File No. 240545 **Committee Item No.** 1
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Rules Committee **Date** July 1, 2024

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Completed by: Victor Young **Date** June 27, 2024
Completed by: _____ **Date** _____

[Charter Amendment - Accountability for Funding Children and Youth Services for City Departments and the Unified School District]

Describing and setting forth a proposal to the voters at an election to be held on November 5, 2024, to amend the Charter of the City and County of San Francisco to 1) require the Our Children, Our Families Council ("Council") to use an outcomes framework to evaluate the budget and spending of each City department with expenditures that are eligible to be included in the Children and Youth Fund baseline or the Public Education Enrichment Fund ("PEEF"); 2) require the Mayor and Board of Supervisors to consider the Council's findings during their consideration of the City budget each year, including by the Board of Supervisors holding a public hearing and adopting findings about the expenditures by resolution; 3) require the San Francisco Unified School District ("School District") to submit proposals once every five years and annual reports describing how it will spend the City's general fund contribution to the PEEF consistent with the outcomes framework; 4) prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and the Mayor have approved the School District's proposal; 5) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City; 6) create an Our Children, Our Families Initiative to coordinate City departments and the School District; and 7) establish the size and membership of the Council.

Section 1. The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 5, 2024, a proposal to amend the Charter of the City and County by revising Sections 16.108, 16.123-2, 16.123-4, 16.123-6, 16.123-8, 16.127-1, 16.127-4, 16.127-5; adding new Section 16.127-7; revising existing Section 16.127-7 and renumbering it as new Section 16.127-8; and adding Section 16.132, to read as follows:

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

SEC. 16.108. CHILDREN AND YOUTH FUND.

* * * *

(b) **Fund for Children and Youth Services.** Operative July 1, 2001, there is hereby established a fund to expand children's services, which shall be called the Children and Youth Fund ("Fund"). Monies in the Fund shall be expended or used only to provide services for children and youth as provided in this Section 16.108.

* * * *

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

* * * *

SEC. 16.123-2. PUBLIC EDUCATION ENRICHMENT FUND.

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

(b) **Baseline Appropriations.** The Fund shall be used exclusively to increase the aggregate City appropriations to and expenditures for the San Francisco Unified School District *("School District")*. To this end, the City shall not reduce the amount of such City appropriations (not including appropriations from the Fund and exclusive of expenditures mandated by state or federal law) in any year during which funds are required to be set aside under this Section 16.123-2 below the amount so appropriated for Fiscal Year 2002-2003 ("the base year"). These baseline appropriations shall be separate from the City's annual contributions to the Public Education Enrichment Fund under subsection (c), and shall be appropriated by the City to the School District each year through and including Fiscal Year 2040-2041.

The amount of the City's baseline appropriations to the School District shall be adjusted for each year after the base year by the Controller based on calculations consistent from year to year by the percentage increase or decrease in City and County discretionary General Fund revenues. In determining City and County discretionary General Fund revenues, the Controller shall only include revenues received by the City and County that are unrestricted and may be used at the option of the Mayor and the Board of Supervisors for any lawful City purpose. Additionally, in determining aggregate City and County discretionary General Fund revenues, the Controller shall not include revenues received by the City under the increased rates in Business and Tax Regulations Code Sections 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 voters at the general municipal election on November 3, 2020, and shall not include revenues received by the City under Article 36 of the Business and Tax Regulations Code adopted by the voters at the general municipal election on November 3, 2020. Errors in the Controller's estimate of discretionary revenues for a fiscal year shall be corrected by an adjustment in the next year's estimate. Using audited financial results for the prior fiscal year, the Controller shall calculate and publish the actual amount of City appropriations that would have been required under this baseline for the School District.

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

~~*Fiscal Year 2005-06 $10 million*~~

~~*Fiscal Year 2006-07 $20 million*~~

~~*Fiscal Year 2007-08 $30 million*~~

~~*Fiscal Year 2008-09 $45 million*~~

~~*Fiscal Year 2009-10 $60 million*~~

(*c*~~*d*~~) **Annual Contributions to the Fund – FY 2010-11 and Thereafter.** For Fiscal Years 2010-11 and thereafter, the City's annual contribution to the Public Education Enrichment Fund *(the "Annual City Contribution")* shall equal its total contribution for the prior year, beginning with Fiscal Year 2009-2010, adjusted for the estimated increase or decrease in discretionary General Fund revenues for the year. In determining the increase or decrease in discretionary General Fund revenues, the Controller shall not include revenues received by the City under the increased rates in Business and Tax Regulations Code Sections 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 voters at the general municipal election on November 3, 2020, and shall not include revenues received by the City under Article 36 of the Business and Tax Regulations Code adopted by the voters at the general municipal election on November 3, 2020.

