

File No. 211284

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Rules Committee

Date Jan 20, 2022

Board of Supervisors Meeting

Date _____

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Completed by: Victor Young

Date Jan 24, 2022

Completed by: _____

Date _____

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

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

22
23 Section 1. Findings. The People of the City and County of San Francisco find as
24 follows:

25 This Charter amendment shall be known as the Children First Initiative.

1 It is the intent and moral imperative of the City and County of San Francisco to provide
2 every child and family—without exception—an opportunity to develop to their maximum
3 potential. The extent to which we attend to the wellbeing of San Francisco’s children and
4 families is an expression of our collective values and a vital investment in our collective
5 aspirations. San Francisco will thrive when our children and families thrive.

6 Yet, our City’s public systems still leave many people behind, especially the most
7 vulnerable and marginalized children and families. The COVID-19 pandemic, while producing
8 inspirational examples of our public systems coming together to care for our most vulnerable
9 residents, also has exposed profound inadequacies in these systems.

10 The present moment provides an opportunity to improve two fundamental systems that
11 serve our children and families.

12 First, this Charter amendment makes changes to the City departments that serve children
13 and families. The City’s broad array of social services helps families create healthy, safe, and
14 secure foundations from which to prosper. On its own, each City department works tirelessly to
15 fulfill its mission. Yet, as a collective system departments lack a shared vision, shared
16 accountability for holistic youth and family outcomes, and coordination and coherence to create
17 a seamless experience for youth and families.

18 Second, this Charter amendment calls for a set of supports and improvements for the San
19 Francisco Unified School District (SFUSD) Board of Education. Just as SFUSD’s dedicated
20 teachers, administrators, and support staff serve our City’s students, so too should its Board
21 members. All SFUSD students deserve to have Board members who are resolutely focused on
22 the needs of students and their families and unswayed by issues that distract from that focus; who
23 work effectively with the Superintendent as a governance team; who govern SFUSD with a long-
24 term vision and in a fiscally prudent manner; and who take actions aligned with accepted
25

1 governance best practices. Yet, the Board of Education in recent years has not done these things,
2 and has lacked the willingness or capacity to reform itself.

3 Given San Francisco’s moral imperative, we are compelled to act with urgency and
4 determination to create public systems that live up to the ambitions of our youth and families.
5 To that end, this measure, among other things: (1) creates a unified, Citywide plan for our
6 children and families while placing accountability for outcomes on the City’s top leaders; (2)
7 creates a new Children’s Agency to streamline funding and make essential social services much
8 more accessible to families; and (3) creates structures and supports that ensure the SFUSD Board
9 of Education is student-centered, strategic, fiscally responsible, professional, responsive to the
10 community, transparent, and focused with the utmost determination on improving academic
11 achievement and student wellbeing.

12 Public systems that produce persistently inequitable and substandard outcomes are not
13 unique to San Francisco, but the task of changing that reality for our children is ours alone. Our
14 current ways of delivering social services to children and families and governing our public
15 schools are products of our making, and we can remake them to be more child- and family-
16 centered, more effective, and more equitable. This Charter amendment promises to do just that.

17
18 Section 2. The Board of Supervisors hereby submits to the qualified voters of the City
19 and County, at an election to be held on June 7, 2022, a proposal to amend the Charter of the
20 City and County by adding Sections 4.142, 4.143, and 16.121; revising Sections 16.108, 16.123-
21 2, 16.123-4, 16.123-6, and 16.123-8; and deleting Sections 16.108-1, 16.127-1, 16.127-2,
22 16.127-3, 16.127-4, 16.127-5, 16.127-6, and 16.127-7, to read as follows:

23 NOTE: **Unchanged Charter text and uncoded text** are in plain font.
24 **Additions** are *single-underline italics Times New Roman font*.
25 **Deletions** are ~~*strike-through italics Times New Roman font*~~.
 Asterisks (* * * *) indicate the omission of unchanged Charter
 subsections.

1
2 **SEC. 4.142. CHILDREN’S COMMISSION.**

3 **(a) Purpose.** *There is hereby established a Children’s Commission (“Commission”).*
4 *The Commission shall set policy and provide oversight for the Children’s Agency (“Agency”).*

5 **(b) Membership and Terms of Office.**

6 (1) The Commission shall consist of seven members appointed pursuant to
7 this Section 4.142. The Mayor shall appoint members for Seats 1 through 4, and the Board of
8 Supervisors shall appoint members for Seats 5 through 7. The Mayor and the Board of
9 Supervisors shall make initial appointments by noon on July 1, 2024.

10 (2) Members of the Commission shall serve four-year terms; provided,
11 however, the term of the initial appointees in Seats 3, 4, and 5 shall be two years.

12 (3) Members of the Commission may be removed from office at will by their
13 respective appointing authority.

14 **(c) Powers and Duties.** *With regard to the Agency, beginning on July 1, 2024, the*
15 *Commission shall have the following powers and duties:*

16 (1) The Commission shall exercise all the powers and duties of boards and
17 commissions set forth in Sections 4.102, 4.103, and 4.104, except that the Commission shall not
18 have the duty under Section 4.102(5) to submit to the Mayor qualified applicants for the position
19 of Agency Director, nor shall the Commission have the authority under Section 4.102(6) to
20 remove the Agency Director.

21 (2) Except as limited in subsection (c)(1), the Commission shall exercise all
22 the powers and duties set forth in this Charter, including in Sections 4.143 and 16.108.

23 (3) The Commission shall develop policies regarding outcomes for children,
24 youth, and family services; the evaluation of such services; data systems common to service
25 providers; a process for making funding decisions; program improvement and capacity-building

1 of service providers; community engagement in planning and evaluating services; leveraging
2 dollars of the Children and Youth Fund in Section 16.108; and the use of that Fund as a catalyst
3 for innovation. The Commission shall promote and facilitate transparency in the administration
4 of the Children and Youth Fund, including the Children and Youth Baseline, and other funding
5 overseen by the Agency.

6 (4) The Commission shall assume such other powers and duties, if any, as
7 prescribed by ordinance.

8 (d) **Department of Children, Youth, and Their Families Community Advisory**
9 **Committee.**

10 (1) The Commission shall establish a Department of Children, Youth, and
11 their Families Community Advisory Committee (“DCYF Advisory Committee”) to advise the
12 Department of Children, Youth, and Their Families (“DCYF”) and the Commission on
13 implementation priorities, policy development, the planning cycle, evaluation design and plans,
14 and any issues of concern to the DCYF Advisory Committee related to the Children and Youth
15 Fund under Section 16.108 and other funding overseen by DCYF. The DCYF Advisory
16 Committee shall engage a broad cross-section of community members and service providers in
17 providing information, education, and consultation to DCYF and the Commission.

18 (2) The DCYF Advisory Committee shall be comprised of at least nine
19 members appointed by the Commission, provided that the Commission may expand the number
20 of seats on the DCYF Advisory Committee to no more than 15. Members of the DCYF Advisory
21 Committee shall serve at the Commission’s pleasure.

22 (3) The DCYF Advisory Committee shall meet at least four times a year.

23 (4) The Agency shall provide administrative support for the DCYF Advisory
24 Committee.

1 (5) The DCYF Advisory Committee shall come into existence on July 1, 2025
2 or when the Commission has appointed members to a majority of seats on the Committee,
3 whichever is sooner.

4 (6) Until such time as the DCYF Advisory Committee comes into existence,
5 the Service Provider Working Group under former Section 16.108-1(e) shall perform all the
6 functions and duties set forth in former Section 16.108-1(e). On the date the DCYF Advisory
7 Committee comes into existence, the Service Provider Working Group shall cease to exist by
8 operation of law. No later than December 31, 2025, the City Attorney shall cause this
9 subsection (d)(6) to be removed from the Charter.

10 **(e) Department of Early Childhood Community Advisory Committee.**

11 (1) The Commission shall establish a Department of Early Childhood
12 Community Advisory Committee (“DEC Advisory Committee”) to advise the Department of
13 Early Childhood (“DEC”) and the Commission on the implementation priorities, policy
14 development, evaluation design and plans, and any issues of concern to the DEC Advisory
15 Committee related to the Public Education Enrichment Fund in Section 16.123-4 and other
16 funding overseen by the Department of Early Childhood. The DEC Advisory Committee shall
17 engage a broad cross-section of community members and service providers in providing
18 information, education, and consultation to DEC and the Commission.

19 (2) The DEC Advisory Committee shall be comprised of at least nine members
20 appointed by the Commission, provided that the Commission may expand the number of seats on
21 the DEC Advisory Committee to no more than 15. Members of the DEC Advisory Committee
22 shall serve at the Commission’s pleasure.

23 (3) The DEC Advisory Committee shall meet at least four times a year.

24 (4) The Agency shall provide administrative support for the DEC Advisory
25 Committee.

1 (5) The DEC Advisory Committee shall come into existence on July 1, 2025 or
2 when the Commission has appointed members to a majority of seats on the Committee,
3 whichever is sooner.

4 (6) Until such time as the DEC Advisory Committee comes into existence, the
5 Citizen’s Advisory Committee under former Section 16.123-4(d) shall perform all the functions
6 and duties under former Section 16.123-4(d). On the date the DEC Advisory Committee comes
7 into existence, the Citizen’s Advisory Committee shall cease to exist by operation of law. No
8 later than December 31, 2025, the City Attorney shall cause this subsection (e)(6) to be removed
9 from the Charter.

10 **(f) Transitional Aged Youth Community Advisory Committee.**

11 (1) The Commission shall establish a Transitional Aged Youth Community
12 Advisory Committee (“TAY Advisory Committee”) to advise the Agency and the Commission on
13 implementation priorities, policy development, evaluation design and plans, and any issues of
14 concern to the TAY Advisory Committee related to funding of services for Disconnected
15 Transitional Aged-Youth (as that term is defined in Section 16.108). The TAY Advisory
16 Committee shall engage a broad cross-section of community members and service providers in
17 providing information, education, and consultation to the Agency and the Commission.

