



# Minutes

Program Policy & Strategy Committee Meeting  
October 26, 2010; 3:30 p.m. – 5:30 p.m.  
Early Learning Coalition of Miami-Dade/Monroe  
Board Room  
2555 Ponce De Leon Blvd Suite 500  
Coral Gables, FL 33134

**Committee Attendees:** David Williams Jr.; Roderick Beasley; Ann Karen Weller (via conference call); Jacqui Colyer (via conference call); Shaleen Fagundo

**Staff Attendees:** Evelio Torres (CEO); Blythe Robinson; Jackye Russell; Fred Hicks; Pamela Hollingsworth; Milton Silvera; Sandra Gonzalez; Nicole Bardin; Carole Brogan; Kristina Alonso; Leana Pena; Mary Williams (via conference call)

**General Attendees:** Edith Humes-Newbold (Miami-Dade County); Linda Carmona-Sanchez (AECE); Ardene Estrada (Miami-Dade County); Brian Sheafer (YMCA)

## I. Welcome and Introductions

- D. Williams welcomed the committee, staff and attendees.
- A quorum was established with five (5) voting members.
- D. Williams thanked ELC staff for participating in the event in Miami Gardens.

## II. Approval of Agenda

- S. Fagundo moved to approve the agenda.
- R. Beasley seconded the motion.
- Motion was unanimously passed.

## III. Approval of August 31<sup>st</sup> Minutes

- R. Beasley moved to approve the August 31<sup>st</sup> minutes.
- A. K. Weller seconded the motion.
- Motion was unanimously passed.

## IV. CEO Update

- A video of an investigative report by CBS 4 regarding childcare centers with DCF licensing violations was presented.
- E. Torres discussed the draft policy that will be presented to the full board discussing disallowing School Readiness (SR) funding for providers with childcare licensing Class 1 and 2 violations on record.
  - One of the proposals states that the ELC would no longer conduct business with providers that have Class 1 and 2 violations.
  - The other proposal would require all childcare providers doing business with the ELC to obtain a license as per Florida Administrative Code 65C-



22 which contains a provision for licensing of school age childcare providers.

- We will reevaluate the process for how we contract with childcare providers that serve SR children and ensure that all childcare providers are doing business under the standards of licensing.
  - One of the concerns of the Provider Services Committee was regarding having a dual system as a result of implementing this policy that would penalize licensed providers with Class 1 and 2 violations. Unlicensed providers could also have the same violations but there would be no licensing body to monitor them.
  - Another recommendation is to create an exception for MDCPS since they have their own Department of Education (DOE) sanctioned requirements.
  - This policy would only apply to Miami-Dade providers. The Monroe County Advisory Committee will provide advice to the board regarding policies that affect Monroe County.
- S. Fagundo asked for clarification of which categories of providers, other than MDCPS, would be exempt from licensure under this policy.
  - E. Torres stated that we are still waiting on clarification of the religious exempt category.
  - J. Russell clarified that informal providers would be exempt.
  - E. Torres added that this policy was created at the request of licensed childcare providers who have expressed their concern over the last few years.
  - D. Williams asked why the school system would be considered exempt.
  - E. Torres clarified that the school system is governed by the DOE whose standards satisfy the background check stipulation, as well as other standards.
  - S. Fagundo asked for clarification of the public school exemption being for providers operating at or by MDCPS.
  - E. Torres clarified that only programs operated by MDCPS would be exempt.
  - R. Beasley suggested further clarification of the wording prior to submitting it to the board.
  - D. Williams stated he would not support the draft policy if the wording included "programs."
  - S. Fagundo stated that she supported changing the wording of the draft policy as long as the intent does not change.
  - E. Torres stated that an amendment would be made and then submitted to the committee chair.
  - R. Beasley asked if there was consensus on this policy by providers.
  - S. Fagundo stated that she did have the discussion and did not experience any pushback from providers.
  - L. Carmona stated that many of the licensed childcare providers support the policy because of the two parallels that exist. Currently, unlicensed childcare providers do not have to meet the same criteria nor incur the same expenses for licensing as licensed providers but still receive the same reimbursement. Overwhelmingly, the policy will have support from licensed childcare providers since it does help to level the playing field.
  - In response to D. Williams request for a timeline for implementation, E. Torres responded that staff recommends that July 1, 2011 would be the effective date in order to give both the providers and the ELC time to prepare.
  - S. Fagundo suggested looking at the violations in the interim in order to preemptively identify which violations might be contested in the grievance process. There are cases in which the provider might call the fire inspector for a fire inspection to be done and no one comes. The provider would then be cited with a violation, at no fault of theirs.