*(d) **School District Spending Proposal.***

(1) By no later than February 21 in Fiscal Years 2025–2026 and 2026–2027, and every fifth year beginning in Fiscal Year 2028–2029, as a condition of receiving the Annual City Contribution under this Section 16.123-2, the School District shall submit a proposal to the Our Children, Our Families Council (the "Council"), the Department of Children, Youth, and

Their Families, the Mayor, and the Board of Supervisors describing how the School District proposes to use the Annual City Contribution during the subsequent five fiscal years, consistent with the Charter, the Community Needs Assessment described in Section 16.108, the Outcomes Framework described in Section 16.127-5, and the Children and Families Plan described in Section 16.127-5, and any other applicable City laws.

(2) The Council shall review the proposal described in subsection (d)(1) and make a recommendation to the Mayor and Board of Supervisors as to whether to approve or disapprove the School District's proposal. The Council shall request recommendations from the School District's Public Education Enrichment Fund Community Advisory Committee, or any successor body created by the School District.

(3) The City shall not provide any Annual City Contribution during any five-year period set forth in subsection (d)(1), until the Board of Supervisors adopts and the Mayor signs a resolution approving the School District's proposal. If the Board of Supervisors and Mayor do not approve such a resolution before the enactment of the biennial budget for the first fiscal year of the five-year cycle described in subsection (d)(1), the School District may submit a modified proposal during the course of the five-year period for consideration by the Council, the Board of Supervisors, and the Mayor following the process in this subsection (d). If the Board of Supervisors adopts and the Mayor signs a resolution approving the School District's modified proposal, the City shall provide the Annual City Contribution for that fiscal year and for every subsequent fiscal year in the five-year period.

(4) The Board of Supervisors by ordinance may modify the deadlines in this subsection (d).

(e) **Audit Requirements.** All disbursements from the Fund and from the baseline appropriations shall be subject to periodic audit by the Controller. The ~~*San Francisco Unified*~~ School District and the *Department of Early Childhood*~~*Office of Early Care and Education*~~, or

any successor entity ("*DEC~~OECE~~*") shall agree to such audits as a condition of receiving disbursements from the Fund.

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

* * * *

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

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

The plan shall include goals for the quality of early care and education programs, shall align with emerging developments in state and/or federal early care and education policy, and shall address the professional development needs of center-based and family child care providers. "Professional development" as used in this Section 16.123-4 includes education, technical assistance and coaching, training, and supports, and shall be aligned with the City's goals for early care and education program quality. Additionally, in preparing the plan, *DEC~~the OECE~~* shall develop guidelines designed to meet neighborhood-specific needs, including school

readiness, subsidy availability, children's dual language development, facility development, parent engagement and education, inclusion of children with special needs, and provider support for both family child care homes and child care centers. Such funding guidelines also shall address the unmet need for universal early education and child care slots in specific City neighborhoods.

The plan shall also include an equity analysis of services and resources for children and families. The *Early Childhood Community Oversight and ~~OECE Citizens'~~* Advisory Committee*, or any successor entity,* shall develop a set of equity metrics to be used to compare existing services and resources in low-income and disadvantaged communities with services and resources available in the City as a whole.

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

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

(d) **Citizens Advisory Committee.** No later than March 1, 2015, the Board of Supervisors shall establish, by ordinance, a Citizens Advisory Committee to provide recommendations to *DEC~~the OECE~~* on universal access to early education and the funds appropriated under this Section *16.123-4*.

SEC. 16.123-6. EXPENDITURE PLANS.

(a) No later than April 1 of each year ~~*during the term of this measure*~~, the San Francisco Unified School District and *DEC*~~*the OECE*~~ shall each submit an expenditure plan for funding to be received *by the School District* from the Public Education Enrichment Fund for the upcoming fiscal year to the *Council,* Mayor, and the Board of Supervisors, in response to the Controller's March fund estimate for the coming fiscal year. *The School District's expenditure plan shall also describe the School District's plans to ensure oversight and transparency of the spending through regular review by the Board of Education and the School District's Public Education Enrichment Fund Community Advisory Committee, or any successor entity.*

(b) The plans shall include a budget for the expenditures, descriptions of programs and services, performance goals, *student impact goals,* target populations, hiring and recruitment plans for personnel, plans for matching or other additional funding, operating reserves, *identification of carryover funds from the previous fiscal year and the reallocation and use of those carryover funds during the upcoming fiscal year,* and any other matters that the *School* District and *DEC*~~*the OECE*~~ deem appropriate or the *Council,* Mayor, or the Board requests.

