



Minutes

Board of Directors Meeting
October 4, 2010; 8:00 am
ELC Board Room

Board Attendees: Octavio A. Verdeja Jr. (Chair); Yvonne T. Johnson, M.D. (Vice Chair) (attended via conference call); Gerald K. Schwartz, Esq. (Secretary); Modesto E. Abety; Magaly Abrahante, Ed.D. (attended via conference call); Daniel Armstrong, Ph.D.; Connie Chapell; Jacqui B. Colyer; Gina Cortes-Suarez, Ed.D.; Alan Eckstein, Esq.; Shaleen Fagundo; P. Morgan Hill (attended via conference call); David Lawrence, Jr. (attended via conference call); Jane McQueen; Harve Mogul; Lucy C. Piñeiro, Esq.; Ann Karen Weller, R.N., B.S.N.; David Williams, Jr.

Board Absentees: Rick Beasley; The Hon. Cindy S. Lederman; Yesenia Perkins (Treasurer); The Hon. Natacha Seijas

Staff Attendees: Evelio C. Torres, CEO; Leeana Pena; Angelo Parrino; Blythe Robinson; Tabatha Cullen; Jackye Russell; Mary Williams (attended via conference call); Fred Hicks; Milton Silvera; Melody Thelwell; Sandra Gonzalez; Kerry Allen

General Attendees: Santiago D. Echemendia (Board Counsel); Doug Blomberg, WHFS; Michele S. Daplan, Derereux; Maria Elena Delgado, AECE; Douglas Melamed, Bell & Melamed, LLC; Geisy Perez, Precious Years Christian Preschool; Armando Paez, Precious Years Christian Preschool; Armando Guerra, AECE; Sara Morales, Miami-Dade County; Ardene Estrada, Miami-Dade County; Leonor E. Romero, YWCA; Bill De La Sierra; Linda Carmona-Sanchez, AECE; Barbara Paredes, New Sunrise I; Yannet Parrando, New Sunrise I; Dabney Park, Performance Executive Search; Edith Humes Newbold, Miami-Dade County; Alfred Sanchez, YMCA; Belkis Torres, Head Start; Phyllis Tynes-Saunders, Miami-Dade County; Forima Laffritto, Precious Moments; Orlando Laffritto, Precious Moments; Diana Susi, Happy Kids; Muriel Wong, WELS

I. Welcome and Introductions

Octavio A. Verdeja, Jr., Chair

- Chairman Octavio A. Verdeja, Jr. called the meeting to order and welcomed everyone.
- Leeana Pena called roll and a quorum was established with 14 voting members.
- O. Verdeja stated the Board would continue to emphasize on strategic planning. Over the last month, D. Park and ELC staff have continued to gather data and held a listening session. The decisions the Board has to make over the next months are difficult and may have serious consequences for children, families and providers. He recommends the Board deliberate as long as necessary to



ensure they make those decisions are made correctly. He does not anticipate making any decisions today but the Board may continue to explore options. As for the strategic planning committee, he would like to request they start meeting and the recommendations be brought back to the full board for discussion. He is asking Bud to lead that with Evelio.

- As for the Children's Movement, it was a tremendous success. The one in Miami had over 1,700 - 1,800 attendants. It was moving to see so much involvement. A. Eckstein stated the Key West rally made CNN news as well.
- O. Verdeja announced that M. Hill was appointed to the Audit Committee. Lastly, the Board had previously budgeted for staff increases for 2011 as staff has not received an increase in the past two years. He asked Evelio and the staff to put together something that compared what ELC was paying compared to other similar organizations. Their salaries are substantially less as a percentage of their revenues. The staff does deserve an increase and it is part of the budget in the upcoming year.

II. Approval of Minutes

Octavio A. Verdeja, Jr., Chair

- O. Verdeja called for a motion to approve the minutes.
 - A. Eckstein moved to approve the minutes
 - Motion seconded by H. Mogul
 - Motion unanimously passed.

III. Executive Committee Report

Octavio A. Verdeja, Jr., Chair

- O. Verdeja stated the Executive Committee met last week and had a very long conversation. They discussed some resolutions, which they will bring back to the board at the next meeting in the interest of time. They ratified some Finance Committee decisions. They also discussed a new unfunded mandate that ELC will have to take involving health and safety inspections. To make sure they prepare for this responsibility, he requests the Program and Strategy Committee address this new requirement in detail. They also discussed a policy on School Readiness sanctions. They are going to defer that to another meeting to give the Executive Committee and Provider Services Committee an opportunity to look at the policy.

IV. Provider Services Committee Report

Gina Cortes-Suarez, Ed.D.

