

File No. 140442

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules

Date June 11, 2014

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Charter Amendment |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Youth Commission Recommendation, dtd 5/21/14</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>First 5 SF Children and Families Commission Recommendation, dtd 5/20/14</u> |
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Completed by: Alisa Miller Date June 6, 2014

Completed by: _____ Date _____

1 [Charter Amendment - Public Education Enrichment Fund]

2

3 **Describing and setting forth a proposal to the voters to amend the Charter of the City and**
 4 **County of San Francisco to: 1) renew the Public Education Enrichment Fund and**
 5 **eliminate its expiration date; 2) change the allocation for universal preschool, overseen by**
 6 **the First Five Commission, to an allocation for universal early education, overseen by the**
 7 **Office of Early Care and Education, and create a citizens advisory committee; 3) eliminate**
 8 **the City's ability to use in-kind services to satisfy its obligations to the Fund; and 4) modify**
 9 **certain technical requirements for the Fund and delete obsolete provisions, at an election to**
 10 **be held on November 4, 2014.**

11

12 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City
 13 and County, at an election to be held on November 4, 2014, a proposal to amend the Charter of
 14 the City and County by revising Sections 16.123-2, 16.123-4, 16.123-5, 16.123-6, and 16.123-8,
 15 and repealing Sections 16.123-7 and 16.123-10, to read as follows:

16 NOTE: **Unchanged Charter text and uncodified text** are in plain font.
 17 **Additions** are *single-underline italics Times New Roman font*.
 18 **Deletions** are *strike-through italics Times New Roman font*.
 19 **Asterisks (* * * *)** indicate the omission of unchanged Charter
 20 subsections.

21 **SEC. 16.123-2. PUBLIC EDUCATION ENRICHMENT FUND.**

22 (a) **Creating the Fund.** There shall be a Public Education Enrichment Fund. The City
 23 shall each year appropriate monies to the Public Education Enrichment Fund according to
 24 subsections (b), (c), and (d), below. *In determining whether the City has met its annual*
 25 *obligation to the Fund, the Mayor and the Board of Supervisors may consider both direct*
financial support and the cash value of any in-kind support services, as described in

1 ~~Section 16.123-5, provided by the City to the San Francisco Unified School District and the~~
2 ~~Children and Families First Commission (hereinafter the "First Five Commission") or any~~
3 ~~successor agency, provided that at least two-thirds of the City's contribution to the Fund each~~
4 ~~year shall be comprised of direct financial support necessary to meet the requirements of~~
5 ~~Sections 16.123-3 and 16.123-4 of this measure.~~

6 (b) **Baseline Appropriations.** The Fund shall be used exclusively to increase the
7 aggregate City appropriations to and expenditures for the San Francisco Unified School District.
8 To this end, the City shall not reduce the amount of such City appropriations (not including
9 appropriations from the Fund and exclusive of expenditures mandated by state or federal law) in
10 any ~~year of the eleven years~~ during which funds are required to be set aside under this Section
11 below the amount so appropriated for the fiscal year 2002-2003 ("the base year"). These
12 baseline appropriations shall be separate from the City's annual contributions to the Public
13 Education Enrichment Fund under subsection (c), and shall be appropriated by the City to the
14 School District each year during the term of this measure ~~for the same purposes and in the same~~
15 ~~relative proportions among those purposes as in the base year, as certified by the Controller.~~

16 The amount of the City's baseline appropriations to the School District shall be adjusted
17 for each year after the base year by the Controller based on calculations consistent from year to
18 year by the percentage increase or decrease in City and County discretionary General Fund
19 revenues. In determining City and County discretionary General Fund revenues, the Controller
20 shall only include revenues received by the City and County that are unrestricted and may be
21 used at the option of the Mayor and the Board of Supervisors for any lawful City purpose.
22 Errors in the Controller's estimate of discretionary revenues for a fiscal year shall be corrected by
23 an adjustment in the next year's estimate. Using audited financial results for the prior fiscal year,
24 the Controller shall calculate and publish the actual amount of City appropriations that would
25 have been required under this baseline for the School District.

1 (c) **Annual Contributions to the Fund FY 2005-2006 through FY 2009-2010.** In
2 addition to the annual baseline appropriation provided above, the City shall, for years two
3 through six of this measure, contribute the following amounts to the Public Education
4 Enrichment Fund:

5	Fiscal Year 2005-06	\$10 million
6	Fiscal Year 2006-07	\$20 million
7	Fiscal Year 2007-08	\$30 million
8	Fiscal Year 2008-09	\$45 million
9	Fiscal Year 2009-10	\$60 million

10 (d) **Annual Contributions to the Fund-FY 2010-11 and Thereafter through FY 2014-**
11 **~~15.~~** For Fiscal Years 2010-11 and thereafter through FY 2014-15, the City's annual contribution
12 to the Public Education Enrichment Fund shall equal its total contribution for the prior year,
13 beginning with Fiscal Year 2009-2010, adjusted for the estimated increase or decrease in
14 discretionary General Fund revenues for the year.

15 (e) **Audit Requirements.** All disbursements from the Fund and from the baseline
16 appropriations shall be subject to periodic audit by the Controller. The San Francisco Unified
17 School District and the Office of Early Care and Education, or any successor entity ("OECE")
18 ~~the First Five Commission~~ shall agree to such audits as a condition of receiving disbursements
19 from the Fund.

20
21 **SEC. 16.123-4. UNIVERSAL ACCESS TO EARLY EDUCATION PRESCHOOL.**

22 (a) **Universal Access to Early Education Preschool.** It shall be the policy of the City
23 and County of San Francisco to provide all children between the ages of three and five years
24 ~~four-year-old children~~ who are City residents the opportunity to attend quality early education
25 programs, giving priority to four year old children. preschool, and it shall be It is the goal of the

1 people in adopting this measure to expand such access beginning ~~do so~~ no later than September
2 1, 2015, 2009 building upon the work of the City's existing Preschool for All program.

3 (b) **Planning Process.** No later than January 1, 2016 ~~September 1, 2004, the OECE the~~
4 First Five Commission, in consultation with the San Francisco Childcare Planning and Advisory
5 Council, the First Five Commission, the San Francisco Unified School District, the San
6 Francisco Human Services Agency, the San Francisco Department of Children, Youth and Their
7 Families, and community stakeholders, shall submit to the Board of Supervisors a proposal for a
8 expanding quality universal early education preschool program for San Francisco. The Board of
9 Supervisors shall approve the plan by resolution; if the Board does not approve the plan, it may
10 refer the plan back to the OECE First Five Commission for revision.

11 In preparing the plan, the OECE the First Five Commission shall develop universal early
12 education preschool funding guidelines consistent with the findings of the 2012-2013 Childcare
13 Planning and Advisory Council's San Francisco Childcare Needs Assessment, the 2012 San
14 Francisco Citywide Plan for Early Education, First 5 San Francisco's 2013 Evaluations of the
15 Preschool for All program, the San Francisco Unified School District's 2014 Kindergarten
16 Readiness Data, and the Office of Early Care and Education's 2014 Financing Study.