- E. Torres stated that this is a great suggestion. The intent is not to suspend a provider for a minor violation so the first step would be to send a letter of intent so that the Provider Services Committee gets an opportunity to assess the situation.
- R. Beasley moved to have the Program and Strategy Committee support the recommendation of the Provider Services Committee with the changed presented here today.
  - A. K. Weller seconded the motion.
  - Motion unanimously passed.

#### **V. School Age Provider Repayments**

- J. Russell stated that the ELC identified some providers who have indicated they were school age providers (child enrichment, afterschool, etc.) who were serving children younger than five. By law they are not allowed to serve these children. We will need to take back payments from those providers. We will send a letter to the providers advising them of this and parents will be contacted so that they have the opportunity to find an alternate provider.
- S. Fagundo asked how these providers can operate without a license, defraud the program and not incur a penalty.
- J. Colyer responded that there is a penalty and these individuals are fined for operating without a license. They are in jeopardy of not being able to receive a license for an extended period of time.
- E. Torres added that perhaps we should explore this as a policy to address providers that may be illegally operating without a license.

#### **VI. Child Enrichment Providers**

- J. Russell discussed whether child enrichment providers should be paid with SR funding.
  - Chapter 402 of the licensing regulations define the intent of child enrichment providers as those individuals who go into licensed centers and add an enrichment activity. In Miami-Dade County enrichment providers have sprung up and are operating independent locations. That was never the intent of that program. We need to decide whether or not to continue to contract with these providers.
- E. Torres stated that a discussion took place in Palm Beach and they discovered that this is an issue in a number of other parts of the state as well. The unintended consequence is that there is a set of providers receiving the same reimbursement rate but are operating without a license or standards. However, if you ask a parent of any of the children participating in one of these programs, they will share with you the value of these programs to their children. The assistance that some of these programs provide these children with homework, from a parent's perspective, is of high value and should not be discontinued.

#### **VII. New Providers**

- J. Russell stated that since there is so much discussion on types of providers, license status, and the age groups of children served, the staff is requesting a recommendation to have a moratorium put on any new providers in the SR program until these issues are resolved. There is not currently a problem with capacity.



- D. Williams asked what is holding up the making of decisions relevant to these issues.
- E. Torres stated that part of this matter has been turned over to strategic planning. We would like to go to the community for feedback and have the board set priorities with the feedback in mind. Listening sessions are scheduled in order to facilitate these discussions.
- J. Russell stated that purpose for the request for a moratorium on new providers is to avoid taking on new providers only to find out that they might have multiple violations, or do not qualify based on policy. It is better to wait until the providers currently in the program are addressed, prior to bringing anyone new in.
- S. Fagundo moved to accept staff's recommendation to have a moratorium on new providers put in place.
  - R. Beasley seconded the motion.
  - Motion was unanimously passed.

#### **VIII. Mail in Redetermination**

- E. Humes-Newbold discussed the mail-in redetermination process.
  - The process has been in place since January of 2007.
  - According to the rules, redetermination must take place every six months.
  - In order to be more efficient, the parents are not required to come in for a face-to-face interview.
  - Parents are to receive their packets 45 days prior to their last day of service. However, parents know what their last day of service is six months in advance. If they do not receive their packet by mail, they need to know to contact Child Development Services in order for them to complete the packet and return it.
  - What is happening is that there are a lot of parents coming in person to the redetermination until wanting staff to review their packets. It is slowing down the process.
  - Starting November 1<sup>st</sup>, parents can mail the packet in, or drop it in the box at the M.L.K. building and CDS staff will process it. Staff will not be available to answer questions. If additional information is required, staff will contact the parent.
  - Since many providers now have access to the internet, they can check the statuses of their clients online 24 hours a day, seven days a week. In addition, providers receive a separate notice in the mail listing children whose services will be terminated that month.
- D. Williams asked if CDS staff could attend the listening sessions in order to answer providers' questions. E. Humes-Newbold agreed to have staff in attendance.

#### **X. Adjourn**

- D. Williams adjourned the meeting.