- G. Cortes-Suarez stated the Provider Services Committee met on Thursday afternoon and all members were present. They had a number of items. The first was a presentation on Medicaid for providers. The agenda also included 4 grievances. There was a grievance by Ms. Catina Thompson, a parent. The motion the committee made was to uphold the termination of child care services based on the failure of Ms. Thompson to complete the eligibility re-determination process as required in a timely manner and the motion passed.
- S. Echemendia stated the motion needed to be approved by the full board.
- J. Russell stated Ms. Thompson did not complete her eligibility re-determination. The parents are required to re-determine every six months. She did not go in and fill out her documentation and send it back in time. Once she discovered it had



been terminated, she came to see if she could be reinstated but there were no extenuating circumstances that she presented.

- J. Colyer asked how many people does this happen to and if she is the first person to come forward?
- E. Humes-Newbold stated when they come in initially to get their application; they receive a form called rights and responsibilities that gives the last day of service. The provider and the parent receive it. In addition to that, 45 days prior to that she receives a packet in the mail that says this is your re-determination packet and has the date by which it needs to be returned and has the last day of service. Additionally, the provider receives a separate notice that says the parent's last day of service. Also on the attendance roster it says the last day of service. There is a lot of warning. If they come to us within 10 days, they will reinstate them. But when it gets to 30 days and there are no extenuating circumstances, they must terminate services. The providers normally warn the parents.
- G. Cortes- Suarez asked for a motion
 - Motion made by G. Schwartz
 - Motion seconded by H. Mogul
 - Motion unanimously passed.
- G. Cortes- Suarez stated a second parent appeal was for Ms. Rock. The committee is recommending to uphold the termination of child care services based on the failure for her to complete the eligibility re-determination process as required in a timely manner. J. Russell stated she also did not have any extenuating circumstances. O. Verdeja asked when this happens, are there usually extenuating circumstances or not? J. Russell stated the process is that they would first appeal to Miami-Dade County and they would make a decision. Usually if there is some reason why they couldn't have come it, it would have been overthrown at Miami-Dade County process. O. Verdeja commented that it has a normal process and by the time it gets to ELC, a lot has happened. J. Russell agreed.
 - A. Eckstein moved to accept the findings and recommendations.
 - Motion seconded by H. Mogul.
 - Motion unanimously passed.
- O. Verdeja stated the other two grievances involve providers. They haven't come up with a policy that's been accepted by the Board as to how to decide whether a provider should or shouldn't stay. He thinks the best thing is to allow the Executive Committee and the Program Committee to get the policy correct and then vote on it at the Board to then make a decision regarding these providers.

V. Monroe Advisory Committee Report

Alan Eckstein, Esq.

- A. Eckstein stated the Monroe Advisory Committee held their quarterly meeting on September 30. One important fact is that no children are on the waiting list in Monroe County. The local press covered the entire meeting. There is now an article on the front page of the Key West Citizen regarding the issue of that meeting as well as the issues of zero to five. It was a good and successful meeting.



VI. Strategic Planning Follow Up

Dabney G. Park, Ph.D.

- D. Park stated at the last board meeting, the decision was made to work on the after school care issue this time. That decision was then changed. They have been cranking on the after school care issue and developing some stuff they are not quite ready to present. They are going to have to review the pertinent documents and come back to that issue. They also held a listening session last Thursday night for after school providers and got a tremendous amount of information on that. It was good. Some of that was circulated to the Board last week. He thinks it's important to keep in mind their role which is to bring hard data numbers and also include some data about people's attitudes, opinions and feelings. This month they will be doing a number of listening sessions before the November meeting and will also bring back some hard data they haven't seen yet which Fred and Jackye are working on.
- D. Park commented he was a bit concerned after the last meeting to focus on one item. Part of the dilemma is the enabling legislation coming out of the form of welfare system. Is this about parents having child care so they can become self sufficient or is it about school education for children with parents being a piece of that? The questions they will be asking are what happen if you change something in one part of the system, what impact does it have on the other part of the system, positive or negative? After school is clearly one of those examples that has a huge effect on providers. They would like to have a considerably longer meeting in November. Between now and then they will have the Strategic Planning Committee meeting and they will be doing several listening sessions and will bring that data back. By next time they should be able to come back with a clear list of activities.
- J. Colyer asked if all of the listening sessions will be held here. D. Park stated no, they will have meetings in the north, south and others and in the middle. They could easily do it downtown as well if someone else has a place downtown. J. Colyer stated parking can be a challenge here and the United Way would be a good place or she will have parking available at her place.
- H. Mogul asked whether the process requires a singularity between child centric and parent centric. D. Park stated it can't be a singularity. The issue is because the balance is not clear. Part of the reason the balance is not clear is because all of us around the table don't know enough about it. He was on the Board for 10 years, but he learned more in the past 2 months than he did in the past 10 years. Part of what they are trying to do is bring back that information and present new information. All of that should help find a balance. It's not necessarily easier but its clearer.
- C. Chapell stated that she just wanted to make sure they are getting the feedback from listening sessions in Monroe. D. Park stated they are going down to Monroe to have listening sessions in at least two locations.
- H. Mogul commented they should also have an understanding of how the Coalition fits in the range of other funders. Their decisions may be tempered by what happens elsewhere.