(c) In addition to the annual expenditure plan referenced in subsection (a), by no later than February 21 of each year, beginning in 2026, the School District shall submit to the Council, Mayor, and the Board of Supervisors an annual report describing: (1) how the School District expended funding it received from the Annual City Contribution for the prior fiscal year, as measured by the Outcomes Framework described in Section 16.127-5; and (2) how it plans to use the Annual City Contribution consistent with the Outcomes Framework in the subsequent fiscal year. The School District shall submit to the Council, Mayor, and the Board of Supervisors mid-year and year-end reports describing expenditures and activities as described in subsection (b), including but not limited to the School District's progress in the design and

delivery of programs and in meeting student impact goals identified in the annual expenditure plan.

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

SEC. 16.123-8. ADJUSTMENTS.

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

As part of the audit function, the Controller shall periodically review performance and cost benchmarks developed by the School District and *DECthe OECE*, including:

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

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

(3) Supporting documentation of Fund expenditures; and,

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

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

* * * *

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

(e) **New State Revenues.** Following full implementation of the per-student funding targets outlined for SFUSD in the State's Local Control Funding Formula ("LCFF"), as adopted in 2013, the Board of Supervisors may, by ordinance, proportionally reduce the contribution to the Public Education Enrichment Fund and the disbursements to the San Francisco Unified School District required by *Section 16.125-5~~this measure~~* if the percentage increase in per-pupil LCFF funding provided by the State of California to the San Francisco Unified School District in any subsequent fiscal year exceeds the percentage increase in the City's cost of living during the previous fiscal year.

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

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

* * * *

(e) The Our Children, Our Families *Initiative ("Initiative") shall be a joint initiative comprised of employees and officers of the City and SFUSD, ~~Council, comprised of department~~*

~~*heads from the City and SFUSD, and community stakeholders, will*~~ *with the mission to* build a *public policy* platform that will place children and families at the center of every policy decision. *The Initiative will support aligning and coordinating the development of comprehensive and connected systems, services, policies, and planning strategies to strengthen the City's services for children, youth, Disconnected Transitional-Aged Youth, and families, with the goals of increasing equitable access and enhancing effectiveness. The Mayor shall lead the Initiative, and shall invite the Superintendent of SFUSD to co-lead the Initiative with support from SFUSD staff in the Superintendent's discretion. The Mayor shall ensure that City departments are convened, coordinated, and engaged as part of the development of the Children and Families Plan and Outcomes Framework described in Section 16.127-5, as well as in advancing the goals established in the Plan and Outcomes Framework. The Our Children, Our Families Council will provide policymaking oversight for the Initiative's projects.*

* * * *

SEC. 16.127-4. OUR CHILDREN, OUR FAMILIES COUNCIL; COMPOSITION.

The Council shall consist of seven seats. The Mayor shall *appoint four seats and the Board of Supervisors shall appoint three seats on* ~~*chair*~~ the Council*.*~~*,*~~ ~~*and shall invite the Superintendent of SFUSD to serve as co-chair of the Council. Other members of the Council shall include the heads of City departments with responsibilities for services to children and families, members of the community, and stakeholders. The Mayor shall also invite the heads of SFUSD divisions identified by the Superintendent to serve as members of the Council.*~~ *Members shall serve four-year terms, beginning at noon on April 1, 2025; provided, however, the term of two of the Mayor's initial appointees and one of the Board of Supervisors' initial nominations, chosen by lot, shall be a two-year term, expiring at noon on April 1, 2027. The Board of Supervisors shall by ordinance establish qualifications for any seats on the Council.*

SEC. 16.127-5. OUR CHILDREN, OUR FAMILIES COUNCIL; RESPONSIBILITIES*; ROLE OF OUR CHILDREN, OUR FAMILIES INITIATIVE*.