17 The plan shall include goals for the quality of early care and education programs, shall
18 align with emerging developments in state and/or federal early care and education policy, and
19 shall address the professional development needs of center-based and family child care
20 providers. Professional development as defined herein includes education, technical assistance
21 and coaching, training, supports and compensation, and shall be aligned with the City's goals
22 for early care and education program quality. Additionally, in preparing the plan, the OECE
23 shall develop ~~including~~ guidelines designed to meet neighborhood-specific needs, including
24 school readiness, subsidy availability, children's dual language development, facility
25 development, parent engagement and education, inclusion of children with special needs, such

1 ~~as subsidies, new facility development,~~ and provider support for both family childcare homes and
2 childcare centers. Such funding guidelines also shall address the unmet need for universal early
3 education preschool and childcare slots in specific City neighborhoods.

4 Following the Board of Supervisors' approval of the plan, the OECE shall develop an
5 evaluation plan for tracking the results of the City's investments in early care and education.

6 (c) **Annual Disbursements.** For Fiscal Year 2014-2015, Each year during the term of
7 this measure, the City shall appropriate one-third of the money in the Public Education
8 Enrichment Fund to the First Five Commission for universal preschool programs administered
9 by the Commission. Beginning July 1, 2015, the City each year shall appropriate one-third of
10 the money in the Public Education Enrichment Fund to the OECE for early education programs
11 to be administered by that office or entity or its successor.

12 (d) **Citizens Advisory Committee.** No later than March 1, 2015, the Board of
13 Supervisors shall establish, by ordinance, a Citizens Advisory Committee to provide
14 recommendations to the OECE on universal access to early education and the funds
15 appropriated under this Section.

16
17 **SEC. 16.123-5. DIRECT FINANCIAL OTHER-CITY SUPPORT FOR THE SAN**
18 **FRANCISCO UNIFIED SCHOOL DISTRICT.**

19 (a) **~~In-Kind Support.~~** ~~Not later than one year after the effective date of this measure, the~~
20 ~~City and the School District shall identify areas of potential in-kind support that the City could~~
21 ~~provide to the School District free of charge or at substantially reduced rates. In-kind support,~~
22 ~~for these purposes, may include, but is not limited to:~~

23 ~~Learning support services, including health, counseling, social work, and~~
24 ~~nutrition services;~~

25 ~~Financial support services;~~

1 ~~Telecommunication and information services;~~

2 ~~Construction management services;~~

3 ~~Utility services;~~

4 ~~Transportation services;~~

5 ~~Legal services; and~~

6 ~~Public safety services.~~

7 ~~(b) **Planning Process.** No later than six months after the effective date of this measure,~~
8 ~~the School District shall submit to the Board of Supervisors proposals for in-kind services that~~
9 ~~could be provided by the City to the District to further the educational goals and operations of~~
10 ~~the District. The Board shall distribute those proposals to all City departments having expertise~~
11 ~~in providing or capability to provide such in-kind services, and no later than nine months after~~
12 ~~the effective date of this measure, the departments will respond to the Board with proposals to~~
13 ~~provide such in-kind services to the District. The School District may use any direct financial~~
14 ~~support provided under this Section to hire consultants to help identify possible in-kind services.~~
15 ~~The Board of Supervisors may, by ordinance, provide for continuation of this planning process~~
16 ~~during the subsequent term of the measure.~~

17 ~~(a) (e) **Annual Disbursements.** Each year during the term of this measure, the City~~
18 ~~shall appropriate one-third of the money in provide direct financial assistance from the Public~~
19 ~~Education Enrichment Fund to the San Francisco Unified School District as direct financial~~
20 ~~support. in an amount equal to one-third of the money in the Fund, or in-kind support services of~~
21 ~~equal value.~~

22 ~~(b) (d) **Permissible Uses.** The San Francisco Unified School District may expend funds~~
23 ~~provided as direct financial support under this Section for any educational or support purpose~~
24 ~~provided under law, including, but not limited to, gifted and talented programs, magnet~~
25 ~~programs, literacy programs, dual-language immersion programs, special education, employee~~

1 compensation, career and college centers at high schools, teacher mentoring or master teacher
2 programs, or other instructional purposes. The City recognizes that in providing such programs
3 and services, a well-run school district requires both certificated and classified staff, and urges
4 the San Francisco Unified School District to hire both certificated and classified staff to carry out
5 the purposes of this measure.

6 ~~(e) Within one year of the effective date of this measure, the School District, with the~~
7 ~~assistance of the City's Department of Public Health, Department of Human Services, and~~
8 ~~Department of Children, Youth, and Their Families, shall conduct an assessment of health,~~
9 ~~counseling, social work, and nutritional needs of pupils in the District, including problems~~
10 ~~related to asthma and other chronic diseases. The City may appropriate a specific portion of the~~
11 ~~disbursement under this Section through its annual appropriation process for these purposes,~~
12 ~~pursuant to recommendations from the School District.~~

13
14 **SEC. 16.123-6. EXPENDITURE PLANS.**

15 (a) No later than ~~April 1~~ February 1 of each year during the term of this measure, the
16 San Francisco Unified School District and ~~the OECE, the First Five Commission~~ shall each
17 submit an expenditure plan for funding to be received from the Public Education Enrichment
18 Fund for the upcoming fiscal year to the Mayor and the Board of Supervisor, in response to the
19 Controller's March fund estimate for the coming fiscal year. ~~The proposed expenditure plans~~
20 ~~must include prior year total budgeted and expended appropriations and Fund budgeted and~~
21 ~~expended appropriations by category, as well as average daily attendance information for the~~
22 ~~prior year and anticipated average daily attendance information for the plan year, to facilitate~~
23 ~~multi-year comparison.~~

24 ~~(b) The Controller shall review the plans and transmit them, with his or her comments,~~
25 ~~to the Mayor and the Board of Supervisors for their review and comment.~~

1 **(b) (e)** The plans shall include a budget for the expenditures, descriptions of budgeted
2 programs and services, performance goals, target populations, hiring and recruitment plans for
3 personnel, plans for matching or other additional funding, operating reserves, and any other
4 matters that the District and Commission deem appropriate or the Mayor or the Board requests.

5 **(c) (d)** The Mayor and the Board of Supervisors may request further explanation of items
6 included in the plans, and the District and the OECE Commission shall respond in a timely
7 manner to such inquiries. The Board may place appropriations provided for under this measure
8 on reserve until it has received adequate responses to its inquiries.

