

LEGISLATIVE DIGEST

[Charter Amendment - Establishment of Children’s Agency and Commission; Funding for Children, Youth, and the San Francisco Unified School District; Funding Conditions on City Appropriations for the School District]

Describing and setting forth a proposal to the voters at an election to be held on June 7, 2022, to amend the Charter of the City and County of San Francisco to 1) establish a new Children’s Agency responsible for overseeing, aligning, and coordinating the development of systems, services, policies, and planning strategies to strengthen the City’s services for children, youth, and families; 2) authorize the Agency to include the Department of Children, Youth, and Their Families, which is responsible for administering the City’s Children and Youth Fund and promoting the development of programs and planning strategies to enhance services for children, youth, and their families; 3) authorize the Agency to include a new Department of Early Childhood, which will assume the duties previously assigned to the Office of Early Care and Education promoting the development of programs, policies, and strategies to enhance services for children ages 0-5; 4) establish a Children’s Commission to oversee the Agency; 5) modify the process for expending funds in the Children and Youth Fund to support services for children; 6) modify the process for expending funds in the Public Education Enrichment Fund to support the San Francisco Unified School District; and 7) require the Board of Education to submit a certification of compliance with specified governance requirements before the City appropriates funds to the San Francisco Unified School District not otherwise required by the Charter or State law.

Existing Law

The City has several agencies that coordinate and fund services for children and youth. Those agencies include the Department of Children, Youth, and Their Families (“DCYF”), the Office of Early Care and Education (“OECE”), and the Children and Families First Commission, often referred to as the First Five Commission. DCYF is generally responsible for administering the Children and Youth Fund described below, promoting the development of comprehensive programs, and planning strategies to enhance services for children, youth, and their families. OECE is generally responsible for promoting the development of comprehensive programs, policies, and strategies to enhance services for children ages 0-5. The First Five Commission oversees the distribution of dedicated cigarette tax revenues to support, promote, and optimize early childhood development and education.

The San Francisco Unified School District (“School District”) is not a City department. It is a separate entity governed by an elected Board of Education. The City does not govern the School District and does not set rules for the governance of the Board of Education. But the City provides funding to the School District every year. Some of that funding is required by the Charter, and other funding is discretionary, which means the Board of Supervisors and the

Mayor choose to appropriate extra funds to the School District in addition to the funding required by the Charter.

The City funds services for children, youth, and their families through various ways, including two Charter provisions that set aside money every year for this purpose: the Children and Youth Fund and the Public Education Enrichment Fund (“PEEF”).

The Children and Youth Fund receives a dedicated portion of the property tax that the City collects each year. The City uses the Children and Youth Fund to provide services for children under 18 years of age, and also for certain underserved or at-risk youth between ages 18 and 24. Services funded by the Fund include child care, health services, job training, social services, educational, recreational and cultural programs, and delinquency prevention services.

The Charter requires the City to distribute money each year from PEEF in three categories: one-third to the School District for arts, music, sports and library programs; one-third for universal preschool programs; and one-third to the School District for general education purposes.

For both the Children and Youth Fund and the PEEF, the Charter requires that a certain amount of property tax be set aside and also establishes a “baseline” requiring that in addition to the set-aside contribution, the City maintain the same levels of spending on these programs as existed before the establishment of the mandatory funds in the Charter. The baselines grow each year at the same rate as the City’s discretionary revenue grows.

The Charter establishes a Children, Youth and Their Families Oversight and Advisory Committee to review the governance and policies of DCYF and to monitor the administration of the Children and Youth Fund. And the Charter establishes a Service Provider Working Group to advise the Oversight and Advisory Committee on funding priorities, policy development, the planning cycle, evaluation design and plans, and related issues. The Charter also requires the creation of a Citizen’s Advisory Committee to advise OECE on the use of PEEF funds for early childhood education.

The Charter also requires the City’s Our Children, Our Families Council (“Council”) to advise the City and School District on the needs of children and families in San Francisco and on priorities, goals, and best practices. Every five years, the Council is required to adopt an Our Children, Our Families Plan to recommend new City policies and programs for children and families in San Francisco. And the Charter requires the City to undertake a five-year process for planning and distributing set-aside funding from the Children and Youth Fund.

Amendments to Current Law

The proposed measure would establish a Children’s Agency responsible for overseeing, aligning, and coordinating the development of systems, services, policies, and planning

strategies to strengthen the City's services for children, youth, and families. The Agency would include and oversee DCYF, the new Department of Early Childhood ("DEC"), and other agencies designated by the Board or Mayor under the Charter related to children, youth, disconnected transitional aged-youth between the ages of 18 and 24, and families. The Agency would also provide administrative and staff support for the First Five Commission. The Agency would be headed by a Children's Agency Director appointed by the Mayor.