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

(b) **The San Francisco Children and Families Plan *and Outcomes Framework*.** The Council*, with support from the Department of Children, Youth, and Their Families ("DCYF") and the Initiative,* shall craft a San Francisco Children and Families Plan ("the Plan") and identify relevant goals and strategies to align and coordinate the services to children and families provided by City departments, SFUSD, and community partners and to maximize support for children and families. The Plan shall consider the following elements:

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

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

(3) Existing quality of service benchmarks established by City and SFUSD departments;

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

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

The Plan shall also include an equity analysis of services and resources for children, youth, and families. The Council shall develop a set of equity metrics to be used to compare

existing services and resources in low-income and disadvantaged communities with services and resources available in the City as a whole. The Council may draw upon metrics used by departments including DCYF, ~~*and*~~ the *Department of Early Childhood*~~*Office of Early Care and Education*~~ (or any successor agency), *and the San Francisco Unified School District*. *Upon the Council's request, other City departments and commissions shall provide information and data to assist the Council and DCYF to draft the Plan.*

(c) No later than May 1, 2016, and every fifth year thereafter, the Council shall develop and adopt a set of proposed Citywide outcomes for services to children and families, including an *objective and measurable* outcomes framework *("Outcomes Framework")* responsive to the evolving needs of the community. No later than July 1, 2016, and every fifth year thereafter, the Council shall prepare and adopt a Children and Families Plan for the City, which shall include a comprehensive assessment of City policies and programs, both public and private, addressing the needs of children and families in San Francisco, and policy-level recommendations for making the City more supportive of children and families. The Council shall emphasize solicitation and incorporation of community input in the development of the initial Plan and subsequent Plans.

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

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

(f) **Planning.** ~~*Following the adoption of implementing legislation under Section 16.126-7, the Mayor shall appoint members to the Council and t*~~*T*he Council shall convene to make initial decisions regarding staffing, organization, and implementation. The Council shall also begin planning for the start of the five-year planning cycle in Fiscal Year 2016-2017. The

Council may recommend, and the Board of Supervisors may approve by ordinance, changes to the due dates and timelines provided in this Section 16.127-5.

(g) ***Role of the Our Children, Our Families Initiative.*** ~~***Coordination of Stakeholders.***~~ *The Our City, Our Families Initiative shall provide support for the Council by providing data and information relevant to the Council's decisions, by preparing drafts of the Outcomes Framework and the Plan, by implementing alignment of systems and coordination of services, and by assisting the Council to evaluate submissions from City departments and SFUSD under this Section 16.127-5 and Section 16.123-6.* The ~~*Council*~~ *Initiative* shall ensure that various community groups, agencies, and organizations responsible for providing support, including ~~*the City,*~~ SFUSD, *other government agencies,* and community partners, work together in aligned, coherent, and effective ways.

~~*(h) **Coordination of Departments.** The Council shall facilitate cooperation and coordination between relevant departments of the City and SFUSD to maximize alignment and improve outcomes for children and youth. The Council shall oversee development and implementation of a data-sharing agreement between SFUSD and relevant City departments. The Council, in cooperation with the Board of Supervisors, the San Francisco Board of Education, and community groups, shall work to ensure that funds spent to benefit children and families are targeted to those most in need of specific services and that the funds are used strategically to leverage and complement existing and anticipated federal, state, and local resources.*~~

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

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

*(j) **Outcomes Framework Analysis.** By January 1, 2028 and at least once every five years thereafter, the Council, in consultation with the Controller, shall develop a policy to help the Council evaluate whether the following types of expenditures are consistent with the Outcomes Framework: (1) expenditures that are included in, or are eligible to be included in, the Children and Youth Fund Baseline described in Section 16.108(h), and (2) expenditures from the Public Education Enrichment Fund described in Section 16.123-2.*

(k) Budget Review and Approval for Proposed Appropriations in the Children and Youth Baseline and Public Education Enrichment Fund.

(1) By February 21 each year, beginning in 2026, each City department that anticipates expending funds for eligible services in the Children and Youth Fund Baseline or the Public Education Enrichment Fund in the subsequent fiscal year shall submit a written report with its anticipated expenditures to the Council for review. The Council may request that City departments provide additional reports on expenditures as the Council deems necessary.

(2) Beginning in Fiscal Year 2028-2029, the Council shall review and determine whether each department's proposed expenditures under subsection (k)(1) and SFUSD's annual report under Section 16.123-6(c) are consistent with the Outcomes Framework. The Council

shall also review the department's and SFUSD's expenditures for eligible services in the Children and Youth Fund Baseline or the Public Education Enrichment Fund for the current and prior fiscal year, if any, to determine whether those expenditures were consistent with the Outcomes Framework. By April 30 each year, the Council shall provide a written report to the Mayor and Board of Supervisors evaluating whether each department's and SFUSD's current and prior year expenditures were consistent with the Outcomes Framework and stating whether the department's and SFUSD's proposed expenditures for the subsequent fiscal year are consistent with the Outcomes Framework.

(3) In preparing the biennial budget under Article IX of this Charter, the Mayor shall consider the Council's written report. In its evaluation of the proposed biennial budget, the Board of Supervisors also shall consider the Council's written report and shall hold a public hearing on the Council's report before finally approving the budget.