- J. Colyer commented that the state licensing office is starting to make a shift. Research that is coming out of Harlem is very promising about the ideas that parents are the burdens. If we could figure out how to get parents on board, they will hit the jackpot.
- E. Torres stated the health and safety inspection requirement that they will have soon will require ELC to conduct health and safety inspections on all unlicensed child care centers and facilities. They are taking this back to the Program and Strategy Committee to have a discussion on how they implement this policy. AWI is purchasing all of the laptops that are going to be needed to go out and conduct the inspection. As an organization they are taking on a liability, the same liability that DCF licensing takes when they go out and certify that a provider has met certain health and safety standards. So if they are going to do this, they have to do it right and make sure they have well trained staff whether its Coalition staff or contracted out. The other option that has been discussed is whether a policy should be adopted to require all providers that business with the Coalition, to obtain a DCF license. That would then eliminate the need for the Coalition to take on these inspections and the expense that goes along with it which will be quite substantial.
- O. Verdeja stated they will have to figure out exactly what their responsibilities are and what they are going to do to make sure this is done fairly. It needs to be done consistently and fairly so all providers are treated the same.
- Y. Johnson asked what type of unlicensed facilities they contract with now. E. Torres stated they have license exempt providers, the YMCA, YWCA, the Boys and Girls Clubs, the Racer Homes in Monroe County and faith based. They have about 400 between Dade and Monroe counties. Y. Johnson asked who sets their standards and determines whether or not their facilities are safe. E. Torres stated if they are accredited, they go through the accreditation process and the only other thing is the Provider Agreement. There are a number of facilities that they do businesses with that don't have the expense or the process for making sure kids are safe.
- J. Russell stated that in addition to the religious exempt providers, they also have child enrichment providers. They offer enrichment providers such as karate, music and ballet. They also have all the after school programs which are not licensed. They are basically unregulated. E. Torres stated this is one of the issues that keeps coming up that there are a number of providers in Miami-Dade and Monroe with little or no regulation and operating legally.
- L. Pineiro asked if this issue is going on statewide. E. Torres answered yes. She asked if they know what other counties are doing. E. Torres stated they have a survey out to all of the Coalitions. Every one is looking at this issue now because every Coalition is going to have to start conducting these inspections. L. Pineiro stated that is something the Coalition should not assume for many reasons. It's not our job. That is why the Department of Children Families is there. This is what causes providers so much frustration. You've got one doing one thing, DCF doing another, somebody doing another. In all fairness to the providers, they need to know exactly what's expected, what's going to happen if they violate some of the licensing activities. Its being implemented so differently all around the state of Florida and that's how come they are so upset. That is something DCF by statute should be responsible to do, not the Early Learning Coalition.



- O. Verdeja stated that was exactly the conversation was at the Executive Committee Meeting. They have to figure out what exactly the state wants them to do if anything before they move on with it. He thinks she is absolutely right.
- A. Eckstein stated there are some national groups like Boys & Girls Club and YMCA that have national standards. His understanding is that there has been a mandate. E. Torres stated the difference with some of the providers is going to be if you create exceptions, who are those exceptions and what do we do about them? It's going to be another difficult set of decisions.
- C. Chapell asked if a lot of these programs don't have it because that licensing doesn't exist for them. E. Torres stated the question is what action this Board wants to take in terms of working with those providers.
- G. Schwartz stated that he finds it incredible that these institutions that can afford to get licensed, don't have licenses, and do not meet the standards that the other agencies have to meet. How quickly can we move and require these agencies, religious groups and other clubs. E. Torres recommended taking it back to the Provider Services Committee so the board doesn't make a decision that has to be changed due to unintended consequences.
- L. Piñeiro stated this should be a legislative priority for all child advocates. They should move to have them, if they want to exist, to meet the health and safety criteria. They should not be exempt from that. Her suggestion is to make it a legislative priority. She firmly believes it's not ELC's job. Rather than wait months, make it their number one legislative issue.
- O. Verdeja stated he would want to know what health and safety issues are they really talking about because in the end they may be required through different methods to have these in place anyways. Before they jump the gun, is it true they don't have them or they don't have them under DCF but they do have them under state statute, things like that?
- E. Torres stated the biggest issue would be if they go through the process of requiring everyone to obtain a license. Then health and safety will be the responsibility of DCF and is that practical and possible.
- A. Eckstein stated the issue in Monroe County is organizations like the Boys and Girls club where their facility is an outdoor park, which cannot become licensed. They have no one else to step up to the plate. It results in many unintended consequences.
- O. Verdeja stated there are areas they do not know enough about. The Program Committee will look at this mandate, seeing what the impact is and what the licensing requirement is.
- E. Torres stated that he recently had an opportunity to go to Washington DC where members of the Children's Services Council and members of the Florida Chamber of Commerce. It was a great opportunity and opened up a lot of doors to meet with counsel members and not their aides. It was very eye opening because no major budget decisions will be made until after the elections. All the work they have done with the chambers has really paid off. It was a great



