

COMMISSIONER ORIENTATION



2019

PART 1

OVERVIEW OF PROPOSITION 10 AND THE FUNCTIONS OF COUNTY COMMISSIONS

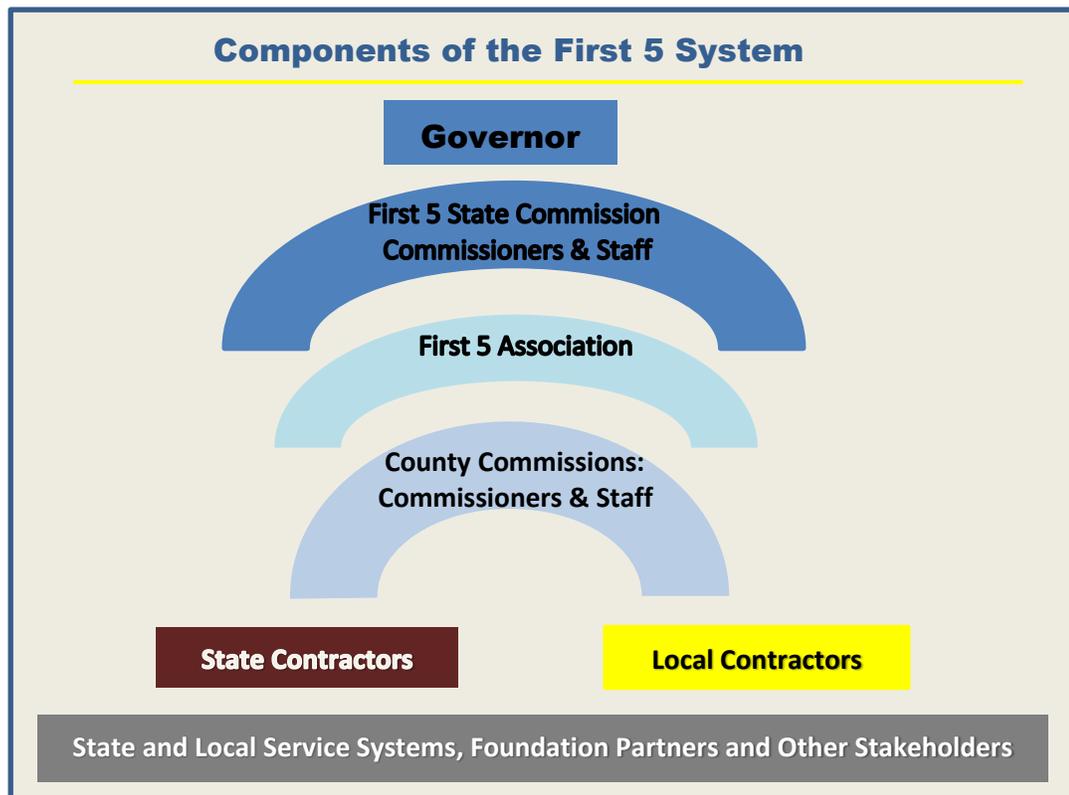
Overview of Proposition 10 – Purpose & Intent of the Act

- Enacted by the voters of California in November 1998, with funding from revenues generated by tobacco taxes.
- Promotes support and improve the early development of children, prenatal through age 5.
- Facilitate integrated comprehensive, collaborative systems of information and services to enhance optimal early development and ensure children are ready to enter school.
- Emphasize local decision –making, flexibility in designing delivery systems, and elimination of duplicate administrative systems.

Why is First 5 Important?