(4) By no later than the date of final enactment of the biennial budget, beginning with the biennial budget for Fiscal Year 2029-2030, the Board of Supervisors shall, by resolution, find that all anticipated expenditures for services in the Children and Youth Fund Baseline and City department and SFUSD expenditures under the Public Education Enrichment Fund in the biennial budget are, on balance, consistent with the Outcomes Framework as provided in subsection (k)(2), or that specified expenditures are not consistent with the Outcomes Framework but otherwise serve an overriding public purpose.

(l) The Board of Supervisors by ordinance may modify the deadlines in subsections (j) and (k) of this Section 16.127-6.

SEC. 16.127-7. OUR CHILDREN, OUR FAMILIES COUNCIL; GENERAL FUND EXPENDITURES.

No later than February 21 of each year, beginning in 2026, each City department that anticipates expending funds from the City's General Fund to procure or otherwise support any services related to children and youth in the subsequent fiscal year, other than funds for eligible services in the Children and Youth Fund Baseline or the Public Education Enrichment Fund, shall submit to the Council a written report describing its anticipated expenditures. Beginning in Fiscal Year 2028-2029, the Council may evaluate whether the anticipated expenditures are consistent with the Outcomes Framework, and may provide a written report to the Mayor and Board of Supervisors detailing the expenditures that it has concluded are consistent with the Outcomes Framework and the expenditures that it has concluded are inconsistent with the Outcomes Framework and the reasons for such conclusion.

The Board of Supervisors by ordinance may modify the deadlines in this Section 16.127-7.

SEC. 16.127-~~7~~8. OUR CHILDREN, OUR FAMILIES COUNCIL; IMPLEMENTATION.

The Board of Supervisors shall further provide by ordinance for the ~~*membership,*~~ structure, functions, and support of the Council, consistent with the provisions of Sections 16.12~~6~~7-1 through 16.12~~6~~7-~~6~~7.

SEC. 16.132. DISCRETIONARY APPROPRIATIONS TO THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT; DATA SHARING AGREEMENT.

Beginning July 1, 2026 or a later date established by ordinance, the City may not make any payment to the San Francisco Unified School District ("District") not required by this Charter or State law unless the District has entered into a data-sharing agreement with the

Department of Children, Youth, and Their Families ("DCYF") under which the District agrees to share any appropriate and relevant data with the Our Children, Our Families Council, DCYF, and the Department of Early Childhood (or any successor agency) during the period in which the District will use the discretionary funds.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ Henry L. Lifton
HENRY L. LIFTON
Deputy City Attorney

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FILE NO. 240545

LEGISLATIVE DIGEST

(First Draft, 5/21/2024)

[Charter Amendment - Accountability for Funding Children and Youth Services for City Departments and the Unified School District]

Describing and setting forth a proposal to the voters at an election to be held on November 5, 2024, to amend the Charter of the City and County of San Francisco to 1) require the Our Children, Our Families Council ("Council") to use an outcomes framework to evaluate the budget and spending of each City department with expenditures that are eligible to be included in the Children and Youth Fund baseline or the Public Education Enrichment Fund ("PEEF"); 2) require the Mayor and Board of Supervisors to consider the Council's findings during their consideration of the City budget each year, including by the Board of Supervisors holding a public hearing and adopting findings about the expenditures by resolution; 3) require the San Francisco Unified School District ("School District") to submit proposals once every five years and annual reports describing how it will spend the City's general fund contribution to the PEEF consistent with the outcomes framework; 4) prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and the Mayor have approved the School District's proposal; 5) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City; 6) create an Our Children, Our Families Initiative to coordinate City departments and the School District; and 7) establish the size and membership of the Council.

Existing Law

The Children and Youth Fund provides support to children and disconnected transitional-aged youth, which the City appropriates according to a five-year planning process. In the first year, the Department of Children, Youth, and Their Families ("DCYF") conducts a community needs assessment to identify services to receive monies from the fund. In the second year, DCYF prepares a services and allocation plan to determine services eligible to receive money, selects contractors in the third year, and begins the service cycle in the fourth year. Additionally, because funds must be used to increase aggregate City appropriations and expenditures for such services, the Controller establishes a baseline below which City appropriations under the fund are not reduced. Each year, the City counts budget line items in various departments' budgets funded by the City's general fund as meeting the fund's definition of children's services.

The Public Education Enrichment Fund ("PEEF") is a fund that provides annual support to the San Francisco Unified School District ("School District") and City departments providing children's services. The City disburses one-third of the money in the PEEF to the First Five

Commission for universal preschool programs, one-third to the Department of Early Childhood for early education programs, and one-third to the School District as direct financial support. Annually, the School District must submit an expenditure plan for its share of the fund.