18 (2) The TAY Advisory Committee shall be comprised of at least nine members
19 appointed by the Commission, provided that the Commission may expand the number of seats on
20 the TAY Advisory Committee to no more than 15. Members of the TAY Advisory Committee shall
21 serve at the Commission’s pleasure.

22 (3) The TAY Advisory Committee shall meet at least four times a year.

23 (4) The Children’s Agency shall provide administrative support for the TAY
24 Advisory Committee.

1 (5) The TAY Advisory Committee shall come into existence on July 1, 2025 or
2 when the Commission has appointed members to a majority of seats on the Committee,
3 whichever is sooner.

4 (g) **Transition provisions.**

5 (1) The Commission shall come into existence on July 1, 2024. Until then, the
6 Children, Youth, and Their Families Oversight and Advisory Committee (“Oversight and
7 Advisory Committee”) under former Section 16.108-1 shall perform all the functions and duties
8 set forth in former Section 16.108-1. On July 1, 2024, the Oversight and Advisory Committee
9 shall cease to exist by operation of law. The Mayor and Board of Supervisors may appoint
10 members of the Oversight and Advisory Committee to the Commission. Until the Agency comes
11 into existence on July 1, 2024 under Section 4.143, DCYF shall provide administrative support
12 to facilitate the establishment of the Commission.

13 (2) No later than December 31, 2025, the City Attorney shall cause this
14 subsection (g) to be removed from the Charter.

15
16 **SEC. 4.143. CHILDREN’S AGENCY.**

17 (a) **Establishment.** There shall be a Children’s Agency (“Agency”), which shall
18 come into existence on July 1, 2024. The Agency shall include and oversee the Department of
19 Children, Youth, and Their Families (“DCYF”), the Department of Early Childhood (“DEC”),
20 and other agencies that may be designated by ordinance or pursuant to Section 4.132 related to
21 children, youth, Disconnected Transitional Aged-Youth (as that term is defined in Section
22 16.108), and families that include children, youth, or Disconnected Transitional Aged-Youth.
23 The Agency shall provide administrative and staff support for the Children and Families First
24 Commission unless those administrative and staff support functions are transferred by ordinance
25

1 or pursuant to Section 4.132. The Agency shall be headed by a Children’s Agency Director
2 (“Agency Director”) appointed by the Mayor.

3 (b) **Duties.** The Agency shall be responsible for overseeing, aligning, and
4 coordinating the development of comprehensive and connected systems, services, policies, and
5 planning strategies to strengthen the City’s services for children, youth, Disconnected
6 Transitional-Aged Youth, and families, with the goals of increasing equitable access and
7 enhancing effectiveness. Except as otherwise provided in the Charter or pursuant to Section
8 4.132, in addition to any other duties assigned by ordinance, the Agency shall have the following
9 duties:

10 (1) The Agency shall be responsible for the duties set forth in Sections 16.108,
11 16.123-2, 16.123-4, and 16.123-6.

12 (2) The Agency shall convene and coordinate with City departments and, to
13 the extent possible, the San Francisco Unified School District, to evaluate the City’s progress
14 toward achieving the goals of the Mayor’s Plan for Children and Families prepared under
15 Section 16.108.

16 (3) The Agency shall maintain a service inventory of all services provided or
17 funded by the City for children, youth, Disconnected Transitional-Aged Youth, and families, and
18 shall collect data and information from City departments and agencies regarding such services.
19 Upon request from the Agency, all City departments shall provide the Agency with data and
20 information regarding services, including the impacts and outcomes of those services, to the
21 extent permitted by State and federal law. If any City department fails to provide the Agency
22 with such data and information, the Board of Supervisors and the Mayor may exercise their
23 discretion to not appropriate funds to that department from the Children and Youth Fund,
24 including the Children and Youth Baseline, and the Public Education Enrichment Fund.

1 (4) The Agency shall coordinate policy development and implementation for,
2 and provide administrative services to, the Department of Children, Youth, and Their Families
3 and the Department of Early Childhood.

4 (5) The Agency Director shall submit to the Mayor at least three qualified
5 applicants, and if rejected, shall make additional nominations in the same manner, for the
6 positions of department head of the Department of Children, Youth, and Their Families and
7 department head of the Department of Early Childhood, subject to appointment by the Mayor.
8 The Agency Director may not submit a self-nomination to be the department head of the
9 Department of Children, Youth, and Their Families, but in the Mayor’s discretion, the Mayor
10 may appoint the Agency Director as the Director of the Department of Children, Youth, and
11 Their Families; as provided in subsection (c), such a dual appointment must end no later than
12 June 30, 2026. The Mayor may remove the department heads of those two departments in the
13 Mayor’s discretion.

14 (c) **Department of Children, Youth, and Their Families.** There shall be a
15 Department of Children, Youth, and Their Families. The Department shall include a Director
16 (the department head) and such staff as authorized under the budgetary and fiscal provisions of
17 this Charter. The Department shall be responsible for administering the Children and Youth
18 Fund in Section 16.108, promoting the development of comprehensive programs, and planning
19 strategies to enhance services for children, youth, and their families. On July 1, 2024, the
20 Department shall become responsible for all the duties of the Department of Children, Youth,
21 and Their Families as set forth in the Municipal Code on that date; thereafter, those duties may
22 be modified by ordinance or pursuant to Section 4.132. The person holding the position of
23 Director of the Department of Children, Youth, and Their Families on July 1, 2024 shall remain
24 in that position until the Mayor appoints a new Director, who may or may not be the incumbent.
25 The Mayor may appoint one person to hold the positions of both Agency Director and Director

1 of the Department of Children, Youth, and Their Families, provided the dual appointment ends
2 no later than June 30, 2026. Beginning July 1, 2026, no individual may hold both positions
3 simultaneously; any person holding both positions at the end of the day on June 30, 2026 shall
4 by operation of law forfeit the position of Director of the Department of Children, Youth, and
5 Their Families.

6 (d) **Department of Early Childhood.** There shall be a Department of Early
7 Childhood. The Department shall include a Director and such staff as authorized under the
8 budgetary and fiscal provisions of this Charter. The Department shall be responsible for
9 promoting the development of comprehensive programs, policies, and strategies to enhance
10 services for children ages 0-5. On July 1, 2024, the Department shall become responsible for all
11 the duties of the Office of Early Care and Education as set forth in the Municipal Code on that
12 date; thereafter, those duties may be modified by ordinance or pursuant to Section 4.132. The
13 person holding the position of Director of the Office of Early Care and Education on July 1,
14 2024 shall perform the duties of the Director of the Department of Early Childhood in an acting
15 capacity until the Mayor appoints a new Director.

16 (e) **Children and Families First Commission.** The Children and Families First
17 Commission (also referred to in this Charter and the Municipal Code as the First Five
18 Commission), established under State law pursuant to Proposition 10 in November 1998, shall
19 continue to perform the functions assigned to that Commission under State and local law, as they
20 may be amended from time to time, related to the distribution of tax revenues to support,
21 promote, and optimize early childhood development. The Department of Early Childhood shall
22 manage and oversee the administration of the Commission's functions.

23 (f) **Mayor's Annual Report.** Every year, the Mayor shall publish a State of the
24 City's Children and Families Report on the results of the efforts of the Agency, including its two
25 departments and other offices under its authority, other City departments, the San Francisco

1 Unified School District, and community organizations to serve children and families under the
2 Mayor's Plan for Children and Families, and to report on the City's progress toward the
3 outcomes proposed in the Citywide goals and outcomes framework approved under Section
4 16.108(i).

5 (g) **Transition.**

6 (1) The Director of the Department of Children, Youth, and Their Families as
7 of July 1, 2024 shall serve as the director of both the Agency and the Department of Children,
8 Youth, and Their Families until such time as the Mayor appoints a different person to be Agency
9 Director. The Mayor shall appoint an Agency Director to begin service in that position no later
10 than July 1, 2026.

11 (2) No later than June 30, 2025, the Agency Director shall submit to the
12 Board of Supervisors a proposed ordinance amending the Municipal Code to conform to
13 Sections 4.142, 16.108, 16.123-2, 16.123-4, 16.123-6, and 16.123-8, and this Section 4.143, as
14 adopted or amended by the voters at the June 7, 2022 election. Before submitting the proposed
15 ordinance, the Agency Director, in coordination with the Mayor, shall conduct a comprehensive
16 review of other agencies related to children, youth, Disconnected Transitional-Aged Youth, and
17 families. In the Agency Director's discretion, the proposed ordinance may also propose
18 additional amendments to the Municipal Code to transfer functions related to children,
19 Disconnected Transitional-Aged Youth, families, or education to the Agency or the departments
20 or offices thereunder.

21
22 **SEC. 16.108. CHILDREN AND YOUTH FUND.**

23 * * * *

24 (b) **Fund for Children and Youth Services.** ~~Operative July 1, 2001, †~~There is
25 hereby established a fund to provide and expand children's services, which shall be called the

1 Children and Youth Fund ("Fund"). Monies in the Fund shall be expended or used only to
2 provide services for children and youth as provided in this Section 16.108.

3 * * * *

4 (f) **Eligible Uses.** The City shall only use monies from the Fund for the following
5 purposes:

6 * * * *

7 (2) Funding for the Children's Agency and the Children's Commission for
8 administrative expenses related to the Fund. Department of Children, Youth and Their Families
9 ("DCYF") and the Children, Youth and Their Families Oversight and Advisory Committee
10 created in Section 16.108-1 ("Oversight and Advisory Committee").

11 * * * *

12 (h) **Baseline.** The Fund shall be used exclusively to increase the aggregate City
13 appropriations and expenditures for those services for children and Disconnected Transitional-
14 Aged Youth that are eligible to be paid from the Fund (exclusive of expenditures mandated by
15 state or federal law). To this end, the City shall not reduce the amount of such City
16 appropriations for eligible services (not including appropriations from the Fund and exclusive of
17 expenditures mandated by state or federal law) under this section below the amount so
18 appropriated for the fiscal year 2000-2001 ("the base year") as set forth in the Controller's
19 baseline budget, as adjusted ("the Children and Youth Baseline~~base amount~~").