DCYF would carry out the functions and duties it currently carries out, unless changed by ordinance or by an executive branch reorganization under the Charter. DEC would assume the functions and duties of the Office of Early Care and Education, unless changed by ordinance or by an executive branch reorganization under the Charter. The Mayor would appoint the directors of DCYF and DEC from a list of nominees recommended by the Children's Agency Director.

The proposed measure would create a new Children's Commission to oversee the Children's Agency. The Commission would have seven members—four appointed by the Mayor and three appointed by the Board of Supervisors. The Commission would be responsible for the development of policies regarding outcomes for children, youth, and family services; the evaluation of such services; developing a process for making funding decisions; program improvement and capacity-building of service providers; and community engagement in planning and evaluating services. The Commission would oversee the Agency but would play no role in the appointment or removal of the Agency Director.

The Commission and the Agency would both come into existence on July 1, 2024. The Children, Youth, and Their Families Oversight and Advisory Committee would terminate on that date.

The measure would require the Commission to establish at least three advisory committees:

- The Department of Children, Youth, and Their Families Community Advisory Committee, to advise DCYF and the Commission on implementation priorities, policy development, the planning cycle, evaluation design and plans, and other issues related to the Children and Youth Fund and other funding overseen by DCYF. This Committee would replace the Service Provider Working Group.
- The Department of Early Childhood Community Advisory Committee, to advise DEC and the Commission on the implementation priorities, policy development, evaluation design and plans, and other issues related to the PEEF and other funding overseen by DEC. This Committee would replace the existing Citizen's Advisory Committee.
- The Transitional Aged Youth Community Advisory Committee, to advise the Agency and the Commission on implementation priorities, policy development, evaluation

design and plans, and any issues of concern related to funding of services for disconnected transitional-aged youth ages 18-24.

The measure would modify the five-year process for planning and distributing set-aside funding from the Children and Youth Fund and would clarify the five-year process for planning and distributing funds from the Children and Youth Fund baseline. In the first year, the Agency would conduct a community needs assessment, including qualitative and quantitative data sets collected through interviews, focus groups, surveys, or other outreach mechanisms to determine service gaps in programming for children, youth, and families. In the second year, the Agency would prepare the Mayor's Plan for Children and Families, which would include a set of proposed Citywide outcomes for services to children and families, including (1) an outcomes framework; (2) a Services Allocation Plan ("SAP") to determine the types of services eligible to receive money from the Children and Youth Fund; and (3) a Baseline Allocation Plan to determine the portion of Children and Youth Fund baseline funds allocated to each of the outcomes in the outcomes framework. The measure would require the Board of Supervisors to review and approve the SAP. In the third year, the Agency would conduct competitive solicitations for services to be funded from the Fund, and would request interested City departments to submit proposals for services to be funded from the Children and Youth Fund baseline. The City could not appropriate funds from the baseline to a City department or for use by the School District unless the department or School District agrees to share appropriate and relevant data with the Children's Agency. In the fourth year, contracts for services from the Fund would begin.

The measure would also modify the process for planning and distributing PEEF funding for early education programs by removing some procedural requirements in the Charter. And the measure would require the School District to submit a proposal to the Children's Agency and Children's Commission once every five years describing how it plans to use PEEF baseline funds consistent with the Mayor's Plan for Children and Families. The City could not provide the School District any baseline funds until the Commission approves a proposal submitted by the School District.

The measure would also require the Mayor to publish an annual State of the City's Children and Families Report on the results of the efforts of the Agency, the School District, and community organizations to serve children and families under the Mayor's Plan for Children and Families.

The measure would also place a restriction on the City's ability to appropriate discretionary funds to the School District. As described above, the Board of Supervisors and the Mayor sometimes choose to appropriate extra funds to the School District in addition to the funding required by the Charter. The measure would prohibit the City from appropriating such funds unless the Board of Education submits to the Mayor and the Board of Supervisors a written certification, with an accompanying report, stating that the School District and the Board of Education have complied with a set of governance requirements. Those requirements generally include establishing and supporting a strategic plan, the Board of Education

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refraining from interference in the administrative affairs of the School District, establishing responsible fiscal oversight, engaging with community members, modeling high standards of conduct, and participating in professional development and training.

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