The Our Children, Our Families Council ("Council") is responsible for coordinating Citywide planning and goals for children and families. The Council is responsible for developing an outcomes framework ("Outcomes Framework"), renewed every five years, which is a set of Citywide outcomes for services to children and families. The Council consists of the Mayor, the Superintendent of the School District, thirteen City department heads, thirteen School District members, and fourteen public members appointed by the Mayor.

Amendments to Current Law

The proposed Charter amendment would require the Council, by January 1, 2028, in consultation with the Controller, to develop a policy to evaluate whether expenditures eligible to be included in the Children and Youth Fund baseline or the PEEF are consistent with the Outcomes Framework. Starting on February 21, 2026 and each year thereafter, each City department that anticipates expending funds that count toward the Children and Youth Fund baseline or other services related to children and youth must provide the Council with its expenditures in the previous fiscal year and its anticipated expenditures in the upcoming budget. And, starting on February 21, 2026 and each year thereafter, the School District must provide the Council with a report describing how it expended funds during the prior fiscal year and how it plans to use the City's annual contribution to the School District under the PEEF, both as measured by the Outcomes Framework.

Starting April 30, 2029 and each year thereafter, the Council would prepare a report for the Mayor and Board of Supervisors ("Board") evaluating whether each department's proposed, current, and prior year expenditures for the Children and Youth Fund baseline and the PEEF are consistent with the Outcomes Framework. The Council would also review the School District's expenditures for the PEEF against the Outcomes Framework. Under the proposed Charter amendment, the Mayor would consider the Council's report and the Board would consider and hold a public hearing on the report. Beginning with the biennial budget for Fiscal Year 2029-2030, the Board would make findings, by resolution, that all anticipated expenditures from the Children and Youth Fund baseline and the PEEF are, on balance, consistent with the Outcomes Framework or otherwise serve an overriding public purpose.

The proposed Charter amendment would also create a joint initiative, called the Our Children, Our Families Initiative, led by the Mayor and the Superintendent of the School District that would align and coordinate the City's services for children, youth, and disconnected transitional-aged youth. And, the Charter amendment would modify the composition of the Council so it would consist of seven seats; four appointed by the Mayor and three appointed by the Board.

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BOARD of SUPERVISORS

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

MEMORANDUM

Date: May 28, 2024

To: Planning Department / Commission

From: Victor Young, Clerk of the Rules Committee

Subject: Board of Supervisors Legislation Referral - File No. 240545
Charter Amendment - Accountability for Funding Children and Youth Services for City Departments and the Unified School District

☒ California Environmental Quality Act (CEQA) Determination
(California Public Resources Code, Sections 21000 et seq.)
☐ Ordinance / Resolution
☒ Ballot Measure

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.

6/25/2024

☐ Amendment to the Planning Code, including the following Findings:
(Planning Code, Section 302(b): 90 days for Planning Commission review)
☐ General Plan ☐ Planning Code, Section 101.1 ☐ Planning Code, Section 302

☐ Amendment to the Administrative Code, involving Land Use/Planning
(Board Rule 3.23: 30 days for possible Planning Department review)

☐ General Plan Referral for Non-Planning Code Amendments
(Charter, Section 4.105, and Administrative Code, Section 2A.53)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)

☐ Historic Preservation Commission
☐ Landmark *(Planning Code, Section 1004.3)*
☐ Cultural Districts *(Charter, Section 4.135 & Board Rule 3.23)*
☐ Mills Act Contract *(Government Code, Section 50280)*
☐ Designation for Significant/Contributory Buildings *(Planning Code, Article 11)*

Please send the Planning Department/Commission recommendation/determination to Victor Young at Victor.Young@sfgov.org.

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M E M O R A N D U M

TO: Carol Isen, Director, Department of Human Resources

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

DATE: May 28, 2024

SUBJECT: LEGISLATION INTRODUCED – MEET AND CONFER DETERMINATION

The Board of Supervisors' Rules Committee has received the following Charter Amendment. This matter is being **referred** to you as it may require the Department of Human Resources to fulfill "**Meet and Confer**" requirements. Please review, assess the impact and provide proper noticing as required and report back to on the status of the "Meet and Confer" requirement.