20 The Controller shall calculate City appropriations made in fiscal year 2013-2014 for
21 services for Disconnected Transitional-Aged Youth aged 18 through 24 years. Beginning with
22 fiscal year 2014-2015, that amount shall be added to the Children and Youth Baseline~~base~~
23 ~~amount~~ and adjusted as provided below. The City shall not reduce the amount of such City
24 appropriations for services for Disconnected Transitional-Aged Youth (not including
25

1 appropriations from the Fund and exclusive of expenditures mandated by state or federal law)
2 under this section below the amount so appropriated for fiscal year 2013-2014, as adjusted.

3 The Children and Youth Baseline~~base amount~~ shall be adjusted for each year after the
4 base year by the Controller based on calculations consistent from year to year by the percentage
5 increase or decrease in aggregate City and County discretionary revenues. In determining
6 aggregate City and County discretionary revenues, the Controller shall only include revenues
7 received by the City and County that are unrestricted and may be used at the option of the Mayor
8 and the Board of Supervisors for any lawful City purpose. Additionally, in determining
9 aggregate City and County discretionary revenues, the Controller shall not include revenues
10 received by the City under the increased rates in Business and Tax Regulations Code Sections
11 953.1(g), 953.2(h), 953.3(h), 953.4(e), 953.5(d), 953.6(f), 953.7(d), and 953.8(i) adopted by the
12 voters at the general municipal election on November 3, 2020, and shall not include revenues
13 received by the City under Article 36 of the Business and Tax Regulations Code adopted by the
14 voters at the general municipal election on November 3, 2020. Errors in the Controller's estimate
15 of discretionary revenues for a fiscal year shall be corrected by an adjustment in the next year's
16 estimate. Within 90 days following the end of each fiscal year through Fiscal Year 2040-2041,
17 the Controller shall calculate and publish the actual amount of City appropriations for services
18 for children and Disconnected Transitional-Aged Youth that would have been eligible to be paid
19 from the Fund but are paid from other sources, separately identifying expenditures mandated by
20 state or federal law.

21 (i) **Five-Year Planning Cycle.** The City shall appropriate monies from the Fund and
22 allocate funds from the Children and Youth Baseline according to a five-year planning process.
23 This process is intended to: (1) increase transparency, accountability, and public engagement; (2)
24 provide time and opportunities for community participation and planning; (3) ensure program
25 stability; and (4) maximize the effectiveness of the services funded-; provided, however, that

1 nothing in this Section 16.108, with the exception of subsections (i)(1)(C), (i)(2)(F), (i)(3), and
2 (j), shall limit the authority of the Mayor and the Board of Supervisors to propose, amend, and
3 adopt a budget, including appropriating revenues from the Fund or the Children and Youth
4 Baseline, under Article IX of the Charter.

5 (1) **Year 1 – Community Needs Assessment.** By December 31, 2024, and
6 thereafter dDuring every fifth fiscal year beginning with Fiscal Year ~~2015-2016~~2025-2026,
7 ~~DCYF the Children’s Agency~~ shall conduct a Community Needs Assessment (“CNA”) to inform
8 the Mayor’s Plan for Children and Families~~identify services to receive monies from the Fund.~~
9 The initial CNA referenced in the preceding sentence shall supplement or expand upon the CNA
10 completed by the Department of Children, Youth, and Their Families in Fiscal Year 2021-2022.

11 The CNA should include qualitative and quantitative data sets collected through interviews,
12 focus groups, surveys, or other outreach mechanisms to determine service gaps in programming
13 for children, youth, and families. Subject to the budgetary and fiscal provisions of the Charter,
14 ~~DCYF the Children’s Agency~~ may contract with consultants and outside experts for such services
15 as ~~the department~~ it may require to prepare the CNA. ~~DCYF The Children’s Agency~~ shall
16 undertake a robust community process in every supervisorial district, soliciting input from a
17 diverse cross-section of parents, youth, non-profit organizations, and other key stakeholders to
18 develop the CNA:

19 (A) ~~DCYF The Children’s Agency~~ shall develop a plan for how to
20 conduct the CNA. The CNA shall include an equity analysis of services and resources for
21 parents, children, and youth. ~~DCYF The Children’s Agency~~ shall develop a set of equity metrics
22 to be used to establish a baseline of existing services and resources in low-income neighborhoods
23 and disadvantaged communities, compared to services and resources available in the City as a
24 whole. The outreach for the CNA shall create opportunities for parents, youth, nonprofit
25 agencies, and other members of the public, to provide input. By September 1, DCYF The

1 Children's Agency shall provide its plan for conducting the CNA to the ~~Oversight and Advisory~~
2 ~~Committee, Children's Commission, the DCYF Advisory Committee, the DEC Advisory~~
3 ~~Committee, the TAY Advisory Committee, the Service Provider Working Group created in~~
4 ~~Section 16.108-1(e)~~, and the Board of Supervisors. The plan shall be a public document.

5 (B) The Children's Agency shall provide a draft of the CNA to the
6 Children's Commission, which shall provide input and may approve or disapprove within 30
7 days. If the Commission disapproves the CNA, the Agency may modify and resubmit the CNA to
8 the Commission for review and action as described in the preceding sentence.

9 ~~————— (B) By March 1, DCYF shall complete a draft CNA and provide this draft~~
10 ~~to the Oversight and Advisory Committee and the Service Provider Working Group for review.~~
11 ~~DCYF shall also provide the draft CNA to interested City departments, including the First Five~~
12 ~~Commission, the Office of Early Care and Education (or any successor entity), the Recreation~~
13 ~~and Park Commission, the Health Commission, the Human Services Commission, the Youth~~
14 ~~Commission, the Juvenile Probation Commission, the Adult Probation Department, the~~
15 ~~Commission on the Status of Women, the Police Commission, the Library Commission, and the~~
16 ~~Arts Commission.~~

17 ~~————— (C) By April 1, DCYF shall submit a final version of the CNA to the~~
18 ~~Oversight and Advisory Committee and the Board of Supervisors. The final version may~~
19 ~~incorporate any comments or suggestions made by the public or by the agencies that received~~
20 ~~copies of the draft CNA.~~

21 ~~————— (D) By May 1, the Oversight and Advisory Committee shall provide input~~
22 ~~on, approve or disapprove the CNA. If the Oversight and Advisory Committee disapproves the~~
23 ~~report, DCYF may modify and resubmit the report.—~~

24 (E) C By June 1, the Board of Supervisors shall consider and approve or
25 disapprove, or modify, the CNA. If the Board disapproves the CNA, ~~DCYF~~ the Children's

1 Agency may modify and resubmit the ~~CAN~~ CNA to the Board of Supervisors, provided, however,
2 that the City may not expend monies from the Fund or the Children and Youth Baseline during
3 the five-year cycle until the Board of Supervisors has approved the CNA.

4 (2) **Year 2 – Mayor’s Plan for Children and Families, including an**
5 **Outcomes Framework, Services and Allocation Plan, and Baseline Allocation Plan.**

6 ~~*During every fifth fiscal year beginning with Fiscal Year 2016-2017, DCYF shall prepare*~~
7 ~~*a Services and Allocation Plan (“SAP”) to determine services eligible to receive monies from the*~~
8 ~~*Fund.*~~

9 *The Children’s Agency shall prepare the Mayor’s Plan for Children and Families*
10 *(“Mayor’s Plan”), provided that the Department of Children, Youth, and Their Families shall*
11 *prepare the Mayor’s Plan during years before the Agency comes into existence as described in*
12 *this subsection (2). The Mayor’s Plan shall include at least three parts: a set of proposed*
13 *Citywide outcomes for services to children and families, including an outcomes framework*
14 *(“outcomes framework”) that is responsive to the CNA; a Services Allocation Plan (“SAP”) to*
15 *determine proposed types of services eligible to receive monies from the Fund; and a Baseline*
16 *Allocation Plan (“BAP”) to determine the portion of Children and Youth Baseline funds*
17 *allocated to each of the outcomes in the outcomes framework . In Fiscal Year 2022-2023, the*
18 *Department of Children, Youth, and Their Families shall prepare the SAP. In Fiscal Year 2023-*
19 *24, the Department of Children, Youth, and Their Families shall prepare the outcomes*
20 *framework and BAP. Thereafter, during every fifth fiscal year beginning with Fiscal Year 2026-*
21 *2027, the Agency shall prepare the outcomes framework, SAP, and BAP together. ~~DCYF~~ The*
22 *Children’s Agency shall use the following process to prepare the framework, the SAP, and the*
23 *BAP:*

24 (A) *The Children’s Agency shall prepare a report describing a*
25 *Citywide outcomes framework for children and families based on the CNA. The Agency shall*

1 present the outcomes framework to the Children’s Commission. The Commission may approve
2 or disapprove the outcomes framework. If the Commission disapproves, the Agency may submit
3 a revised outcomes framework. The Agency may not submit a final SAP or BAP under
4 subsection (i)(2)(E) of this Section 16.108 until the Commission has approved the outcomes
5 framework.

6 (AB) ~~DCYF~~ The Children’s Agency shall prepare a draft SAP and a
7 draft BAP in consultation with interested City ~~departments~~ agencies, ~~including the First Five~~
8 ~~Commission, the Office of Early Care and Education (or any successor entity), the Recreation~~
9 ~~and Park Commission, the Health Commission, the Human Services Commission, the Youth~~
10 ~~Commission, the Juvenile Probation Commission, the Adult Probation Department, the~~
11 ~~Commission on the Status of Women, the Police Commission, the Library Commission, and the~~
12 ~~Arts Commission~~, as well as the San Francisco Unified School District, community-based service
13 providers, parents, children, youth, and other members of the public.