9
10 **SEC. 16.123-7. [Reserved] ~~STRUCTURAL SAVINGS TO THE CITY'S BUDGET.~~**

11 **~~(a) Controller's and Budget Analyst's Recommendations.~~** ~~Not later than October 1 of~~
12 ~~each fiscal year from Fiscal Year 2005-06 through 2009-10, the Controller and the Board of~~
13 ~~Supervisors' Budget Analyst shall prepare and submit recommended cuts or other structural~~
14 ~~changes to reduce, on an ongoing basis, spending on City departmental operations, or identify~~
15 ~~new revenues, in an amount sufficient to meet each year's required funding for the Public~~
16 ~~Education Enrichment Fund.~~

17 **~~(b) Board of Supervisors' Proposals.~~** ~~Not later than December 15 of each fiscal year~~
18 ~~from Fiscal Year 2005-06 through Fiscal Year 2009-10, the Board of Supervisors shall hold~~
19 ~~hearings on the recommendations made by the Controller and the Budget Analyst and shall~~
20 ~~forward its proposals to the Mayor.~~

21 **~~(c) Budget Requirements.~~** ~~In his/her annual budget submission to the Board of~~
22 ~~Supervisors for each fiscal year from Fiscal Year 2005-06 through Fiscal Year 2009-10, the~~
23 ~~Mayor shall incorporate the Board of Supervisors' proposals, or identify alternative revenue or~~
24 ~~expenditure savings sufficient to appropriate funds to the Public Education Enrichment Fund~~
25 ~~according to the schedule set forth in Section 16.123-2 of this measure.~~

1
2 **SEC. 16.123-8. ADJUSTMENTS.**

3 ~~(a) In any year of this measure, if the joint budget report as prepared by the Controller,~~
4 ~~the Mayor's Budget Director and the Board of Supervisors' Budget Analyst projects a budgetary~~
5 ~~shortfall of \$100 million dollars or more, the Mayor and the Board of Supervisors may reduce~~
6 ~~the City's contribution to the Public Education Enrichment Fund under Section 16.123-2, and its~~
7 ~~disbursements under Sections 16.123-3, 16.123-4, or 16.123-5, by up to 25 percent; provided,~~
8 ~~however, that the City must pay back the amount deferred within the period from June 30, 2015,~~
9 ~~the last day of the term of this measure, and June 30, 2018, a date three years later, unless the~~
10 ~~voters extend this measure beyond July 1, 2015 or authorize a substantially similar measure at~~
11 ~~that time.~~

12 (a) (b) Audit Recommendations. The Mayor and the Board of Supervisors may
13 suspend the City's disbursements from the baseline appropriations or the Public Education
14 Enrichment Fund under Sections 16.123-3, 16.123-4, or 16.123-5 in whole or in part for any year
15 where the Controller certifies that the San Francisco Unified School District or the OECE the
16 First Five Commission has failed to adopt audit recommendations made by the Controller.

17 As part of the audit function, the Controller shall periodically review performance and
18 cost benchmarks developed by the School District and the OECE the First Five Commission,
19 including:

- 20 (1) Fund dollars spent for services, materials, and supplies permitted under the
21 Charter;
22 (2) Fund dollars spent as reported to the City;
23 (3) Supporting documentation of Fund expenditures; and,
24 (4) Progress towards established workload, efficiency and effectiveness
25 measures.

1 ~~in consultation with the Controller for programs funded under this measure. The Commission's~~
2 ~~performance and cost benchmarks shall be based on the same performance and cost benchmarks~~
3 ~~as are required for other City departments, and on comparisons with other cities, counties, and~~
4 ~~public agencies performing similar functions. The School District's performance and cost~~
5 ~~benchmarks shall be based on similar standards.~~

6 ~~In particular, the Controller shall assess:~~

7 ~~(1) Measures of workload addressing the level of service being provided or~~
8 ~~providing an assessment of need for a service;~~

9 ~~(2) Measures of efficiency including cost per unit of service provided, cost per~~
10 ~~unit of output, or the units of service provided per full time equivalent position; and~~

11 ~~(3) Measures of effectiveness including the quality of service provided, citizen~~
12 ~~perceptions of quality, and the extent a service meets the needs for which it was created.~~

13 ~~The Controller's audits may address the extent to which the School District and the First~~
14 ~~Five Commission have met their respective performance and cost benchmarks.~~

15 ~~(b) (e) Reserve Policies.~~ The Mayor and the Board of Supervisors may suspend the
16 City's disbursements from the baseline appropriations or the Public Education Enrichment Fund
17 under Sections 16.123-2, 16.123-4, or 16.123-5 in whole or in part for any year where the
18 Controller certifies that the San Francisco Unified School District or ~~the OECE the First Five~~
19 ~~Commission~~ has failed to adopt reserve policies recommended by the Controller.

20 ~~(c) (d) Transfer and Use of Suspended Distributions.~~ If the Mayor and the Board of
21 Supervisors suspend City distributions from the baseline appropriations or the Public Education
22 Enrichment Fund under subsections ~~(a) or (b) or (e)~~, the City shall transfer the amount that
23 would otherwise be distributed from the baseline appropriations or the Public Education
24 Enrichment Fund for that year to the Children's Fund established in Charter Section 16.108, as
25

1 amended, or any successor legislation, for the provision of substantially equivalent services and
2 programs.

3 ~~(d)~~ **(e) New Local Revenues.** The Board of Supervisors may, by ordinance,
4 proportionally reduce the contribution to the Public Education Enrichment Fund and the
5 disbursements to the San Francisco Unified School District and the OECE the First Five
6 Commission required by this measure if the voters of San Francisco adopt new, dedicated
7 revenue sources for the School District or the Commission, and the offsetting reduction in
8 disbursements is specifically authorized by the local revenue measure.

9 ~~(e)~~ **(f) New State Revenues.** The Board of Supervisors may, by ordinance,
10 proportionally reduce the contribution to the Public Education Enrichment Fund and the
11 disbursements to the San Francisco Unified School District required by this measure if the
12 percentage increase in per-pupil Revenue Limit funding provided by the State of California to
13 the San Francisco Unified School District in any fiscal year exceeds the percentage increase in
14 the City's cost of living during the previous fiscal year.

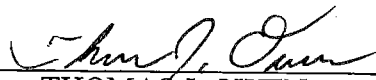
15 The Board of Supervisors may, by ordinance, proportionally reduce the contribution to
16 the Public Education Enrichment Fund and the disbursements to the OECE the First Five
17 Commission if the State of California provides funding to the City for universal preschool,
18 provided that such disbursements are not required to match state and/or other funding.