File No. 240545 (ver1)

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to 1) require the Our Children, Our Families Council ("Council") to use an outcomes framework to evaluate the budget and spending of each City department with expenditures that are eligible to be included in the Children and Youth Fund baseline or the Public Education Enrichment Fund ("PEEF"); 2) require the Mayor and Board of Supervisors to consider the Council's findings during their consideration of the City budget each year, including by the Board of Supervisors holding a public hearing and adopting findings about the expenditures by resolution; 3) require the San Francisco Unified School District ("School District") to submit proposals once every five years and annual reports describing how it will spend the City's general fund contribution to the PEEF consistent with the outcomes framework; 4) prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and the Mayor have approved the School District's proposal; 5) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City; 6) create an Our Children, Our Families Initiative to coordinate City departments and the School District; and 7) establish the size and membership of the Council; at an election to be held on November 5, 2024.

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.

****

RESPONSE FROM THE DEPARTMENT OF HUMAN RESOURCES - Date: _____

____ **Meet and Confer requirement has been fulfilled.**

_x__ **Meet and Confer requirement not applicable.**

____ **Additional information attached.**

Mawuli Tugbenyoh
Department of Human Resources

c: Mawuli Tugbenyoh, Department of Human Resources
Aliya Chisti, Department of Human Resources

FILE NO. 240545

LEGISLATIVE DIGEST

(First Draft, 5/21/2024)

[Charter Amendment - Accountability for Funding Children and Youth Services for City Departments and the Unified School District]

Describing and setting forth a proposal to the voters at an election to be held on November 5, 2024, to amend the Charter of the City and County of San Francisco to 1) require the Our Children, Our Families Council ("Council") to use an outcomes framework to evaluate the budget and spending of each City department with expenditures that are eligible to be included in the Children and Youth Fund baseline or the Public Education Enrichment Fund ("PEEF"); 2) require the Mayor and Board of Supervisors to consider the Council's findings during their consideration of the City budget each year, including by the Board of Supervisors holding a public hearing and adopting findings about the expenditures by resolution; 3) require the San Francisco Unified School District ("School District") to submit proposals once every five years and annual reports describing how it will spend the City's general fund contribution to the PEEF consistent with the outcomes framework; 4) prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and the Mayor have approved the School District's proposal; 5) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City; 6) create an Our Children, Our Families Initiative to coordinate City departments and the School District; and 7) establish the size and membership of the Council.

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[Charter Amendment - Accountability for Funding Children and Youth Services for City Departments and the Unified School District]

Describing and setting forth a proposal to the voters at an election to be held on November 5, 2024, to amend the Charter of the City and County of San Francisco to 1) require the Our Children, Our Families Council ("Council") to use an outcomes framework to evaluate the budget and spending of each City department with expenditures that are eligible to be included in the Children and Youth Fund baseline or the Public Education Enrichment Fund ("PEEF"); 2) require the Mayor and Board of Supervisors to consider the Council's findings during their consideration of the City budget each year, including by the Board of Supervisors holding a public hearing and adopting findings about the expenditures by resolution; 3) require the San Francisco Unified School District ("School District") to submit proposals once every five years and annual reports describing how it will spend the City's general fund contribution to the PEEF consistent with the outcomes framework; 4) prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and the Mayor have approved the School District's proposal; 5) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City; 6) create an Our Children, Our Families Initiative to coordinate City departments and the School District; and 7) establish the size and membership of the Council.

Section 1. The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 5, 2024, a proposal to amend the Charter of the City and County by revising Sections 16.108, 16.123-2, 16.123-4, 16.123-6, 16.123-8, 16.127-1, 16.127-4, 16.127-5; adding new Section 16.127-7; revising existing Section 16.127-7 and renumbering it as new Section 16.127-8; and adding Section 16.132, to read as follows:

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

SEC. 16.108. CHILDREN AND YOUTH FUND.

* * * *

(b) **Fund for Children and Youth Services.** Operative July 1, 2001, there is hereby established a fund to expand children's services, which shall be called the Children and Youth Fund ("Fund"). Monies in the Fund shall be expended or used only to provide services for children and youth as provided in this Section 16.108.

* * * *

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

* * * *

SEC. 16.123-2. PUBLIC EDUCATION ENRICHMENT FUND.

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

(b) **Baseline Appropriations.** The Fund shall be used exclusively to increase the aggregate City appropriations to and expenditures for the San Francisco Unified School District *("School District")*. To this end, the City shall not reduce the amount of such City appropriations (not including appropriations from the Fund and exclusive of expenditures mandated by state or federal law) in any year during which funds are required to be set aside under this Section 16.123-2 below the amount so appropriated for Fiscal Year 2002-2003 ("the base year"). These baseline appropriations shall be separate from the City's annual contributions to the Public Education Enrichment Fund under subsection (c), and shall be appropriated by the City to the School District each year through and including Fiscal Year 2040-2041.