14 The SAP and BAP each must:

15 (i) Demonstrate consistency with the CNA and the outcomes
16 framework with Citywide vision and goals for children and families;

17 (ii) Include all services for children and Disconnected
18 Transitional-Aged Youth;

19 (iii) Be outcome-oriented and include goals and measurable and
20 verifiable objectives and outcomes;

21 ~~_____ (iv) Include capacity building and evaluation of services as~~
22 ~~separate funding areas; _____~~

23 ~~_____ (v) State how services will be coordinated and have specific~~
24 ~~amounts allocated towards specific goals, service models, populations, and neighborhoods;~~

1 ~~_____ (vi) Include funding for youth initiated projects totaling at least 3~~
2 ~~percent of the total proposed expenditures from the Fund for the cycle;~~

3 ~~(vii) Include evaluation data from the previous funding cycle~~
4 ~~and the details of the Children and Youth Baseline; and,~~

5 (viii) Incorporate strategies to coordinate and align all services for
6 children funded by the San Francisco Unified School District and all other governmental or
7 private entities and administered by the City, whether or not those services are eligible to receive
8 monies from the Fund or the Children and Youth Baseline.

9 In addition, the SAP must:

10 _____ (i) Include capacity-building and evaluation of services as
11 separate funding areas;

12 _____ (ii) State how services will be coordinated and have specific
13 amounts allocated toward specific goals, service models, populations, and neighborhoods; and

14 _____ (iii) Include funding for youth-initiated projects totaling at least
15 3% of the total proposed expenditures from the Fund for the cycle.

16 (BC) The SAP and BAP each shall include an equity analysis of services
17 and resources for parents, children, and youth. Using the equity metrics developed for
18 preparation of the CNA, the SAP and BAP each shall compare proposed new, augmented, and
19 coordinated services and resources for low-income neighborhoods and disadvantaged
20 communities with services and resources available to the City as a whole.

21 (CD) Subject to the budgetary and fiscal provisions of the Charter,
22 ~~DCYF~~ the Children's Agency may contract with consultants and outside experts for such services
23 as the department may require to prepare the SAP and the BAP, including the equity analysis of
24 services and resources for parents, children, and youth.

1 (E) The Children’s Agency shall provide the draft SAP to the
2 Children’s Commission. The Commission shall provide input and may approve or disapprove
3 the draft SAP. If the Commission disapproves the SAP, the Agency may modify and resubmit the
4 draft SAP to the Commission. The Agency may not submit a final SAP to the Board of
5 Supervisors for approval until the Commission has approved.

6 ~~————— (D) — By March 1, DCYF shall provide the draft SAP to the Oversight~~
7 ~~and Advisory Committee and the Service Provider Working Group. DCYF shall also provide the~~
8 ~~draft SAP to the San Francisco Unified School District and interested City departments,~~
9 ~~including the First Five Commission, the Office of Early Care and Education (or any successor~~
10 ~~entity), the Recreation and Park Commission, the Health Commission, the Human Services~~
11 ~~Commission, the Youth Commission, the Juvenile Probation Commission, the Adult Probation~~
12 ~~Department, the Commission on the Status of Women, the Police Commission, the Library~~
13 ~~Commission and the Arts Commission.~~

14 ~~————— (E) — By April 1, DCYF shall submit a final version of SAP to the~~
15 ~~Oversight and Advisory Committee and the Board of Supervisors. The final version may~~
16 ~~incorporate any comments or suggestions made by the public or by the agencies that received~~
17 ~~copies of the draft SAP.~~

18 ~~————— (F) — By May 1, the Oversight and Advisory Committee shall approve or~~
19 ~~disapprove the SAP. If the Oversight and Advisory Committee disapproves the SAP, DCYF may~~
20 ~~modify and resubmit the SAP.~~

21 (GF) By June 1, the Board of Supervisors shall consider and approve or
22 disapprove, or modify, the SAP. If the Board disapproves the SAP, ~~DCYF~~ the Children’s
23 Agency may modify and resubmit the SAP to the Board, provided, however, that the City may
24 not expend monies from the Fund until the SAP has been approved by the Board ~~of Supervisors~~.
25

1 (~~HC~~) During subsequent years of the planning cycle, ~~DCYF~~ the
2 Children’s Agency, with the approval of the ~~Oversight and Advisory Committee~~ Children’s
3 Commission and the Board of Supervisors, may amend the SAP to address emerging needs. And
4 during subsequent years of the planning cycle, the Children’s Agency may amend the BAP to
5 address emerging needs.

6 (3) **Year 3 – Selection of Contractors.** In Fiscal Year 2023-24, the
7 Department of Children, Youth, and Their Families shall conduct competitive solicitations for
8 services to be funded from the Fund. Thereafter, dDuring every fifth fiscal year beginning with
9 Fiscal Year ~~2017-2018~~2028-2029, ~~DCYF~~ the Children’s Agency shall conduct competitive
10 solicitations for services to be funded from the Fund.

11 In each of those fiscal years, the Children’s Agency (or, in Fiscal Year 2023-2024, the
12 Department of Children, Youth, and Their Families) also shall request interested City
13 departments to submit proposals for services to be funded from the Children and Youth Baseline.
14 Interested City departments shall submit proposals to the Children’s Agency, and the San
15 Francisco Unified School District may submit proposals to the Children’s Agency in
16 collaboration with interested City departments. Each proposal shall at minimum describe how
17 the department will use funds consistent with the BAP. In Fiscal Year 2024-2025 and every fifth
18 fiscal year thereafter, the Children’s Agency shall review the proposals submitted by City
19 departments, including proposals submitted by the San Francisco Unified School District in
20 collaboration with a City department. Additionally, the City shall not appropriate funds from the
21 Children and Youth Baseline to a City department in a fiscal year unless either the Children’s
22 Agency or the Mayor has determined in writing that the department has agreed to share any
23 appropriate and relevant data with the Children’s Agency in that fiscal year. The City shall not
24 appropriate funds from the Children and Youth Baseline for use by the San Francisco Unified
25 School District unless the District has entered a data sharing agreement with the Children’s

1 Agency. During subsequent years of the planning cycle, the Children’s Agency may recommend
2 to the Mayor and the Board of Supervisors changes to allocations from the Children and Youth
3 Baseline allocation to address amendments to the BAP and emerging needs, provided that all
4 allocations from the Baseline shall be consistent with the most recent CNA and BAP.

5 (4) **Year 4 – Service Cycle Begins.** Contracts for services from the Fund
6 shall start on July 1 of Year 4 of the planning cycle, beginning with Fiscal Year ~~2018-2019~~2024-
7 2025. During subsequent years of the planning cycle, ~~DCYF~~ the Children’s Agency, with the
8 approval of the ~~Oversight and Advisory Committee~~ Children’s Commission, may issue
9 supplemental competitive solicitations to address amendments to the SAP and emerging needs.
10 All expenditures for services from the Fund shall be consistent with the most recent CNA and
11 SAP. Grants awarded by City departments using funds allocated from the Children and Youth
12 Baseline shall begin on July 1 of Fiscal Year 2025-2026 and then again in Fiscal Year 2029-
13 2030 and every fifth fiscal year thereafter, provided that the departments awarding grants may
14 in their discretion determine that it is in the public interest to award such grants at other
15 intervals.

16 (5) ~~DCYF~~ The Children’s Agency may recommend, ~~and the Oversight and~~
17 ~~Advisory Committee and the Board of Supervisors may approve,~~ changes to the due dates and
18 timelines provided in this subsection (i), ~~subject to approval. The Board of Supervisors shall~~
19 ~~approve such changes~~ by ordinance.

20 (j) **Evaluation.** ~~DCYF~~ The Children’s Agency shall provide for the evaluation on a
21 regular basis of all services funded through the Fund and the Children and Youth Baseline, and
22 shall prepare on a regular basis an Evaluation and Data Report ~~for the Oversight and Advisory~~
23 ~~Committee.~~ To support the evaluation, departments receiving funds under the Children and
24 Youth Baseline shall report progress to the Children’s Agency on an annual basis. Subject to
25 the budgetary and fiscal provisions of the Charter, ~~DCYF~~ the Children’s Agency may contract

1 with consultants and outside experts for such services as the ~~department~~ Children's Agency may
2 require to conduct such evaluations and to prepare the Evaluation and Data Report. The
3 Children's Agency shall provide each report to the Children's Commission.

4 (k) **Selection of Contractors.** The ~~Oversight and Advisory Committee~~ Children's
5 Commission shall ~~adopt recommend~~ standards and procedures for the selection of contractors to
6 be funded from the Fund. It shall be the policy of the City to use competitive solicitation
7 processes where appropriate for allocating monies from the Fund and to give priority to the
8 participation of non-profit agencies. The Children's Agency shall adopt standards and
9 procedures for the selection of departments to be funded from the Children and Youth Baseline,
10 subject to review and approval by the Mayor.

11 (l) **Implementation.**

12 (1) In implementation of this Section 16.108, facilitating public participation
13 and maximizing availability of information to the public shall be primary goals.

14 (2) ~~DCYF~~ The Children's Agency shall administer the Fund and prepare the
15 CNA, ~~and~~ the SAP, and the BAP pursuant to this Section 16.108.

16 (3) The Board of Supervisors ~~may by~~ may enact ordinances implementing this
17 Section 16.108.