19 ~~(g) Eighteen months prior to the expiration of this measure, the Controller shall conduct~~
20 ~~a complete analysis of the outcomes of the programs funded through the Public Education~~
21 ~~Enrichment Fund. The Controller's study shall also address changes in the levels of state and~~
22 ~~federal funding for local schools, per pupil spending in the San Francisco Unified School~~
23 ~~District compared to urban school districts of similar size. The Controller shall present the~~
24 ~~results of this analysis to the Mayor and the Board of Supervisors no later than nine months~~
25 ~~prior to the expiration of the measure.~~

1 ~~SEC. 16.123-10. SUNSET.~~

2 ~~The provisions of this measure shall expire in eleven years, at the end of Fiscal~~
3 ~~Year 2014-15, unless extended by the voters.~~

4
5
6 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

7
8 By: 
9 THOMAS J. OWEN
Deputy City Attorney

10
11 n:\legana\as2014\1400437\00924288.doc

LEGISLATIVE DIGEST

[Charter Amendment - Public Education Enrichment Fund]

A proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco at an election to be held on November 4, 2014, by amending Sections 16.123-2, 16.123-4, 16.123-5, 16.123-6, and 16.123-8, and repealing Sections 16.123-7 and 16.123-10, to: (1) renew the Public Education Enrichment Fund and eliminate its expiration date; (2) change the allocation for universal preschool, overseen by the First Five Commission, to an allocation for universal early education, overseen by the Office of Early Care and Education, and create a citizens advisory committee; (3) eliminate the City's ability to use in-kind services to satisfy its obligations to the Fund; and, (4) modify certain technical requirements for the Fund and delete obsolete provisions.

Existing Law

In 2004, the voters created in the City Charter a "Public Education Enrichment Fund" ("the Fund"). The Charter requires the City to make a specified contribution to the Fund each year. The annual contribution, which was \$7715 million for Fiscal Year 2013-2014, is adjusted each year for increases or decreases in discretionary General Fund revenues for the year.

The Charter requires the City to disburse the money from the Fund as follows:

- One-third to the San Francisco Unified School District ("the School District") for arts, music, sports, and library programs;
- One-third to the First Five Commission for universal pre-school programs for 5 year-olds in San Francisco; and,
- One-third to the School District for general education purposes.

The Fund, and the requirements for the City's annual contributions to the Fund and disbursements from the Fund, will expire on June 30, 2015.

Amendments to Current Law

The proposal is a Charter amendment that would eliminate the current provision that the Fund will expire on June 30, 2015. Under the proposal, the Fund, and the City's annual contributions to the Fund and disbursements from the Fund, would continue until changed or repealed by the voters.

The proposal would change the current allocation for universal preschool for 4 year-olds to an allocation for universal early education for 3 to 5 year-olds, but still giving priority to 4 year-olds. The proposal would move oversight of the program from the First Five Commission to the City's Office of Early Care and Education.

The proposal would delete the City's ability to count in-kind services to the School District to satisfy its obligations to make contributions to or disbursements from the Fund, the requirement that the City's baseline appropriations to the School District be for the same purposes and in the same relative proportions as in the base year, and the City's authority to specify that a specific portion of its disbursement to the School District be used for student health services. The proposal would also delete the City's authority to defer up to 25 percent of its contributions to and disbursements from the Fund in years in which the City projected a shortfall of \$100 million or more.

And the proposal would delete obsolete provisions on identifying possible structural savings to the City budget to offset contributions to the Fund.

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Youth Commission
City Hall ~ Room 345
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4532



(415) 554-6446
(415) 554-6140 FAX
www.sfgov.org/youth_commission

YOUTH COMMISSION MEMORANDUM

TO: Alisa Miller, Clerk, Rules Committee
FROM: Youth Commission
DATE: Wednesday, May 21st, 2014
RE: Referral response to BOS File No. 140442 Charter Amendment – Public Education Enrichment Fund; Support and Statement.

At our regular meeting of **Monday, May 19th, 2014** the Youth Commission voted unanimously to support the following motion:

To support BOS File No. 140442, Charter Amendment to amend the Charter, to 1) renew the Public Education Enrichment Fund and eliminate its expiration date; 2) change the allocation for universal preschool, overseen by the First Five Commission, to an allocation for universal early education, overseen by the Office of Early Care and Education, and create a citizens advisory committee; 3) eliminate the City's ability to use in-kind services to satisfy its obligations to the Fund; and 4) modify certain technical requirements for the Fund and delete obsolete provisions.

During discussion on this item, the Youth Commission proposed and approved the following comment and recommendations regarding this item:

- Youth Commissioners recommend that the Board of Supervisors and Mayor urge the Board of Education to include in the language for the PEEF Citizens Advisory Committee, that there be a set ratio of at least 25% youth to adults, and that the youth who are on the CAC be supported by the Youth Commission and the Student Advisory Council.
- Youth Commissioners recommend that there is an assessment of the fund every five years.
- Youth Commissioners recommend that the PEEF have no sunset date.

Please inform us of forward movement on any details about this item.

If you have any questions about these recommendations or anything related to the Youth Commission, please don't hesitate to contact our office at (415) 554-6446 or your Youth Commissioner.

A handwritten signature in black ink that reads "Nicholas Persky". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Chair, Nicholas Persky
Adopted on May 19th, 2014
2013-2014 San Francisco Youth Commission

Miller, Alisa

From: Laurel Kloomok (CFC)
Sent: Tuesday, May 20, 2014 11:21 AM
To: Miller, Alisa
Subject: File No. 140442 Public Education Enrichment Fund
Attachments: PEEF Comments First 5 SF ww2.pdf

Dear Ms. Miller

The First 5 San Francisco Children and Families Commission would like to submit the attached comments for File No. 140442 Public Education Enrichment Fund.

Sincerely yours
Laurel

Laurel Kloomok, Executive Director
First 5 SF Children and Families Commission
1390 Market Street Suite 318
San Francisco, California 94102
415 554 9250
Laurel@first5sf.org
www.first5sf.org

[Public Education Enrichment Fund]

CHARTER AMENDMENT**PROPOSITION _____**

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Sections 16.123-2, 16.123-4, 16.123-5, 16.123-6, and 16.123-8, and repealing Sections 16.123-7 and 16.123-10, to: (1) renew the Public Education Enrichment Fund and eliminate its expiration date; (2) change the allocation for universal preschool, overseen by the First Five Commission, to an allocation for universal early education, overseen by the Office of Early Care and Education, and create a citizens advisory committee; (3) eliminate the City's ability to use in-kind services to satisfy its obligations to the Fund; and, (4) modify certain technical requirements for the Fund and delete obsolete provisions.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2014, a proposal to amend the Charter of the City and County by amending Sections 16.123-2, 16.123-4, 16.123-5, 16.123-6, and 16.123-8, and repealing Sections 16.123-7 and 16.123-10, to read as follows:

NOTE: Additions are single-underline italics Times New Roman;
deletions are ~~strike-through italics Times New Roman~~.

SEC. 16.123-2. PUBLIC EDUCATION ENRICHMENT FUND.