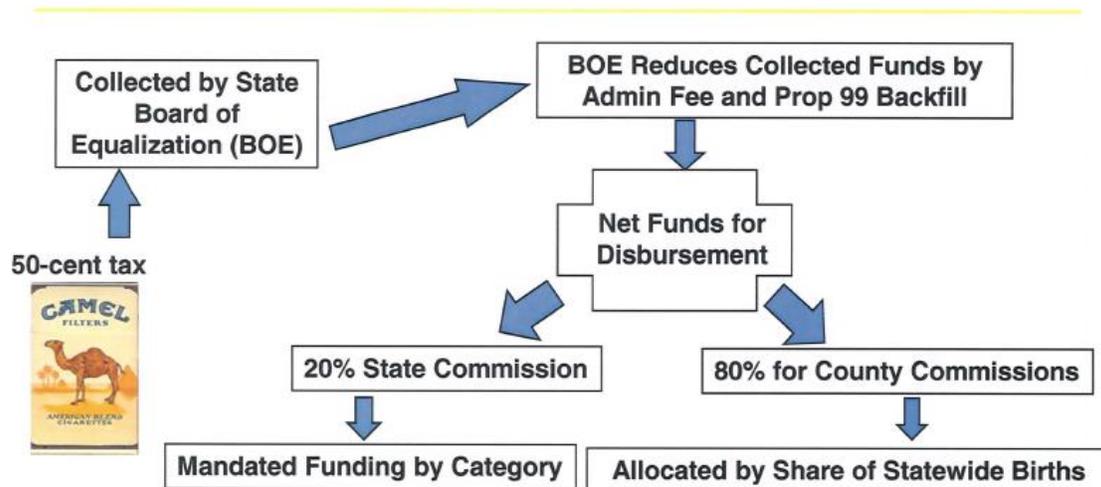
- The technical rationale: Research clearly shows the importance of early brain development. The first years of life shape changes for future success.
- The social rationale: many health, education, safety, development, support needs of children are unmet.
- The systems rationale: current funding for children & family services is inadequate and categorical, creating a fragmented system that is hard for families to use.
- The political rationale: Success in school starts early in life, and improved education is crucial for the long term business and economic success of the state.

Components of the First 5 System



Funding Flow

Funding Flow



OVERVIEW OF COUNTY COMMISSIONS

Composition of County Commissions

- Determined by county Board of Supervisors within state law parameters:
 - Not less than 5 or more than 9 members
 - One member from Board of Supervisors, two county level managers, the rest from the county and/ or general public representing professionals in fields related to early childhood development or service recipients
- Commission as a whole must be structured as either a county agency or an independent public entity.
- Structured as semi- autonomous county agency with independent control of budget and bylaws
- Contracts with PCOE for administrative support, including Executive Director
- Contracts with County for audit and legal counsel; subcontract for staff analyst

Mandates of County Commissions

- Meet requirements on the structure of the Commission
- Adopt a strategic plan for early childhood development within the county; plan must contain several required elements and be consistent with State Commission guidelines.
- Annually review strategic plan
- Measure outcomes of funded programs using applicable, reliable indicators
- Produce an annual report with specifies components and undergo a fiscal and expanded audit annually.
- Hold public hearings annually on the strategic plan (including any revisions), county commission annual report & audit, and state annual report.

- County Commission Annual Report & Audit must be submitted to State Commission by November 1st each year.
- Maintain an advisory Committee
- Meet legal requirements of public agencies and specific legal requirements of public agencies and specific legal requirements in the Children and Families Act

Other Roles of County Commissions:

- Fund allocations and contract management
- Local leadership for early childhood issues, including service integration and capacity building
- Administer all County Commission activities
- Media, public, and provider relations activities
- Fiscal planning and management
- Legislative monitoring and advocacy

COMMISSION FUNCTIONING

Working with Local Stakeholders

- Local stake holders often influencing First 5 work:
 - County Board of Supervisors
 - County managers, especially in the areas of social service, health and education
 - Legal Counsel
 - Entities responsible for children's issues (School Board, Child Care Planning Council, Interagency Children's Council, etc.)
 - Community Bases Organizations
 - Providers
 - Advocates
 - Local boards, city councils and service clubs

Internal Functioning:

- Commissioner and Staff Relations
 - Define respective roles
 - Commission as a whole
 - Committees
 - Staff, and especially the lead staff person
 - Define decision making protocols
 - Define, agree upon and manage expectations between the Commission and staff
 - Define general expectations for information flow and communications
- Diverse Perspectives
 - Internal Dynamics may involve:
 - Differences between commissioners who are part of county government and those who are not
 - Differences in areas of expertise (health, early care and education, financial oversight, evaluation etc.)
 - Differences in geographic areas represented on the Commission
 - Differences in cultural and socio-economic backgrounds
 - Differences in belief about the roles of First 5 within the community

PART 2

LEGAL ISSUES: BROWN ACT, CONFLICT OF INTEREST AND SUPPLANTATION

Key Compliance Issues

- Compliance with all provisions of the California Children and Families Act, including prohibition on supplantation of funds
- Compliance with laws affecting Commission functioning: open meetings and conflict of interest
- Compliance with specific state laws on contracting & procurement
- Compliance with local ordinances, including ordinance creating the Commission & granting Commission authorities

THE BROWN ACT

The Brown Act:

- Applies to all “meetings,” which include:
 - Any congregation of a quorum or more of the Commission, whether in person or via technology
 - Staff briefings, retreats, workshops, and informal meetings at which participants include a quorum of commissioners, and discussion of agency business occurs
 - Meetings of a standing subcommittee, even when the subcommittees consist of less than a quorum (as hoc Committees that do not include a quorum of commissioners are exempt from the Brown Act)
 - “Serial” meetings if a quorum is cumulatively involved

Brown Act Requirements:

- All meetings must be open to the public unless an explicit provision allows for a closed session
- Agenda is required for all meetings and must be posted 72 hours before any regular meeting, 24 hours before any special meeting
- Agenda must identify every item of business to covered, and the nature of the action contemplated
 - Commission may not take action on items not listed on the agenda except under very limited circumstances
- Public must be permitted to address the Commission regarding any matters within its jurisdiction during designated comment times
- All regular agenda items, including consent items, can be commented on by the Public at a designated time as stated by Chair in meeting
- Reasonable limits on times for each speaker can be established before the meeting, or before public comment on a specific item begins
- Public may take pictures or record the meeting
- Public is entitled to copies of all documents given to the Commission (with some exceptions)

Closed Meetings Provisions

- Closed sessions can be held for specific purposes:
 - Real estate negotiations
 - Pending litigation

- Insurance claims and liability
- Personnel issues: employment, performance evaluations, discipline, dismissal, or to hear charges against an individual employee
- Must report actions taken in closed session at a public meeting

Other Expectations

- Ceremonial or purely social occasions do not constitute “meetings” as long as agency business is not discussed
- May attend conferences that are open to the public, but a majority of Commissioners cannot discuss business of the Commission among themselves

CONFLICT OF INTEREST

Conflict of Interest

- Commissioners cannot be compensated for activities that are incompatible with their duties as commissioners, or sit with other agencies if there is an incompatibility of offices
- All Commissioners must file annual disclosure statements.
 - Requirement for Commissioners and Key Staff:
 - Annual Filing of Form 700
 - AB 1234 Ethics Training every 2 years
- Law prohibits Commissioners from using their position to influence decisions of the Commission in which they have a personal financial interest:
 - Commissioners may be required to recuse themselves when items are before the Commission
- Contracts that could financially benefit a specific Commissioner should not be entered into by the Commission.
 - This does not apply to First 5 Commissions if **both** of the following conditions are met: (a) The contract or grant directly relates to services to be provided by any member of a county commission or the entity the member represents or financially benefits the member or the entity he or she represents. (b) The member fails to recuse himself or herself from making, participating in making, or in any way attempting to use his or her official position to influence on the grant or grants
- Commissioners should avoid bias and pre-conceived declarations of opinions on matters before the Commission in which they will vote.