18 * * * *

19
20 **~~SEC. 16.108-1. CHILDREN, YOUTH AND THEIR FAMILIES OVERSIGHT AND~~**
21 **~~ADVISORY COMMITTEE.~~**

22 (a) ~~Creation. There shall be a Children, Youth and Their Families Oversight and~~
23 ~~Advisory Committee ("Oversight and Advisory Committee") to review the governance and~~
24 ~~policies of the Department of Children, Youth and Their Families ("DCYF"), to monitor and~~
25 ~~participate in the administration of the Children and Youth Fund as provided in Charter Section~~

1 ~~16.108 ("Fund"), and to take steps to ensure that the Fund is administered in a manner~~
2 ~~accountable to the community.~~

3 ~~(b) Responsibilities.~~

4 ~~—— (1) The Oversight and Advisory Committee shall develop recommendations for~~
5 ~~DCYF and the Fund regarding outcomes for children and youth services, the evaluation of~~
6 ~~services, common data systems, a process for making funding decisions, program improvement~~
7 ~~and capacity building of service providers, community engagement in planning and evaluating~~
8 ~~services, leveraging dollars of the Fund and the use of the Fund as a catalyst for innovation. The~~
9 ~~Oversight and Advisory Committee shall promote and facilitate transparency in the~~
10 ~~administration of the Fund.~~

11 ~~(2) As provided in Section 16.108, the Oversight and Advisory Committee shall review~~
12 ~~and approve the planning process for the Community Needs Assessment ("CNA") and the final~~
13 ~~CNA, the Services and Allocation Plan, and DCYF's overall spending plan (including, as~~
14 ~~separate items, approval of the departmental budget and of DCYF's proposed grants as a~~
15 ~~package), and shall review the annual Data and Evaluation Report. Nothing in this Section shall~~
16 ~~limit the authority of the Mayor and the Board of Supervisors to propose, amend, and adopt a~~
17 ~~budget under Article IX of the Charter.~~

18 ~~(3) The Oversight and Advisory Committee shall participate in the evaluation of the~~
19 ~~Director of DCYF, assist in recruitment for the Director when the position is vacant, and may~~
20 ~~recommend candidates to the Mayor.~~

21 ~~(4) The Oversight and Advisory Committee shall establish and maintain a Service~~
22 ~~Provider Working Group as provided in subsection (e).~~

23 ~~(5) The Oversight and Advisory Committee shall meet at least six times a year.~~

24 ~~(c) **Composition.** The Oversight and Advisory Committee shall have eleven members.~~
25 ~~The Mayor shall appoint members for Seats 1 through 6. The Board of Supervisors shall appoint~~

1 ~~members for Seats 7 through 11. The Mayor and the Board of Supervisors shall appoint the~~
2 ~~initial members of the Committee by July 1, 2015. The terms of the initial appointees to the~~
3 ~~Committee shall commence on the date of the first meeting of the Committee, which may occur~~
4 ~~when at least eight members have been appointed and are present.~~

5 ~~(d) **Implementation.** The Board of Supervisors shall further provide by ordinance for~~
6 ~~the membership, structure, functions, appointment criteria, terms and support of the Oversight~~
7 ~~and Advisory Committee. The Board of Supervisors shall adopt such legislation to be effective by~~
8 ~~July 1, 2015.~~

9 ~~(e) **Service Provider Working Group.** The Oversight and Advisory Committee shall~~
10 ~~create a Service Provider Working Group ("Working Group") to advise the Oversight and~~
11 ~~Advisory Committee on funding priorities, policy development, the planning cycle, evaluation~~
12 ~~design and plans, and any other issues of concern to the Working Group related to the Fund or~~
13 ~~the responsibilities of DCYF or other departments receiving monies from the Fund. The Working~~
14 ~~Group shall engage a broad cross section of service providers in providing information,~~
15 ~~education and consultation to the Oversight and Advisory Committee. All members of the~~
16 ~~Working Group shall be actively providing services to children, youth and their families. The~~
17 ~~Working Group shall be supported by DCYF staff, and shall meet at least four times a year. The~~
18 ~~Oversight and Advisory Committee shall appoint two initial co chairs of the Working Group,~~
19 ~~who shall be responsible for developing the structure of the Working Group and facilitating the~~
20 ~~meetings. After the terms of the initial co chairs expire, the Working Group shall select its own~~
21 ~~chairs. Working Group meetings shall be open and encourage widespread participation.~~

22
23 **SEC. 16.121. DISCRETIONARY APPROPRIATIONS TO THE SAN FRANCISCO**
24 **UNIFIED SCHOOL DISTRICT; CERTIFICATION REGARDING GOVERNANCE**
25 **REQUIREMENTS.**

1 (a) Certification Prior to Approval of Discretionary Appropriations to the San
2 Francisco Unified School District. Prior to the City’s approval of any appropriation to the San
3 Francisco Unified School District (“District”) not required by this Charter or State law, the
4 Board of Education must submit to the Mayor and the Board of Supervisors a written
5 certification stating that the District and the Board of Education complied with the governance
6 requirements of subsection (b) during the preceding calendar year. The certification shall be
7 accompanied by a written report supporting the certification.

8 (b) Governance Requirements.

9 (1) Duties and Roles of the Board Education. The Board of Education shall
10 exercise the following duties and roles as specified:

11 (A) Vision and Strategy. To ensure the District has a strategic plan that
12 reflects the vision, values, and needs of the San Francisco community and a Superintendent who
13 is capable and supported to implement it, the Board of Education shall:

14 (i) Establish the overall vision and high-level goals of the District
15 and monitor progress toward those goals;

16 (ii) Provide input on and approve the strategic plan proposed by
17 the Superintendent under Section (b)(2)(B) of this Section and ensure the community’s vision and
18 values are represented in the plan;

19 (iii) Support the Superintendent’s efforts to implement the
20 strategic plan, including supporting the coordination and collaboration with City departments
21 serving children and families; and

22 (iv) Serve as the appointing authority of the Superintendent and
23 General Counsel but not dictate, suggest or interfere with respect to any appointment,
24 promotion, compensation, or disciplinary action regarding other District staff unless otherwise
25 required by law; and conduct an annual evaluation of the Superintendent.

1 (B) Fiscal Oversight. To create the conditions and policies for the
2 District to operate in an efficient and fiscally prudent manner, the Board of Education shall:

3 (i) In its discretion, approve the District's budget;

4 (ii) Request that the Superintendent present a financial impact
5 analysis for any change in policy or practice that has total financial resource requirements
6 totaling greater than \$2 million in one year or \$5 million over five years;

7 (iii) In its discretion, approve ballot measures proposed by the
8 District, including bond measures;

9 (iv) In its discretion, approve contracts governing the terms and
10 conditions of employment with labor organizations representing the District's employees;

11 (v) In its discretion, approve contracts above \$250,000 as well as
12 those that require Board of Education approval under the California Education Code, but not
13 dictate, suggest, or interfere with respect to any other contracts proposed or entered by the
14 District;

15 (vi) In its discretion, approve capital projects; and

16 (vii) In its discretion, approve the settlement of legal proceedings
17 involving the District.

18 (C) Separation of Duties. So that the Board of Education and
19 Superintendent can fulfill their unique roles while working together as a governance team, the
20 Board of Education and its members, as applicable, shall:

21 (i) Not perform administration or management functions that are
22 clearly the responsibility of the Superintendent and staff;

23 (ii) Submit any requests for information from the District to the
24 Superintendent or the Superintendent's designee and not directly to other District employees
25 except with permission of the Superintendent; and

1 (iii) With the exception of complaints concerning the
2 Superintendent of General Counsel and any complaints asserted within the parameters of an
3 established whistleblower program, refer complaints about District administration or
4 management to the Superintendent or Superintendent's designee so that they may receive proper
5 consideration through the appropriate District process.

6 (D) Community Engagement. To understand and faithfully represent the
7 community's vision and values, the Board of Education, and its members, as applicable, shall:

8 (i) Annually create and execute a plan for engaging with a broad
9 and representative cross-section of the San Francisco community. The plan shall include
10 dedicated activities where the primary goal is to listen to community members;

11 (ii) Subject to any applicable public noticing requirements, use
12 methods other than public comment periods in regular and special board meetings to solicit
13 feedback and input from the community. Methods may include but are not limited to facilitating
14 small group listening sessions, observing School Site Council meetings, and volunteering in
15 schools;

16 (iii) Ensure that forums for community engagement are accessible
17 to community members who may not otherwise be able to attend regular or special Board of
18 Education meetings;

19 (iv) Gather input from the community in advance of major policy
20 decisions that would result in shifts in the District's overall vision and high-level goals; and

21 (v) Share information with the public regarding District
22 performance and major policy decisions that impact student achievement or wellbeing.

23 (E) Governance Standards. To ensure the Board of Education models the
24 highest standard of conduct and efficacy, the Board and its members, as applicable, shall:

1 (i) Keep academic achievement and wellbeing for all students as
2 the primary focus of actions and decisions, and shall not hold any partisan principle, group
3 interest, or personal interest above the education of students;

4 (ii) Act with integrity, treat others with dignity, and understand
5 the implications of demeanor and behavior;

6 (iii) Assume collective responsibility for building unity and
7 creating a positive organizational culture, including recognizing and respecting differences of
8 perspective and style on the Board and among staff, students, families, and the community;

9 (iv) Manage Board meetings in a manner that allows for
10 appropriate consideration of issues, respects community members' time and participation, and
11 places central emphasis on student achievement and wellbeing;

12 (v) Ensure that individual Board members do not exercise the
13 authority of the Board, for example by speaking on behalf of the Board, without express advance
14 permission from the Board;

15 (vi) Ensure that individual Board members do not use their
16 position as a Board member to attempt to influence District employees about issues specifically
17 related to the Board member's child or child's school (when the child is attending a District
18 school or may be attending a District school in the future); and

19 (vii) Adopt and periodically review and revise as appropriate
20 governance principles, norms, and protocols.

21 (F) Professional Development. To support development of the
22 knowledge, skills, habits, and mindsets of Board members to best serve the interests of San
23 Francisco's children and to ensure the Board regularly assesses and reflects upon its
24 performance and identifies areas for improvement, the Board and its members, as applicable,
25 shall:

1 (i) Regularly engage in training and ongoing coaching. Such
2 training shall include, at a minimum, the following elements: monitoring and improving student
3 outcomes, governance, financial and budgetary literacy, ethics, equity, community engagement,
4 and leadership;

5 (ii) Provide initial training on the above elements to new Board
6 members before they assume office or within 60 days of assuming office;

7 (iii) Conduct an annual self-evaluation before completing the
8 Board's evaluation of the Superintendent. The self-evaluation shall, at a minimum: assess the
9 Board's contribution toward improving student outcomes including academic achievement and
10 wellbeing, and assess the Board's adherence to its governance principles, norms, and protocols
11 as adopted by the Board; and

12 (iv) Contract with one or more experts who are not employed by
13 the District to facilitate the training, coaching, and self-evaluations required in subsections
14 (b)(1)(F)(i)-(iii); provided that the Board and the Superintendent must agree on the selection of
15 the experts.