(a) **Creating the Fund.** There shall be a Public Education Enrichment Fund. The City shall each year appropriate monies to the Public Education Enrichment Fund according to subsections (b), (c), and (d), below. ~~In determining whether the City has met its annual obligation to the Fund, the Mayor and the Board of Supervisors may consider both direct financial support and the cash value of any in-kind support services, as described in Section 16.123-5, provided by the City to the San Francisco Unified School District and the~~

Summary of Comments on PEEF First Draft Comments First 5 ww.pdf

Page: 1

T Number: 1 Author: wwang Subject: Highlight Date: 5/19/2014 1:22:48 PM

Although it has no practical effect on implementation of the legislation, we believe the preamble in SEC. 16.123-1 of the law should be amended to reflect lessons learned from the first 10 years of PEEF, including:

1. Since 2005, the City's "Preschool for All" program has dramatically improved the opportunity for the City's young children to receive a high-quality early education;
2. Preschool for All has, in particular, greatly expanded opportunity for low- and middle-income families and Latino and African American families to attend high-quality early education programs;
3. Preschool for All has raised the quality of learning environments, curriculum, and instruction at participating early care and education programs throughout the City;
4. Preschool for All has expanded the availability and quality of technical assistance and professional development opportunities for early educators in the City, thereby growing a more educated, highly skilled workforce;
5. While early education opportunities have improved for the City's four-year-olds, significant opportunity gaps remain for children ages 0-3 in their access to high quality early education, health, and family support services;
6. The cost of high-quality early education in San Francisco far exceeds what state and federal subsidies can provide for, as well as the budgets of middle- and working-class families; and
7. Rigorous, scientific research has proven that upon entering kindergarten, children who participated in the Preschool for All program demonstrated significantly higher academic and social-emotional skills than children who did not participate.

~~Children and Families First Commission (hereinafter the "First Five Commission") or any successor agency, provided that at least two-thirds of the City's contribution to the Fund each year shall be comprised of direct financial support necessary to meet the requirements of Sections 16.123-3 and 16.123-4 of this measure.~~

(b) **Baseline Appropriations.** The Fund shall be used exclusively to increase the aggregate City appropriations to and expenditures for the San Francisco Unified School District. To this end, the City shall not reduce the amount of such City appropriations (not including appropriations from the Fund and exclusive of expenditures mandated by state or federal law) in any ~~year of the eleven years~~ during which funds are required to be set aside under this Section below the amount so appropriated for the fiscal year 2002-2003 ("the base year"). These baseline appropriations shall be separate from the City's annual contributions to the Public Education Enrichment Fund under subsection (c), and shall be appropriated by the City to the School District each year during the term of this measure ~~for the same purposes and in the same relative proportions among those purposes as in the base year, as certified by the Controller.~~

The amount of the City's baseline appropriations to the School District shall be adjusted for each year after the base year by the Controller based on calculations consistent from year to year by the percentage increase or decrease in City and County discretionary General Fund revenues. In determining City and County discretionary General Fund revenues, the Controller shall only include revenues received by the City and County that are unrestricted and may be used at the option of the Mayor and the Board of Supervisors for any lawful City purpose. Errors in the Controller's estimate of discretionary revenues for a fiscal year shall be corrected by an adjustment in the next year's estimate. Using audited financial results for the prior fiscal year, the Controller shall calculate and publish the actual amount of City appropriations that would have been required under this baseline for the School District.

(c) **Annual Contributions to the Fund FY 2005-2006 through FY 2009-2010.** In addition to the annual baseline appropriation provided above, the City shall, for years two

through six of this measure, contribute the following amounts to the Public Education Enrichment Fund:

Fiscal Year 2005-06	\$10 million
Fiscal Year 2006-07	\$20 million
Fiscal Year 2007-08	\$30 million
Fiscal Year 2008-09	\$45 million
Fiscal Year 2009-10	\$60 million

(d) **Annual Contributions to the Fund-FY 2010-11 ~~and Thereafter through FY 2014-15.~~** ~~For Fiscal Years 2010-11 and thereafter through FY 2014-15,~~ the City's annual contribution to the Public Education Enrichment Fund shall equal its total contribution for the prior year, beginning with Fiscal Year 2009-2010, adjusted for the estimated increase or decrease in discretionary General Fund revenues for the year.

(e) **Audit Requirements.** All disbursements from the Fund and from the baseline appropriations shall be subject to periodic audit by the Controller. The San Francisco Unified School District and the Office of Early Care and Education, or any successor entity ("OECE") ~~the First Five Commission~~ shall agree to such audits as a condition of receiving disbursements from the Fund.

SEC. 16.123-4. UNIVERSAL ACCESS TO EARLY EDUCATION PRESCHOOL.

(a) **Universal Access to Early Education Preschool.** It shall be the policy of the City and County of San Francisco to provide all children between the ages of three and five years ~~four year old children~~ who are City residents the opportunity to attend quality early education programs, giving priority to four year old children. ~~preschool, and it shall be~~ It is the goal of the people in adopting this measure to expand such access beginning ~~do so~~ no later than September 1, 2015, 2009 building upon the work of the City's existing Preschool for All program.

TNumber: 1 Author: wwang Subject: Highlight Date: 5/19/2014 12:37:58 PM
Currently, with nearly 150 participating sites in Preschool for All, we have the ability to scale up quickly to incorporate three-year-olds. However, if funding remains the same, even in a good economy, it may take several years to scale up three-year-olds toward universality. We recommend re-establishing baseline funding for preschool at the \$35 million level in 2015-16 to provide adequate resources for achieving universal preschool for both threes and fours.

TNumber: 2 Author: wwang Subject: Highlight Date: 5/19/2014 10:34:19 AM
The term "early education" should be substituted with "preschool" in all instances of the document. Preschool for All is a well-established brand in the City, having been used in multiple contexts for 10 years now. Families, teachers, and other stakeholders know the Preschool for All brand and what it stands for, so it makes little sense to change it, especially when the proposed legislation itself only expands services beyond four-year-olds to three-year-olds, who are still considered preschool-age.

TNumber: 3 Author: wwang Subject: Highlight Date: 5/19/2014 10:34:00 AM
Replace with "preschool"

TNumber: 4 Author: wwang Subject: Highlight Date: 5/19/2014 10:33:42 AM
Replace with "preschool."

(b) **Planning Process.** No later than ~~January 1, 2016~~ ~~September 1, 2004~~, ~~the OECE the First Five Commission~~, in consultation with the San Francisco Childcare Planning and Advisory Council, ~~the First Five Commission~~, the San Francisco Unified School District, ~~the San Francisco Human Services Agency~~, the San Francisco Department of Children, Youth and Their Families, and ~~community stakeholders~~, shall submit to the Board of Supervisors a proposal for ~~a~~ expanding quality universal ~~early education preschool program~~ for San Francisco. The Board of Supervisors shall approve the plan by resolution; if the Board does not approve the plan, it may refer the plan back to the ~~OECE First Five Commission~~ for revision.