partnership and they understood this is an economic development issue. Its important progress they have made in the state.

VII. Public Comments

Octavio A. Verdeja, Jr., Chair

- D. Mellenmen stated he is an attorney representing New Sunrise and Precious Years. He was there for the grievance procedure. He appreciates the discussion he just listened to. It was very productive and fruitful and some interesting points were raised. He is disappointed to hear the decisions that were come to on Thursday after the grievance procedure were not going to be addressed today. In the meantime while the policy is being reviewed, there are providers in limbo. The school readiness funding for Precious Years were maintained and the funds for New Sunrise were terminated. If they are going to go back and look further into policies and procedures, then he will have to ask them to rescind their termination letters. Anything that they come up with at this point forward, they cannot apply retroactively if they are going to create new policies and procedures. These two cases have been ruled oppositely on and it's very arbitrary. The argument he made and the decision that was voted upon would have been applied uniformly to anyone that followed and that would apply to New Sunrise. Unfortunately, New Sunrise went first and weren't represented by counsel. He thinks they need to abate the decision to terminate their funding because they haven't even set proper policies and procedures. How can ELC determine the decision they made is based on good faith and good procedure review? The School Readiness Provider Agreement doesn't say anything to support their decision to terminate funding.
- S. Echemendia stated that the concept of limbo is therein status quo. They have told them that letter is abated pending the resolution of the grievance process. They are not being adversely affected at all. They are still going to continue to get funding while ELC goes through their process.
- L. Carmona Sanchez thanked the Board for taking the time to consider that providers do need equitable and fair process that cannot be challenged by arbitrariness. They do need to take a look at that carefully. When they talk about terminating the School Readiness contract of any provider, they are in effect being put out of business. Her only request is that perhaps some of the board members need to take a more active part in their committee structures. There were only 3 board members present at the provider services committee meeting. More of the board members need to be present so they can be better informed when making decisions.
- Alfred Sanchez from the YMCA commented that the YMCA, YWCA is in the school system which by contract upholds them to the kind of quality they have. Above and beyond that, the Boys and Girls Club, YMCA, and YWCA are looking at the Florida After School Network standards that are being developed. The Boys and Girls Club have adopted them and the YMCA is going to adopt them statewide in their meeting in November. Because there isn't licensing doesn't mean there isn't quality or isn't a great deal of attention being paid attention to safety.
- J. Colyer asked what his assumptions are for the business model being presented in terms of how many children they are talking about in each of the age groups. A. Sanchez stated they assumed one class of children with the proper ratio. They figured 100% of children in childcare are taking advantage of 8 hours of care. In



reality, most of these children are there more than 8 hours so the actual cost per child goes up. The reimbursement rate is daily. O. Verdeja asked if there is one class of zero to one, they would need 5 or 6 of the 5 and above class to balance it out? A. Sanchez stated yes.

- H. Mogul asked when the Coalition makes determinations for after school programs, is that coupled or aligned with consideration of those providers that are already providing quality early education? If they are already granting to providers that are providing after school programs that also have quality programming, they would be providing an additional set of funds. E. Torres stated that is part of the challenge. They have a lot of capacity, so by allowing all these centers to participate in School Readiness it dilutes the census of all of the centers that are operating in the area.
- L. Piñero commented that she did a search last week and 137 childcare centers popped up for Hialeah. She doesn't know if they are licensed or not or if they have enrichment programs. One has to wonder what type of quality they are providing and what are they teaching our kids. Its food for thought about our quality.
- G. Cortes Suarez asked what rate child care centers are growing. E. Torres stated they could get some numbers on that. In addition, they need to look at how many children are being served and how many children are currently enrolled in the program.
- D. Susie from Happy Kids Childcare Center stated that children with special needs were left out of the presentation. That line of income really drops. They definitely need to increase the rate per child in the community. She thanked the Coalition for really thinking this process through.
- O. Verdeja thanked A. Sanchez for a great presentation.

VIII. Adjourn

Octavio A. Verdeja, Jr., Chair