SUPLANTATION

Supplantation: The Law - Health and Safety Code Section 30131.4

- All moneys raised pursuant to taxes imposed by Section 30131.2 shall be appropriated and expended only for the purposes expressed in the California Children and Families Act, and shall be used only to supplement existing levels of service and not to fund existing levels of service. No moneys in the California Children and Families Trust Fund shall be used to supplant state or local General Fund money for any purpose

PART 3

OPERATIONAL COMPLIANCE: POLICIES AND STRATEGIC PLAN

OPERATIONAL REQUIREMENTS:

Contracting & Procurement

- Must adopt policies governing purchases of supplies and services
 - Requirement does not apply to grant making
- May have goals related to minority-owned, women-owned, disabled veteran-owned, and small businesses, but must abide by statutory rules.
- Must have policies giving preference to US-grown and processed foods and recycled produces when available at some or lesser cost

Other Required Policies

- Limit on percent of operating budget for administration (does not include evaluation costs)
- Policies establishing salaries and benefits of employees
- Must have long-range fiscal plan
- Must be audited on amount spent on evaluation and the results of the expenditure

STRATEGIC PLAN

County Strategic Plan Overview

- The strategic plan is the guiding document for the County Commission. Elements required by law:
 - Goals and objectives to be achieved
 - Programs, services, and projects
 - Measurable outcomes
 - How services will be integrated into a consumer-friendly, easily accessible system
 - Specific components consistent with State Commission guidelines:
 - Parent Education and Support
 - Early Care and Education
 - Health and Wellness
 - Systems Change, Provider Capacity Building

Key Points about the Strategic Plan

- Public process to create and update the plan; public also must have continuous access to the document
- Must be reviewed (not updated) annually
- Must be submitted to the State Commission (but not for state approval of the plan) – counties have total control over content of the plan
- Commission has “independent authority” over the plan; no other local approval needed

How First 5 Strategic Plans are used

- Define core guidelines – mission, vision, values, guiding principles
- Define overall model for how progress and results will be evaluated
- Drive annual budgets and long range financial plans
- Articulate to the community what First 5 Glenn County is doing and intends to do in the future

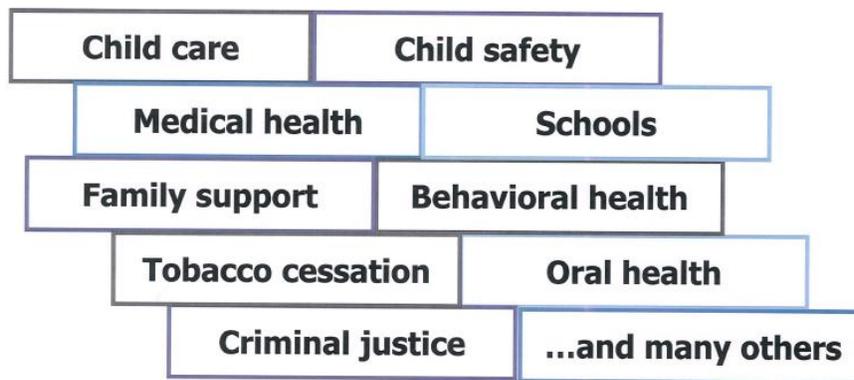
PART 4 SYSTEMS CHANGE AND ACCOUNTABILITY

SYSTEMS CHANGE:

Systems Change Mandate

- California Health and Safety Code Section 130140 (1)(C)(ii):
 - “No county strategic plan shall be deemed adequate or complete until and unless the plan describes how programs, services, and projects relating to early childhood development within the county will be integrated into a consumer-oriented and easily accessible system.”