In preparing the plan, ~~the OECE the First Five Commission~~ shall develop universal ~~early education preschool~~ funding guidelines consistent with the ~~findings of the 2012-2013~~ Childcare Planning and Advisory Council's San Francisco Childcare Needs Assessment, ~~the 2012 San Francisco Citywide Plan for Early Education, First 5 San Francisco's 2013 Evaluations of the Preschool for All program, the San Francisco Unified School District's 2014 Kindergarten Readiness Data, and the Office of Early Care and Education's 2014 Financing Study.~~

~~The plan shall include goals for the quality of early care and education programs, shall align with emerging developments in state and/or federal early care and education policy, and shall address the professional development needs of center-based and family child care providers. Professional development as defined herein includes education, technical assistance and coaching, training, supports and compensation, and shall be aligned with the City's goals for early care and education program quality. Additionally, in preparing the plan, the OECE shall develop including~~ guidelines designed to meet neighborhood-specific needs, ~~including school readiness, subsidy availability, children's dual language development, facility development, parent engagement and education, inclusion of children with special needs, such as subsidies, new facility development,~~ and provider support for both family childcare homes and childcare centers. Such funding guidelines also shall address the unmet need for universal early education preschool and childcare slots in specific City neighborhoods.

T Number: 1 Author: wwang Subject: Highlight Date: 5/19/2014 10:33:24 AM
Add Department of Public Health.

T Number: 2 Author: wwang Subject: Highlight Date: 5/19/2014 10:33:19 AM
Replace with "preschool."

T Number: 3 Author: wwang Subject: Highlight Date: 5/19/2014 12:39:24 PM
Replace with "preschool."

T Number: 4 Author: wwang Subject: Highlight Date: 5/19/2014 12:45:07 PM
Recommend replacing with "findings from the most recent San Francisco child care needs assessment and other recent evaluations and reports on early care and education programs in the City." The specific list seems like it will become outdated quickly and contains reports (i.e., the readiness assessment and financing study) that don't exist yet.

T Number: 5 Author: wwang Subject: Highlight Date: 5/19/2014 1:19:41 PM
We recommend addressing the following in the plan:

- Goals for children's kindergarten readiness, including cognitive, social-emotional, and physical development;
- Goals for reducing racial/ethnic disparities in children's kindergarten readiness;
- Goals for participation of children ages zero to five in high-quality early education programs, in particular three- and four-year-olds in high-quality preschool programs;
- Goals for provision of appropriate, evidence-based services and supports to children ages zero to two and their families not participating in licensed care;
- Goals for access of children ages zero to five to healthy early education environments and appropriate health services;
- For City-funded early education programs:
 - o Goals for supporting a diverse delivery system that includes public and private centers and family child care homes and builds on state and federal early education programs;
 - o Goals for program quality, including integration with the City's quality rating and improvement system;
 - o Goals for training and technical assistance supports to teachers and administrators;
 - o Goals for children's daily attendance rates;
 - o Goals for children's development and health, including screening, participation in follow-up assessment, and services in response to identified concerns;
 - o Goals for inclusion of children with special needs;
 - o Goals for children's dual language development; and
 - o Goals for parent engagement and parent education;
- Goals for insuring that children most in need of services and supports have the opportunity to receive them;
- Goals for ensuring that the early education needs of children from working and middle-income families are supported so that they may remain in the City;
- Goals for alignment and coordination of systems serving children ages zero to five, including health, early care and education, family support, and quality rating and improvement systems;
- Goals for alignment and coordination of systems serving children ages zero to five with the San Francisco Unified School District, including kindergarten readiness and kindergarten transition;
- Goals for early childhood educator compensation and professional development;
- Goals for leveraging additional funding from federal, state, and private sources in support of the program;
- Goals for sharing of data between the Administering Agency, City departments, and the San Francisco Unified School District, as

Comments from page 4 continued on next page

(b) **Planning Process.** No later than ~~January 1, 2016~~ ~~September 1, 2004~~, ~~the OECE the First Five Commission~~, in consultation with the San Francisco Childcare Planning and Advisory Council, ~~the First Five Commission~~, the San Francisco Unified School District, ~~the San Francisco Human Services Agency~~, the San Francisco Department of Children, Youth and Their Families, and ~~community stakeholders~~, shall submit to the Board of Supervisors a proposal for ~~a~~ ~~expanding quality~~ universal ~~early education preschool program~~ for San Francisco. The Board of Supervisors shall approve the plan by resolution; if the Board does not approve the plan, it may refer the plan back to the ~~OECE First Five Commission~~ for revision.

In preparing the plan, ~~the OECE the First Five Commission~~ shall develop universal ~~early education preschool~~ funding guidelines consistent with the ~~findings of the 2012-2013~~ Childcare Planning and Advisory Council's San Francisco Childcare Needs Assessment, ~~the 2012 San Francisco Citywide Plan for Early Education, First 5 San Francisco's 2013 Evaluations of the Preschool for All program, the San Francisco Unified School District's 2014 Kindergarten Readiness Data, and the Office of Early Care and Education's 2014 Financing Study.~~

~~The plan shall include goals for the quality of early care and education programs, shall align with emerging developments in state and/or federal early care and education policy, and shall address the professional development needs of center-based and family child care providers. Professional development as defined herein includes education, technical assistance and coaching, training, supports and compensation, and shall be aligned with the City's goals for early care and education program quality. Additionally, in preparing the plan, the OECE shall develop ~~including~~ guidelines designed to meet neighborhood-specific needs, ~~including school readiness, subsidy availability, children's dual language development, facility development, parent engagement and education, inclusion of children with special needs, such as subsidies, new facility development,~~ and provider support for both family childcare homes and childcare centers. Such funding guidelines also shall address the unmet need for universal ~~early education preschool~~ and childcare slots in specific City neighborhoods.~~

appropriate, to facilitate more efficient and effective program implementation and evaluation.

T Number: 6 Author: wwang Subject: Highlight Date: 5/19/2014 11:11:55 AM
Replace with "preschool."

Following the Board of Supervisors' approval of the plan, the OECE shall develop an evaluation plan for tracking the results of the City's investments in early care and education.

(c) **Annual Disbursements.** For Fiscal Year 2014-2015, Each year during the term of this measure, the City shall appropriate one-third of the money in the Public Education Enrichment Fund to the First Five Commission for universal preschool programs administered by the Commission. Beginning July 1, 2015, the City each year shall appropriate one-third of the money in the Public Education Enrichment Fund to the OECE for ¹early education programs to be administered by that office or entity or its ²successor.

(d) **Citizens Advisory Committee.** No later than March 1, 2015, the Board of Supervisors shall establish, by ordinance, a Citizens Advisory Committee to provide recommendations to the OECE on universal access to ³early education and the funds appropriated under this Section.

SEC. 16.123-5. DIRECT FINANCIAL ~~OTHER CITY~~ SUPPORT FOR THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT.

