

Tami quickly reviewed our enforcement policies and states there is a clear provision here on misrepresentation and it applies to providers. It gives needed tools to deal with the situation. The contract has a provision where we have the right to cancel their contract on 30 days notice even without cause.

Finally it was determined that we do in fact have sufficient language in our policies and procedures and in the contract that providers sign to take whatever action is needed, whether it be due to non compliance or if a provider has violated the contract due to fraud, false attendance sheets, or any other issue that violates the terms and conditions. In terms of the possible fraud situation, staff will follow the normal procedures for reporting it, investigating it, asking the provider for an explanation, etc and then determine if there is sufficient cause to terminate a contract or not, and/or remove children. Written warning can be strengthened to state that “ if fraudulent activity or intend to fraud this organization is found and after corrective warning is made will result in immediate termination of this agreement and withdraw of the children.”

Raphael agreed and suggested also increasing attendance monitoring, make a site visit and make provider understand that this is a serious matter and in event it happens, there will be serious consequences.

#### **4. CHAIR REPORT.**

Laura stated that although she has not read the details, the stimulus package does apparently have funds for early learning, but as of today she doesn't have any details on how it will be distributed.

Laura then went on to briefly mention Senator Wise's bill that was filed that would reduce coalitions from 31 to 20. There was a bill on the house side that would have eliminated all Coalitions. Does not have a companion bill at this time. AWI has a task force as a result of being instructed to look for possible savings as a result of merger and consolidation. There are projected savings (anywhere between 1-3 million) but they are not guaranteed as there would be merger costs, and the disruption would out weigh any perceived benefits, as well as the potential loss of local community partnerships,

private business Board members and even local funds. This is an issue that the ELC Board needs to follow closely as we are one of the smallest Coalitions and would be consolidated, although our operational costs are very efficient.

Laura's Chair term ends in April, she served the rest of Kim Seyer, the first Governor appointed Chair's term and she announced that would not re-apply for this position. She has been happy to serve on this Board for 6 years, but is now looking for someone else to step in. It is governor appointed seat, it is required to be someone from the business community. She encouraged the Board to identify individuals who could be recommended for appointment or for one of our existing business members to move into the Chair position. Application is online.

*PUBLIC COMMENT-none*

**5. ACTION ITEMS.**

**a. Approval of change to Employee Handbook- addition of severance**

Janet explained the change to Employee Handbook- addition of severance. This is specifically to protect staff from a forced merger or consolidation issue, or a situation that occurred in Manatee where the new Chair came in, became the ED and fired all of the existing staff. Janet worked with our HR representative, Marlene Gore at HR Selective on updating that section of the handbook. This is for elimination of Coalition. This is not a severance package that people would get if they were let go due to performance issues, etc. This is to provide some protection to workers in terms of funding decisions or a legislative decision that resulted in elimination of Coalition.

Sonia had asked why would severance be paid, if the Coalition is eliminated, the state takes the funds. Janet and Laura had replied that it is an allowable cost. When Coalitions merged back in 2004, they had to pay all out standing obligations. With such a policy this would become an obligation that state should honor as part of our dissolution.

This policy changed was approved with a change in wording that Janet will take back to HR Selective.

**b. Approval of Executive Director contract terms and conditions**

The issue of a formal contract with the Executive Director was first discussed in November and it was decided that this needed to be implemented. Many assumed that there was a contract in place. Janet requested a formal contract in order to have some protection against an arbitrary termination. She presented a one page "terms and conditions" to serve as the basis of a contract using ones form other coalitions as an example.

Laura Benson commented that the professionalism of our staff dictates that the Board has professional relationships with them as well. Laura also states, that it is hard to imagine the circumstances that the Board would be addressing some of the items, i.e. Executive Director could be fired for no cause what so ever or based on whim of someone's political decisions.

Kathy Stucky, who also serves on the Manatee County ELC stated that the appointed Chair also became the Executive Director and Board then could not talk with the Chair because of Sunshine and It happened so quickly within 24 hours that the Board could not do anything about it. She affirmed that there needed to be some protection for the executive director in that kind of situation.

Mike Breton made a comment, if the employee and Executive Director are at will and they serve at a discretion.

Tami Conetta commented that all employees at Florida are at will employees even with the contract. The contract provides what happens in the event of termination. Tami also asked if severance pay is an additional pay out of unused PTO. Janet clarified that it is in our Employee Handbook, and if the employee was separated for non-performance issues or violation of a contract that PTO time is paid out.

There was a discussion as to what would be the appropriate specifics in terms of amount of accrued PTO to be paid out and how much severance pay would be appropriate.

Finally Laura suggests moving the issue to the Governance Committee to finalize a formal contract since they are meeting about nominations and the retreat anyway and then bring it back to the Board for approval.

#### **6. EXECUTIVE DIRECTOR REPORT.**

Janet stated that she was not able to send the written report prior to the meeting and promised that her report would be coming within a few days. If anyone has any questions prior to the next meeting, please let her know.

#### **7. OLD BUSINESS**

##### **a. Update/Report on meeting with DCF regarding protective services referral process**

Linda Mason gave a brief update on the DCF meeting and Memorandum of Understanding currently being worked on. Issues were discussed in their meeting where there was good dialogue and communication. They have a good plan in place to proceed forward with some good ideas to address issues of concern.

Cheryle Williams stated that her concerns and questions were cleared up, she learned a lot about the procedures and confirmed that there is good momentum for a positive working relationship going forward.

#### **8. FINANCE Report.**

James Pawlak distributed a written finance report and stated that month-to-month we came in where we budgeted. There is nothing unusual to report at this time. We are watching enrollment carefully to ensure that we do not go over, especially as mandated referrals continue to rise, and we have to factor in budget cuts and the decrease in allowable VPK admin percentage.

#### **9. ANNOUNCEMENTS.**

Laura stated that the Strategic Planning Committee has not met as this month went by fast and there were legislative issues to watch as that could determine immediate discussion needs.

#### **10. ADJOURNMENT.**

The meeting is adjourned at 7:18pm

*Ready for Learning, Ready for Life!*