Systems Change – Breaking Down the Walls



Mechanisms for Systems Change

- Link and intergrate services
- Create entire new service delivery systems
- Build parent and community engagement
- Break down cultural, linguistic, geographic & other barriers to access
- Implement new funding models
- Implement new evaluation models

ACCOUNTABILITY

The Flip Side to Innovation- Demand for Accountability

- Media scrutiny – local coverage can quickly have statewide implications
- Grand Jury investigations in numerous counties – reflect local concerns and local politics
- Bureau of State Audits – reflects legislative concerns
- State legislative involvement, including concerns of any individual legislator

PART 5

THE STATE COMMISSION AND FIRST 5 ASSOCIATION

STATE COMMISSION: FIRST 5 CALIFORNIA

Composition of the State Commission:

- Executive Director of First 5 California - Camille Maben (www.cffc.ca.gov)
- 6 voting members and 2 ex officio members (Sec. of Health & Human Services, Sec. of Education).
- Chair and 2 other voting members appointed by the Governor, 2 by the Speaker of the Assembly, 2 by the Senate Rules Committee
- Current Voting members: George Halvorson (Chair), Lupe Jaime (Vice Chair), Muntu Davis, Shana Hazan, Monica Fitzgerald, Molly Munger
- Commission Ex Officio Members Michael Wilkening, Ex Officio Member Health and Human Services Agency

Mandates of the State Commission

- Statewide dissemination of public information and education materials
- Adopt guidelines for a comprehensive, integrated state-wide system of early childhood development services
- Define and measurements results to be achieved
- Sponsor research on best practices and models
- Provide technical assistance to County Commissions
- Submit annual reports on state-funded projects and activities of the counties
- Make recommendations to governor & legislature
- Provide overall leadership and direction for First 5 statewide
- Adopt state level strategic plan and budgets
- Develop projects and initiatives that address regional and statewide priorities
- Serve as a conduit for funding, routing tobacco tax monies to county commissions
- Administer all State Commission activities (staffing, contracts, other infrastructure)

Required Allocation of First 5 California Funds

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Major First 5 California Initiatives

- Child Signature Program (sunsetting)
- Parent Signature Program : Kit for New Parents
- Provider Signature Program : CARES Plus (sunsetting)
- School Readiness Program, Power of Preschool (sunsetting)
- California Smoker's Helpline
- Statewide education campaigns, outreach, media, and public relations
- Principles of Diversity and Equity
- Statewide Evaluation Support

Implications of State Initiatives for County Commissions

- Possible source of supplemental funds (usually requires a local match)
- Access to resources and technical assistance
- Opportunities for research on "what works"

- Opportunity/incentive to align local goal and strategies with statewide priorities
- Common branding - “First 5”



First 5 Association

Overview of First 5 Association

- Executive Director of First 5 Association – Moira Kenny (www.f5ac.org)
- Private nonprofit 501(c)(4) membership association with parallel 501 (c)(3) organization (California Children and Families Foundation)
- Members are the 58 County Commissions plus other interested organizations and individuals
- Funding through membership dues, grants and service fees
- Regions: Northwest, Northeast, Sacramento Area, Bay Area, Central, and Southern

Roles of the Association

- Provide a collective voice to speak on behalf of County Commissions
- Facilitate information sharing and communications
- Provide technical assistance and resources that promote the effective implementation of Prop 10
- Encourage and facilitate collaborative efforts
- Create and sustain a structure that supports achieving the Association's mission
- Coordination and Linkages with other Statewide Partners (foundations, state agencies)

Current Projects

- Advocacy on various fronts – pending legislation, protection of First 5 funds, rural county funding
- Information and communications support: web site, membership meetings, newsletters, Prop 10 Briefings, teleconferences
- Statewide trainings
- Peer-Learning Networks
- Support for Regional Efforts
- AmeriCorps Coordination and Resources

Counties Working Together and With First 5 California

- Importance of “state-wideness”
- Importance of working together for share best practices and address common concerns
- We're all First 5: historical relationship between the State and County Commissions
- Roles of the First 5 Association in relationship – building and advocacy
- County Commission influencing and supporting each other