~~(a) **In-Kind Support.** Not later than one year after the effective date of this measure, the City and the School District shall identify areas of potential in-kind support that the City could provide to the School District free of charge or at substantially reduced rates. In-kind support, for these purposes, may include, but is not limited to:~~

~~Learning support services, including health, counseling, social work, and nutrition services;~~

~~Financial support services;~~

~~Telecommunication and information services;~~

~~Construction management services;~~

~~Utility services;~~

~~Transportation services;~~

T Number: 1 Author: wwang Subject: Highlight Date: 5/19/2014 5:24:26 PM
Replace with "preschool."

T Number: 2 Author: wwang Subject: Highlight Date: 5/19/2014 5:26:57 PM
Recommend adding "provided that at least five percent of the preschool amount shall be set aside to fund education, health, and family support services for children ages 0-2 and their families." We believe that unless the plan is to have the Children's Fund provide for children ages 0-2, we need some flexibility in PEEF to fund 0-2, and that a minimum amount should be provided in PEEF for such services.

T Number: 3 Author: wwang Subject: Highlight Date: 5/19/2014 11:23:23 AM
Replace with "preschool."

Legal services; and

Public safety services.

~~*(b) **Planning Process.** No later than six months after the effective date of this measure, the School District shall submit to the Board of Supervisors proposals for in-kind services that could be provided by the City to the District to further the educational goals and operations of the District. The Board shall distribute those proposals to all City departments having expertise in providing or capability to provide such in-kind services, and no later than nine months after the effective date of this measure, the departments will respond to the Board with proposals to provide such in-kind services to the District. The School District may use any direct financial support provided under this Section to hire consultants to help identify possible in-kind services. The Board of Supervisors may, by ordinance, provide for continuation of this planning process during the subsequent term of the measure.*~~

*(a) (e) **Annual Disbursements.** Each year during the term of this measure, the City shall appropriate one-third of the money in provide direct financial assistance from the Public Education Enrichment Fund to the San Francisco Unified School District as direct financial support, in an amount equal to one-third of the money in the Fund, or in-kind support services of equal value.*

*(b) (d) **Permissible Uses.** The San Francisco Unified School District may expend funds provided as direct financial support under this Section for any educational or support purpose provided under law, including, but not limited to, gifted and talented programs, magnet programs, literacy programs, dual-language immersion programs, special education, employee compensation, career and college centers at high schools, teacher mentoring or master teacher programs, or other instructional purposes. The City recognizes that in providing such programs and services, a well-run school district requires both certificated and classified staff, and urges the San Francisco Unified School District to hire both certificated and classified staff to carry out the purposes of this measure.*

~~(e) Within one year of the effective date of this measure, the School District, with the assistance of the City's Department of Public Health, Department of Human Services, and Department of Children, Youth, and Their Families, shall conduct an assessment of health, counseling, social work, and nutritional needs of pupils in the District, including problems related to asthma and other chronic diseases. The City may appropriate a specific portion of the disbursement under this Section through its annual appropriation process for these purposes, pursuant to recommendations from the School District.~~

SEC. 16.123-6. EXPENDITURE PLANS.

(a) No later than ~~April 1~~ February 1 of each year during the term of this measure, the San Francisco Unified School District and ~~the OECE the First Five Commission~~ shall each submit an expenditure plan for funding to be received from the Public Education Enrichment Fund for the upcoming fiscal year to the Mayor and the Board of Supervisor, in response to the Controller's March fund estimate for the coming fiscal year. ~~The proposed expenditure plans must include prior year total budgeted and expended appropriations and Fund budgeted and expended appropriations by category, as well as average daily attendance information for the prior year and anticipated average daily attendance information for the plan year, to facilitate multi-year comparison.~~

~~(b) The Controller shall review the plans and transmit them, with his or her comments, to the Mayor and the Board of Supervisors for their review and comment.~~

~~(b) (e)~~ The plans shall include a budget for the expenditures, descriptions of budgeted programs and services, performance goals, target populations, hiring and recruitment plans for personnel, plans for matching or other additional funding, operating reserves, and any other matters that the District and Commission deem appropriate or the Mayor or the Board requests.

~~(c) (d)~~ The Mayor and the Board of Supervisors may request further explanation of items included in the plans, and the District and the OECE Commission shall respond in a timely

manner to such inquiries. The Board may place appropriations provided for under this measure on reserve until it has received adequate responses to its inquiries.

SEC. 16.123-7. [Reserved] ~~STRUCTURAL SAVINGS TO THE CITY'S BUDGET.~~

~~(a) **Controller's and Budget Analyst's Recommendations.** Not later than October 1 of each fiscal year from Fiscal Year 2005-06 through 2009-10, the Controller and the Board of Supervisors' Budget Analyst shall prepare and submit recommended cuts or other structural changes to reduce, on an ongoing basis, spending on City departmental operations, or identify new revenues, in an amount sufficient to meet each year's required funding for the Public Education Enrichment Fund.~~

~~(b) **Board of Supervisors' Proposals.** Not later than December 15 of each fiscal year from Fiscal Year 2005-06 through Fiscal Year 2009-10, the Board of Supervisors shall hold hearings on the recommendations made by the Controller and the Budget Analyst and shall forward its proposals to the Mayor.~~

~~(c) **Budget Requirements.** In his/her annual budget submission to the Board of Supervisors for each fiscal year from Fiscal Year 2005-06 through Fiscal Year 2009-10, the Mayor shall incorporate the Board of Supervisors' proposals, or identify alternative revenue or expenditure savings sufficient to appropriate funds to the Public Education Enrichment Fund according to the schedule set forth in Section 16.123-2 of this measure.~~

SEC. 16.123-8. ADJUSTMENTS.

~~(a) In any year of this measure, if the joint budget report as prepared by the Controller, the Mayor's Budget Director and the Board of Supervisors' Budget Analyst projects a budgetary shortfall of \$100 million dollars or more, the Mayor and the Board of Supervisors may reduce the City's contribution to the Public Education Enrichment Fund under Section 16.123-2, and its disbursements under Sections 16.123-3, 16.123-4, or 16.123-5, by up to 25 percent; provided,~~

~~however, that the City must pay back the amount deferred within the period from June 30, 2015, the last day of the term of this measure, and June 30, 2018, a date three years later, unless the voters extend this measure beyond July 1, 2015 or authorize a substantially similar measure at that time.~~

~~(a) (b) **Audit Recommendations.** The Mayor and the Board of Supervisors may suspend the City's disbursements from the baseline appropriations or the Public Education Enrichment Fund under Sections 16.123-3, 16.123-4, or 16.123-5 in whole or in part for any year where the Controller certifies that the San Francisco Unified School District or the OECE the First Five Commission has failed to adopt audit recommendations made by the Controller.~~

~~As part of the audit function, the Controller shall periodically review performance and cost benchmarks developed by the School District and the OECE the First Five Commission, including:~~

~~(1) Fund dollars spent for services, materials, and supplies permitted under the Charter;~~

~~(2) Fund dollars spent as reported to the City;~~

~~(3) Supporting documentation of Fund expenditures; and~~

~~(4) Progress towards established workload, efficiency and effectiveness measures.~~