16 (G) Annual Report. To ensure the Board holds improving student
17 outcomes as its highest priority, to ensure the general public has access to clear data regarding
18 student outcomes, and to ensure the Mayor and Board of Supervisors can be effective partners
19 with the District, the Board of Education shall:

20 (i) Request that the Superintendent create an easily
21 understandable and succinct annual report that includes the District's progress toward its
22 overall vision and high-level goals, including student outcome goals for individual student
23 groups' academic achievement and wellbeing; and

24 (ii) Submit the report to the Mayor and the Board of Supervisors.
25

1 (H) By April 1 each year, each member of the Board of Education must
2 certify in writing that they have read and understand the requirements contained in this
3 subsection (b)(1).

4 (2) Duties and Roles of Superintendent. The role of the Superintendent is to
5 oversee the management and administration of the District and execute its strategic plan. In
6 addition to any responsibilities required by law or assigned to the Superintendent by the Board
7 of Education, the Superintendent shall have the responsibilities listed below. These
8 responsibilities may not be fulfilled by the Board of Education or by its individual members. The
9 Superintendent shall:

10 (A) Implement the policies, vision, and goals set by the Board of
11 Education;

12 (B) Develop and implement a strategic plan, including receiving Board of
13 Education and community feedback concerning the plan;

14 (C) Unless otherwise required by law, serve as the appointing authority
15 for all employees of the District except the General Counsel, which includes decisions regarding
16 appointment, promotion, compensation, and disciplinary action;

17 (D) Receive and address complaints raised by families, students, staff,
18 and members of the public concerning problems at schools, including but not limited to problems
19 with families, students, District vendors, and staff except the Superintendent and the General
20 Counsel, and with the exception of complaints submitted within the parameters of an established
21 whistleblower program;

22 (E) Manage the District's budget approved by the Board of Education;

23 (F) Inform the Board of Education about progress toward strategic goals
24 and significant operational issues on a timely and regular basis; and

1 (G) Present a financial impact analysis for any change in policy or
2 practice that has total financial resource requirements totaling greater than \$2 million in one
3 year or \$5 million over five years.

4 To the extent financial resources are required to satisfy the governance requirements of this
5 subsection (b), the Board of Education shall include such resources in the District's budget.

6 **(c) Statement of Policy Concerning Qualities of Members of the Board of Education.**

7 The people of San Francisco believe that effective members of the Board of Education
8 can come from all parts of the community and all backgrounds. The children of San Francisco
9 deserve the best members of the Board of Education that the City has to offer, and to that end,
10 the people of San Francisco aspire to seek members who, at a minimum, have demonstrated the
11 following traits.

12 (A) Commitment to improving all students' outcomes, including academic
13 achievement and wellbeing;

14 (B) Unqualified belief that all District students can achieve at high levels;

15 (C) Community leadership;

16 (D) Commitment to serving in a governance role and not performing duties
17 reserved for management;

18 (E) Commitment to sound fiscal management and strategic resource allocation;
19 and

20 (F) Ability to work collaboratively with colleagues and stakeholders who hold
21 diverse points of view.

22 **(d) No Conflict With State Law. This Section 16.121 is not intended to supersede State**
23 **law and shall not be interpreted and applied so to create any requirement, power, or duty in**
24 **conflict with State law.**

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

2 (a) **Creating the Fund.** There shall be a Public Education Enrichment Fund. The
3 City shall each year appropriate monies to the Public Education Enrichment Fund according to
4 subsections (b), (c), and (d), below.

5 (b) **Baseline Appropriations.**

6 (1) Amount of Baseline Appropriations. The Fund shall be used exclusively
7 to increase the aggregate City appropriations to and expenditures for the San Francisco Unified
8 School District. To this end, except as provided in subsection (b)(2) or in Section 16.123-8, the
9 City shall not reduce the amount of such City appropriations (not including appropriations from
10 the Fund and exclusive of expenditures mandated by state or federal law) in any year during
11 which funds are required to be set aside under this Section 16.123-2 below the amount so
12 appropriated for Fiscal Year 2002-2003 (“the base year”). These baseline appropriations shall be
13 separate from the City’s annual contributions to the Public Education Enrichment Fund under
14 subsection (c), and shall be appropriated by the City to the School District each year through and
15 including Fiscal Year 2040-2041, except as provided in subsection (b)(2) or in Section 16.123-8.

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 Additionally, in determining aggregate City and County discretionary General Fund revenues,
23 the Controller shall not include revenues received by the City under the increased rates in
24 Business and Tax Regulations Code Sections 953.1(g), 953.2(h), 953.3(h), 953.4(e), 953.5(d),
25 953.6(f), 953.7(d), and 953.8(i) adopted by the voters at the general municipal election on

1 November 3, 2020, and shall not include revenues received by the City under Article 36 of the
2 Business and Tax Regulations Code adopted by the voters at the general municipal election on
3 November 3, 2020. Errors in the Controller's estimate of discretionary revenues for a fiscal year
4 shall be corrected by an adjustment in the next year's estimate. Using audited financial results for
5 the prior fiscal year, the Controller shall calculate and publish the actual amount of City
6 appropriations that would have been required under this baseline for the School District.

7 (2) **School District Spending Proposal.** In Fiscal Year 2024-25, again in
8 Fiscal Year 2028-29, and every fifth year thereafter, as a condition of receiving funds under this
9 Section 16.123-2, the School District shall submit a proposal to the Children's Agency and
10 Children's Commission describing how it plans to use the baseline funds described in this
11 section (b) during the subsequent five fiscal years consistent with the Mayor's Plan for Children
12 and Families. Upon receipt, the Commission shall consider the report and may approve or
13 disapprove the School District's proposal. If the Commission disapproves the School District's
14 proposal, the School District may submit a modified proposal. The City shall not provide the
15 School District any funds under this subsection (b) during the five-year period until and unless
16 the Commission approves a proposal submitted by the School District.

17 * * * *

18 (e) **Audit Requirements.** All disbursements from the Fund and from the baseline
19 appropriations shall be subject to periodic audit by the Controller. The San Francisco Unified
20 School District and the Children's Agency Office of Early Care and Education, or any successor
21 entity ("OECE") shall agree to such audits as a condition of receiving disbursements from the
22 Fund.

23
24 **SEC. 16.123-4. UNIVERSAL ACCESS TO EARLY EDUCATION.**

25 * * * *

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

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

14 ~~The plan shall include goals for the quality of early care and education programs, shall~~
15 ~~align with emerging developments in state and/or federal early care and education policy, and~~
16 ~~shall address the professional development needs of center based and family child care~~
17 ~~providers. "Professional development" as used in this Section 16.123-4 includes education,~~
18 ~~technical assistance and coaching, training, and supports, and shall be aligned with the City's~~
19 ~~goals for early care and education program quality. Additionally, in preparing the plan, the~~
20 ~~OECE shall develop guidelines designed to meet neighborhood specific needs, including school~~
21 ~~readiness, subsidy availability, children's dual language development, facility development,~~
22 ~~parent engagement and education, inclusion of children with special needs, and provider support~~
23 ~~for both family child care homes and child care centers. Such funding guidelines also shall~~
24 ~~address the unmet need for universal early education and child care slots in specific City~~
25 ~~neighborhoods.~~

1 ~~The plan shall also include an equity analysis of services and resources for children and~~
2 ~~families. The OECE Citizens' Advisory Committee shall develop a set of equity metrics to be used~~
3 ~~to compare existing services and resources in low income and disadvantaged communities with~~
4 ~~services and resources available in the City as a whole.~~

5 ~~Following the Board of Supervisors' approval of the plan, the OECE, in collaboration~~
6 ~~with the San Francisco Unified School District and First Five Commission, shall develop an~~
7 ~~evaluation plan for tracking the results of the City's investments in early care and education.~~

8 **(b~~e~~) Annual Disbursements.** ~~For Fiscal Year 2014-2015, the City shall appropriate~~
9 ~~one-third of the money in the Public Education Enrichment Fund to the First Five Commission~~
10 ~~for universal preschool programs administered by the Commission. Beginning July 1, 2015, the~~
11 ~~City each year shall appropriate one-third of the money in the Public Education Enrichment Fund~~
12 ~~to the OECE Office of Early Care and Education for early education programs to be~~
13 ~~administered by that office or entity or its successor. Beginning July 1, 2024, the City each year~~
14 ~~shall appropriate one-third of the money in the Public Education Enrichment Fund to the~~
15 ~~Children's Agency for early education programs to be administered by the Agency.~~

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

20
21 **SEC. 16.123-6. EXPENDITURE PLANS.**

22 (a) No later than April 1 of each year ~~during the term of this measure~~, the San
23 Francisco Unified School District and the OECE Children's Agency shall each submit an
24 expenditure plan for funding to be received from the Public Education Enrichment Fund for the
25

1 upcoming fiscal year to the Mayor and the Board of Supervisors, in response to the Controller's
2 March fund estimate for the coming fiscal year.

3 (b) The plans shall include a budget for the expenditures, descriptions of programs and
4 services, performance goals, target populations, hiring and recruitment plans for personnel, plans
5 for matching or other additional funding, operating reserves, and any other matters that the
6 District and the *OECE Children's Agency* deem appropriate or the Mayor or the Board requests.

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

11
12 **SEC. 16.123-8. ADJUSTMENTS.**

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

18 As part of the audit function, the Controller shall periodically review performance and
19 cost benchmarks developed by the School District and the *OECE Children's Agency*, 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 (b) **Reserve Policies.** The Mayor and the Board of Supervisors may suspend the City’s
2 disbursements from the baseline appropriations or the Public Education Enrichment Fund under
3 Sections 16.123-2, 16.123-4, or 16.123-5 in whole or in part for any year where the Controller
4 certifies that the San Francisco Unified School District or the ~~OECE~~ Children’s Agency has
5 failed to adopt reserve policies recommended by the Controller.