~~in consultation with the Controller for programs funded under this measure. The Commission's performance and cost benchmarks shall be based on the same performance and cost benchmarks as are required for other City departments, and on comparisons with other cities, counties, and public agencies performing similar functions. The School District's performance and cost benchmarks shall be based on similar standards.~~

~~In particular, the Controller shall assess:~~

~~(1) Measures of workload addressing the level of service being provided or providing an assessment of need for a service;~~

~~(2) Measures of efficiency including cost per unit of service provided, cost per unit of output, or the units of service provided per full-time equivalent position; and~~

~~(3) Measures of effectiveness including the quality of service provided, citizen perceptions of quality, and the extent a service meets the needs for which it was created.~~

~~The Controller's audits may address the extent to which the School District and the First Five Commission have met their respective performance and cost benchmarks.~~

~~(b) (e) Reserve Policies.~~ The Mayor and the Board of Supervisors may suspend the City's disbursements from the baseline appropriations or the Public Education Enrichment Fund under Sections 16.123-2, 16.123-4, or 16.123-5 in whole or in part for any year where the Controller certifies that the San Francisco Unified School District or the OECE ~~the First Five Commission~~ has failed to adopt reserve policies recommended by the Controller.

~~(c) (d) Transfer and Use of Suspended Distributions.~~ If the Mayor and the Board of Supervisors suspend City distributions from the baseline appropriations or the Public Education Enrichment Fund under subsections (a) or (b) ~~or (e)~~, the City shall transfer the amount that would otherwise be distributed from the baseline appropriations or the Public Education Enrichment Fund for that year to the Children's Fund established in Charter Section 16.108, as amended, or any successor legislation, for the provision of substantially equivalent services and programs.

~~(d) (e) New Local Revenues.~~ The Board of Supervisors may, by ordinance, proportionally reduce the contribution to the Public Education Enrichment Fund and the disbursements to the San Francisco Unified School District and the OECE ~~the First Five Commission~~ required by this measure if the voters of San Francisco adopt new, dedicated revenue sources for the School District or the Commission, and the offsetting reduction in disbursements is specifically authorized by the local revenue measure.

~~(e) (f) New State Revenues.~~ The Board of Supervisors may, by ordinance, proportionally reduce the contribution to the Public Education Enrichment Fund and the

disbursements to the San Francisco Unified School District required by this measure if the percentage increase in per-pupil Revenue Limit funding provided by the State of California to the San Francisco Unified School District in any fiscal year exceeds the percentage increase in the City's cost of living during the previous fiscal year.

The Board of Supervisors may, by ordinance, proportionally reduce the contribution to the Public Education Enrichment Fund and the disbursements to ~~the OECE the First Five Commission~~ if the State of California provides funding to the City for universal preschool, provided that such disbursements are not required to match state and/or other funding.

~~(g) Eighteen months prior to the expiration of this measure, the Controller shall conduct a complete analysis of the outcomes of the programs funded through the Public Education Enrichment Fund. The Controller's study shall also address changes in the levels of state and federal funding for local schools, per-pupil spending in the San Francisco Unified School District compared to urban school districts of similar size. The Controller shall present the results of this analysis to the Mayor and the Board of Supervisors no later than nine months prior to the expiration of the measure.~~

~~**SEC. 16.123-10. SUNSET.**~~

~~The provisions of this measure shall expire in eleven years, at the end of Fiscal Year 2014-15, unless extended by the voters.~~

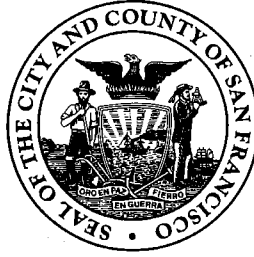
APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
Thomas J. Owen
Deputy City Attorney

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Supervisors Kim, Yee, Avalos, Campos, Mar, Cohen
BOARD OF SUPERVISORS

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Ben Rosenfield, City Controller

FROM: Alisa Miller, Clerk, Rules Committee
Board of Supervisors

DATE: May 6, 2014

SUBJECT: CHARTER AMENDMENT INTRODUCED
November 4, 2014 Election

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the November 4, 2014 Election, introduced by Supervisor Kim on April 29, 2014. This matter is being referred to you in accordance with Elections Code, Section 305(B)(2) and Rules of Order 2.22.3.

File No. 140442 Public Education Enrichment Fund

Charter Amendment (First Draft) to amend the Charter, Sections 16.123-2, 16.123-4, 16.123-5, 16.123-6, and 16.123-8, and repealing Sections 16.123-7 and 16.123-10, to: 1) renew the Public Education Enrichment Fund and eliminate its expiration date; 2) change the allocation for universal preschool, overseen by the First Five Commission, to an allocation for universal early education, overseen by the Office of Early Care and Education, and create a citizens advisory committee; 3) eliminate the City's ability to use in-kind services to satisfy its obligations to the Fund; and 4) modify certain technical requirements for the Fund and delete obsolete provisions.

Please review immediately and prepare a financial analysis of the proposed measure prior to the first Rules Committee hearing.

If you have any questions or concerns please call me at (415) 554-4447 or email: alisa.miller@sfgov.org. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Jason Elliott, Mayor's Office
Jon Givner, Office of the City Attorney
Naomi Kelly, City Administrator
John St. Croix, Executive Director, Ethics Commission
John Rahaim, Director, Planning Department
Sarah Jones, Environmental Review Officer, Planning Department
Maria Su, Director, Department of Children, Youth and Their Families
Barbara Carlson, Director, Office of Early Care and Education
Laurel Kloomok, Executive Director, First Five Commission
Phimy Truong, Director, Youth Commission
Richard Carranza, Superintendent, SFUSD
Trent Rhorer, Executive Director, Human Services Agency
Barbara Garcia, Director, Department of Public Health
Harvey Rose, Budget and Legislative Analyst

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Please review immediately and submit any reports or comments you wish to be included with the legislative file.

If you have any questions or concerns, please call me at (415) 554-4447 or email: alisa.miller@sfgov.org. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Jeanie Poling, Planning Department
Chris Armentrout, SFUSD
Greg Wagner, Department of Public Health
Colleen Chawla, Department of Public Health
Debra Newman, Office of the Budget and Legislative Analyst
Severin Campbell, Office of the Budget and Legislative Analyst
Gabriela Loeza, Office of the Budget and Legislative Analyst

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Kim, Yee and Avalos *Campos, Mar, Cohen*

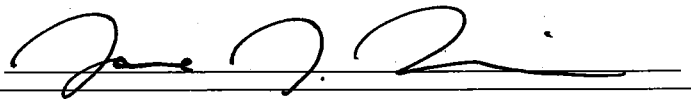
Subject:

Public Education Enrichment Fund

The text is listed below or attached:

See attached.

Signature of Sponsoring Supervisor:



For Clerk's Use Only:

140442