6 * * * *

7 ~~(d) **New Local Revenues.** The Board of Supervisors may, by ordinance, proportionally~~
8 ~~reduce the contribution to the Public Education Enrichment Fund and the disbursements to the~~
9 ~~San Francisco Unified School District and the OECE required by Sections 16.123 1 through~~
10 ~~16.123 10 if the voters of San Francisco adopt new, dedicated revenue sources for the School~~
11 ~~District or the OECE, and the offsetting reduction in disbursements is specifically authorized by~~
12 ~~the local revenue measure.~~

13 (ed) **New State Revenues.** Following full implementation of the per-student funding
14 targets outlined for ~~SFUSD~~ the San Francisco Unified School District in the State's Local
15 Control Funding Formula ("LCFF"), as adopted in 2013, the Board of Supervisors may, by
16 ordinance, proportionally reduce the contribution to the Public Education Enrichment Fund and
17 the disbursements to the San Francisco Unified School District required by this measure if the
18 percentage increase in per-pupil LCFF funding provided by the State of California to the San
19 Francisco Unified School District in any subsequent fiscal year exceeds the percentage increase
20 in the City's cost of living during the previous fiscal year.

21 The Board of Supervisors may, by ordinance, proportionally reduce the contribution to
22 the Public Education Enrichment Fund and the disbursements to the ~~OECE~~ Children’s Agency if
23 the State of California provides funding to the City for universal preschool, provided that such
24 disbursements are not required to match state and/or other funding.

1 **~~SEC. 16.127-1. OUR CHILDREN, OUR FAMILIES COUNCIL; PREAMBLE.~~**

2 ~~(a) San Francisco has historically shown great concern and compassion for its most~~
3 ~~vulnerable residents—its children. The City and the community have demonstrated this~~
4 ~~commitment through the adoption of progressive, innovative and creative ideals supporting the~~
5 ~~well-being of San Francisco's children and families.~~

6 ~~(b) To continue its legacy as a champion of children, it is imperative for San Francisco~~
7 ~~to further invest in the City's children and families.~~

8 ~~(c) The people of the City and County of San Francisco previously supported the~~
9 ~~passage of the unprecedented Children's Amendment in 1991 and 2000 and the Public Education~~
10 ~~Enrichment Fund in 2004. While these initiatives dedicated funding to services, the level of~~
11 ~~unmet needs in providing critical programming and services still falls short.~~

12 ~~(d) In order to advance a Citywide vision and long term set of goals, City leaders,~~
13 ~~departments, the San Francisco Unified School District ("SFUSD"), and community partners~~
14 ~~must come together to align needs with services, coordinate across agencies, and develop a~~
15 ~~strategy.~~

16 ~~(e) The Our Children, Our Families Council, comprised of department heads from the~~
17 ~~City and SFUSD, and community stakeholders, will build a platform that will place children and~~
18 ~~families at the center of every policy decision.~~

19 ~~(f) With the renewal of the Children and Youth Fund and the Public Education~~
20 ~~Enrichment Fund in November 2014, the City must seize this opportunity to develop a long term~~
21 ~~Citywide vision, create a set of strategies, coordinate services, and identify shared goals to not~~
22 ~~only ensure that all children and families already here are able to thrive, but to encourage other~~
23 ~~families to live here.~~

1 ~~(g) The percentage of children under the age of 18 in San Francisco has steadily~~
2 ~~declined. As of 2010, 13.4 percent of the City's total population was under the age of 18, the~~
3 ~~lowest percentage of any major city nationwide.~~

4 ~~(h) Families continue to leave San Francisco, especially those families in the low to~~
5 ~~moderate income brackets.~~

6 ~~(i) San Francisco's children population is declining, with over 10 percent of 1 to 4 year~~
7 ~~olds moving out of the City annually and fewer children moving in.~~

8 ~~(j) The declining numbers of children and families in the City cost the community~~
9 ~~financially as less money is spent on the local economy.~~

10 ~~(k) This measure will put in place a collaborative approach around the following~~
11 ~~points of unity:~~

12 ~~—— (1) Ensuring equity, and giving priority to children and youth with the highest~~
13 ~~needs; ——~~

14 ~~—— (2) Empowering parents, youth, and community stakeholders by giving them a~~
15 ~~voice in the implementation of this Citywide vision; and,~~

16 ~~—— (3) Building public trust through transparency and accountability meeting the~~
17 ~~needs of children and families.~~

18
19 ~~**SEC. 16.127-2. OUR CHILDREN, OUR FAMILIES COUNCIL; CREATION.**~~

20 ~~There shall be an Our Children, Our Families Council ("the Council") to advise the City~~
21 ~~on the unmet needs, services, and basic needs infrastructure of children and families in San~~
22 ~~Francisco through the creation of a Children and Families Plan for the City.~~

23
24 ~~**SEC. 16.127-3. OUR CHILDREN, OUR FAMILIES COUNCIL; PURPOSE.**~~

1 ~~In order to advance a Citywide vision centered on the needs of children and families, City~~
2 ~~leaders and departments, SFUSD, and community partners must come together to coordinate~~
3 ~~their efforts across agencies and develop a strategy for achieving shared goals. The purpose of~~
4 ~~the Children and Families Plan to be developed by the Council will be to create an aligned and~~
5 ~~connected system of programs and services, in order to strengthen the City's ability to best serve~~
6 ~~children, youth and their families, with the specific goals of promoting coordination among and~~
7 ~~increased accessibility to such programs and services, and enhancing their overall effectiveness.~~

8
9 ~~**SEC. 16.127-4. OUR CHILDREN, OUR FAMILIES COUNCIL; COMPOSITION.**~~

10 ~~The Mayor shall chair the Council, and shall invite the Superintendent of SFUSD to~~
11 ~~serve as co chair of the Council. Other members of the Council shall include the heads of City~~
12 ~~departments with responsibilities for services to children and families, members of the~~
13 ~~community, and stakeholders. The Mayor shall also invite the heads of SFUSD divisions~~
14 ~~identified by the Superintendent to serve as members of the Council.~~

15
16 ~~**SEC. 16.127-5. OUR CHILDREN, OUR FAMILIES COUNCIL;**~~
17 ~~**RESPONSIBILITIES.**~~

18 ~~(a) In order to ensure that all children in every neighborhood, especially those~~
19 ~~neighborhoods with the greatest needs, have access to the resources to achieve, the Council will~~
20 ~~be responsible for developing a Citywide vision, Citywide shared priorities, Citywide program~~
21 ~~goals, and Citywide best practices for addressing those needs.~~

22 ~~(b) **The San Francisco Children and Families Plan.** The Council shall craft a San~~
23 ~~Francisco Children and Families Plan ("the Plan") and identify relevant goals and strategies to~~
24 ~~align and coordinate the services to children and families provided by City departments,~~

1 ~~SFUSD, and community partners and to maximize support for children and families. The Plan~~
2 ~~shall consider the following elements:~~

3 ~~—— (1) Ease of access for children, youth and families in receiving services;~~

4 ~~—— (2) Educational milestones developed by SFUSD and youth development~~
5 ~~milestones developed by the Department of Children, Youth, and Their Families ("DCYF") and~~
6 ~~the Council;~~

7 ~~—— (3) Existing quality of service benchmarks established by City and SFUSD~~
8 ~~departments;~~

9 ~~—— (4) Framework for a basic needs infrastructure, including, but not limited to,~~
10 ~~housing, transit, and job placement resources; and~~

11 ~~—— (5) Fairness in prioritizing the delivery of services to the children and families~~
12 ~~with the most need.~~

13 ~~The Plan shall also include an equity analysis of services and resources for children,~~
14 ~~youth, and families. The Council shall develop a set of equity metrics to be used to compare~~
15 ~~existing services and resources in low income and disadvantaged communities with services and~~
16 ~~resources available in the City as a whole. The Council may draw upon metrics used by~~
17 ~~departments including DCYF and the Office of Early Care and Education (or any successor~~
18 ~~agency).~~

19 ~~(c) No later than May 1, 2016, and every fifth year thereafter, the Council shall develop~~
20 ~~and adopt a set of proposed Citywide outcomes for services to children and families, including~~
21 ~~an outcomes framework responsive to the evolving needs of the community. No later than July 1,~~
22 ~~2016, and every fifth year thereafter, the Council shall prepare and adopt a Children and~~
23 ~~Families Plan for the City, which shall include a comprehensive assessment of City policies and~~
24 ~~programs, both public and private, addressing the needs of children and families in San~~
25 ~~Francisco, and policy level recommendations for making the City more supportive of children~~

1 ~~and families. The Council shall emphasize solicitation and incorporation of community input in~~
2 ~~the development of the initial Plan and subsequent Plans.~~

3 ~~(d) No later than October 1, 2017, and each year thereafter, the Board of Supervisors~~
4 ~~shall conduct a noticed public hearing to review the Council's performance and the City's~~
5 ~~overall progress under the current Plan and to update interested parties on the status of the next~~
6 ~~Plan.~~

7 ~~(e) All City Departments shall consider the Plan in developing their own strategic plans~~
8 ~~to make the City more supportive of children and families.~~

9 ~~(f) **Planning.** Following the adoption of implementing legislation under Section 16.126-~~
10 ~~7, the Mayor shall appoint members to the Council and the Council shall convene to make initial~~
11 ~~decisions regarding staffing, organization, and implementation. The Council shall also begin~~
12 ~~planning for the start of the five year planning cycle in Fiscal Year 2016-2017. The Council may~~
13 ~~recommend, and the Board of Supervisors may approve by ordinance, changes to the due dates~~
14 ~~and timelines provided in this Section 16.127-5.~~

15 ~~(g) **Coordination of Stakeholders.** The Council shall ensure that various community~~
16 ~~groups, agencies, and organizations responsible for providing support, including the City,~~
17 ~~SFUSD, and community partners, work together in aligned, coherent, and effective ways.~~

18 ~~(h) **Coordination of Departments.** The Council shall facilitate cooperation and~~
19 ~~coordination between relevant departments of the City and SFUSD to maximize alignment and~~
20 ~~improve outcomes for children and youth. The Council shall oversee development and~~
21 ~~implementation of a data sharing agreement between SFUSD and relevant City departments.~~
22 ~~The Council, in cooperation with the Board of Supervisors, the San Francisco Board of~~
23 ~~Education, and community groups, shall work to ensure that funds spent to benefit children and~~
24 ~~families are targeted to those most in need of specific services and that the funds are used~~

1 ~~strategically to leverage and complement existing and anticipated federal, state, and local~~
2 ~~resources.~~

3 ~~(i) **Continued Autonomy of City and SFUSD.** The Council will be a policy~~
4 ~~coordinating body dedicated to improving coordination between the City and its departments,~~
5 ~~SFUSD and its departments, and community based organizations funded by those agencies.~~
6 ~~While the Council will make recommendations to the City and SFUSD, the City and SFUSD will~~
7 ~~each retain its full independence and authority regarding programmatic and funding decisions.~~

8 ~~(j) **Evaluation.** Every five years, the Controller shall review the Council's operations~~
9 ~~and the Plan. The Controller shall submit the results of the review to the Council, the Board of~~
10 ~~Supervisors, and the Board of Education. The Council shall consider the results of the~~
11 ~~Controller's review in the preparation of the next Plan. The Council shall also report to the~~
12 ~~general public on the Council's efforts and achievements through the creation of an annual San~~
13 ~~Francisco Children and Families First Progress Report. The Progress Report shall provide the~~
14 ~~results of the efforts of the City, SFUSD, and the community to serve children and families under~~
15 ~~the Plan, measured against quantifiable standards and metrics and in light of the Council's~~
16 ~~previously adopted goals and priorities.~~

17
18 ~~**SEC. 16.127-6. OUR CHILDREN, OUR FAMILIES COUNCIL; STAFFING.**~~

19 ~~(a) **Staffing Support.** Subject to the fiscal and budgetary provisions of the Charter,~~
20 ~~the City shall provide staff to the Council ("Council Staff") for administrative, organizational,~~
21 ~~policy, and research support. Funding for Council Staff shall come from the General Fund;~~
22 ~~provided, however, that SFUSD, participating City departments, and members of the public may~~
23 ~~provide additional support and contributions.~~

24 ~~(b) **Staff Roles and Responsibilities.** Subject to the direction of the Council, Council~~
25 ~~Staff shall:~~

1 ~~—— (1) — Provide administrative, organizational, policy, planning, and research~~
2 ~~support to the Council and its outcomes framework;~~

3 ~~—— (2) — Engage department heads from the City and SFUSD to coordinate the~~
4 ~~implementation of services;~~

5 ~~—— (3) — Provide support for the Council, including developing a joint data sharing~~
6 ~~agreement between the City and SFUSD, monitoring the planning cycle, providing technical~~
7 ~~support, and developing policy briefs on key issues relevant to implementation of the Plan;~~

8 ~~—— (4) — Support the development of an inventory of all Citywide services for~~
9 ~~children and youth, including state and federally funded programs; and,~~

10 ~~—— (5) — Support the development of the Children and Families First Progress~~
11 ~~Report.~~

12 ~~(e) — **Funding.** It shall be the policy of the City to provide sufficient funding and~~
13 ~~administrative support for the Council and Council Staff to perform these functions. Funding for~~
14 ~~administrative support for the Council shall come from the General Fund; provided, however,~~
15 ~~that SFUSD, participating City departments, and members of the public may provide additional~~
16 ~~support and contributions.~~

1 ~~**SEC. 16.127-7. OUR CHILDREN, OUR FAMILIES COUNCIL;**~~

2 ~~**IMPLEMENTATION.**~~

3 ~~*The Board of Supervisors shall further provide by ordinance for the membership,*~~
4 ~~*structure, functions and support of the Council, consistent with the provisions of Sections*~~
5 ~~*16.126-1 through 16.126-6.*~~

6

7 APPROVED AS TO FORM:
8 DAVID CHIU, City Attorney

8

9 By: /s/ _____
10 JON GIVNER
 Deputy City Attorney

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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

FILE NO. 211284

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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BOARD of SUPERVISORS



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December 21, 2022

File No. 211284

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Gibson:

On December 14, 2021, the following proposed Charter Amendment for the June 7, 2022, Election was received and assigned to the Board of Supervisors' Rules Committee:

File No. 211284

Charter Amendment (First Draft) 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; at an election to be held on June 7, 2022.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board



By: Victor Young, Assistant Clerk
Rules Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning
Laura Lynch, Environmental Planning

Not defined as a project under CEQA Guidelines
Sections 15378 and 15060(c)(2) because it would
not result in a direct or indirect physical change in
the environment.

12/23/2021



BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Ben Rosenfield, City Controller, Office of the Controller

FROM: Victor Young, Assistant Clerk, Rules Committee
Board of Supervisors

A handwritten signature in black ink that reads "Victor Young".

DATE: December 21, 2021

SUBJECT: CHARTER AMENDMENT INTRODUCED
June 7, 2022 Election

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the June 7, 2022, Election. This matter is being referred to you in accordance with Rules of Order 2.22.3.

File No. 211284

Charter Amendment (First Draft) 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; at an election to be held on June 7, 2022.

Please review 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) 554-7723 or email: victor.young@sfgov.org. To submit documentation, please email or forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Todd Rydstrom, Deputy City Controller
Peg Stevenson, City Performance Director
Natasha Mihal, City Services Auditor

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MEMORANDUM

TO: Tom Paulino, Liaison to the Board of Supervisors, Mayor's Office
Anne Pearson, Deputy City Attorney, Office of the City Attorney
John Arntz, Director, Department of Elections
LeeAnn Pelham, Executive Director, Ethics Commission
Maria Su, Director, Dept. of Children, Youth and their Families

FROM: Victor Young, Assistant Clerk, Rules Committee *Victor Young*
Board of Supervisors

DATE: December 21, 2021

SUBJECT: CHARTER AMENDMENT INTRODUCED
June 7, 2022 Election

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the June 7, 2022, Election. This matter is being referred to you in accordance with Rules of Order 2.22.4.

File No. 211284

Charter Amendment (First Draft) 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; at an election to be held on June 7, 2022.

Please review 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) 554-7723 or email: victor.young@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: Andres Power, Mayor's Office
 Patrick Ford, Ethics Commission

BOARD of SUPERVISORS



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MEMORANDUM

TO: Kiely Hosmon, Director, Youth Commission
Itzel Estrada, Youth Commission

FROM: Angela Calvillo, Clerk of the Board by *Vicki Young*

DATE: December 21, 2021

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following proposed legislation which is being referred to the Youth Commission as per Charter, Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 211284

Charter Amendment (First Draft) 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; at an election to be held on June 7, 2022.

Please return this cover sheet with the Commission's response to **Victor Young, Assistant Clerk, Rules Committee.**

RESPONSE FROM YOUTH COMMISSION **Date:** _____

_____ **No Comment**

_____ **Recommendation Attached**

Chairperson, Youth Commission

From: [Somera, Alisa \(BOS\)](#)
To: [Young, Victor \(BOS\)](#)
Subject: FW: File 211284 - SFUSD should be Subject to Sunshine
Date: Tuesday, January 4, 2022 2:54:40 PM

Alisa Somera

Legislative Deputy Director
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
415.554.7711 direct | 415.554.5163 fax
alisa.somera@sfgov.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.

Click [HERE](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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**Disclosures:** *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

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**From:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Sent:** Tuesday, January 4, 2022 12:09 AM  
**To:** BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative\_aides@sfgov.org>  
**Cc:** Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Laxamana, Junko (BOS) <junko.laxamana@sfgov.org>; Ng, Wilson (BOS) <wilson.l.ng@sfgov.org>  
**Subject:** FW: File 211284 - SFUSD should be Subject to Sunshine

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**From:** Darcie Bell <[darciebell@gmail.com](mailto:darciebell@gmail.com)>

**Sent:** Monday, January 3, 2022 5:25 PM

**To:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>; BOS-Legislative Aides <[bos-legislative\\_aides@sfgov.org](mailto:bos-legislative_aides@sfgov.org)>; Paulino, Tom (MYR) <[tom.paulino@sfgov.org](mailto:tom.paulino@sfgov.org)>; Breed, Mayor London (MYR) <[mayorlondonbreed@sfgov.org](mailto:mayorlondonbreed@sfgov.org)>

**Subject:** File 211284 - SFUSD should be Subject to Sunshine

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mayor and Supervisors:

The School District and Board of Education are not currently subject to the Sunshine Ordinance that demands a higher level of transparency and good government of San Francisco city agencies than weaker, similar state laws. If the purpose of the charter amendment is to ensure good government at the School District, the Sunshine Ordinance that the voters passed to govern their own City representatives, should apply to the school district as well. Please amend File [211284](#) as follows:

Add to the SFUSD Governance Requirements 16.121(b) the following subsection (3):  
16.121(b)

(3) Enhanced Transparency. The District, Board of Education, and each of their members and employees (each a "District Party" and together the "District Parties") shall comply with all provisions of the Sunshine Ordinance, San Francisco Administrative Code chapter 67, as amended from time to time, and its successors, including but not limited to the enhancements to public access required by the Ordinance that are not required by the Brown Act or Public Records Act. The Board of Education shall pass all necessary motions or resolutions to implement this subsection. Solely for the purposes of the Sunshine Ordinance:

(A) the District shall be considered a department;

(B) the Superintendent shall be considered the department head of the District;

(C) the Board of Education and each of its standing committees shall be considered policy bodies;

(D) any District Party having custody of any public record or public information shall be considered a custodian of a public record;

(E) any person may exercise the administrative and judicial remedies provided for in the Sunshine Ordinance against District Parties; and

(F) the Supervisor of Records, Sunshine Ordinance Task Force, Ethics Commission, and Superior Court shall have jurisdiction over all District Parties and, to the extent provided for by the Sunshine Ordinance, may process petitions, complaints, and suits regarding alleged violations of the Sunshine Ordinance, Brown Act, or Public Records Act against any District Party.

Regards,  
Darcie Bell

Sent from my iPhone