The amount of the City's baseline appropriations to the School District shall be adjusted for each year after the base year by the Controller based on calculations consistent from year to year by the percentage increase or decrease in City and County discretionary General Fund revenues. In determining City and County discretionary General Fund revenues, the Controller shall only include revenues received by the City and County that are unrestricted and may be used at the option of the Mayor and the Board of Supervisors for any lawful City purpose. Additionally, in determining aggregate City and County discretionary General Fund revenues, the Controller shall not include revenues received by the City under the increased rates in Business and Tax Regulations Code Sections 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 voters at the general municipal election on November 3, 2020, and shall not include revenues received by the City under Article 36 of the Business and Tax Regulations Code adopted by the voters at the general municipal election on November 3, 2020. Errors in the Controller's estimate of discretionary revenues for a fiscal year shall be corrected by an adjustment in the next year's estimate. Using audited financial results for the prior fiscal year, the Controller shall calculate and publish the actual amount of City appropriations that would have been required under this baseline for the School District.

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

~~*Fiscal Year 2005-06 $10 million*~~

~~*Fiscal Year 2006-07 $20 million*~~

~~*Fiscal Year 2007-08 $30 million*~~

~~*Fiscal Year 2008-09 $45 million*~~

~~*Fiscal Year 2009-10 $60 million*~~

(*c*~~*d*~~) **Annual Contributions to the Fund – FY 2010-11 and Thereafter.** For Fiscal Years 2010-11 and thereafter, the City's annual contribution to the Public Education Enrichment Fund *(the "Annual City Contribution")* shall equal its total contribution for the prior year, beginning with Fiscal Year 2009-2010, adjusted for the estimated increase or decrease in discretionary General Fund revenues for the year. In determining the increase or decrease in discretionary General Fund revenues, the Controller shall not include revenues received by the City under the increased rates in Business and Tax Regulations Code Sections 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 voters at the general municipal election on November 3, 2020, and shall not include revenues received by the City under Article 36 of the Business and Tax Regulations Code adopted by the voters at the general municipal election on November 3, 2020.

*(d) **School District Spending Proposal.***

(1) By no later than February 21 in Fiscal Years 2025–2026 and 2026–2027, and every fifth year beginning in Fiscal Year 2028–2029, as a condition of receiving the Annual City Contribution under this Section 16.123-2, the School District shall submit a proposal to the Our Children, Our Families Council (the "Council"), the Department of Children, Youth, and

Their Families, the Mayor, and the Board of Supervisors describing how the School District proposes to use the Annual City Contribution during the subsequent five fiscal years, consistent with the Charter, the Community Needs Assessment described in Section 16.108, the Outcomes Framework described in Section 16.127-5, and the Children and Families Plan described in Section 16.127-5, and any other applicable City laws.

(2) The Council shall review the proposal described in subsection (d)(1) and make a recommendation to the Mayor and Board of Supervisors as to whether to approve or disapprove the School District's proposal. The Council shall request recommendations from the School District's Public Education Enrichment Fund Community Advisory Committee, or any successor body created by the School District.

(3) The City shall not provide any Annual City Contribution during any five-year period set forth in subsection (d)(1), until the Board of Supervisors adopts and the Mayor signs a resolution approving the School District's proposal. If the Board of Supervisors and Mayor do not approve such a resolution before the enactment of the biennial budget for the first fiscal year of the five-year cycle described in subsection (d)(1), the School District may submit a modified proposal during the course of the five-year period for consideration by the Council, the Board of Supervisors, and the Mayor following the process in this subsection (d). If the Board of Supervisors adopts and the Mayor signs a resolution approving the School District's modified proposal, the City shall provide the Annual City Contribution for that fiscal year and for every subsequent fiscal year in the five-year period.

(4) The Board of Supervisors by ordinance may modify the deadlines in this subsection (d).

(e) **Audit Requirements.** All disbursements from the Fund and from the baseline appropriations shall be subject to periodic audit by the Controller. The ~~*San Francisco Unified*~~ School District and the *Department of Early Childhood*~~*Office of Early Care and Education*~~, or

any successor entity ("*DEC~~OECE~~*") shall agree to such audits as a condition of receiving disbursements from the Fund.

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

* * * *

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

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

The plan shall include goals for the quality of early care and education programs, shall align with emerging developments in state and/or federal early care and education policy, and shall address the professional development needs of center-based and family child care providers. "Professional development" as used in this Section 16.123-4 includes education, technical assistance and coaching, training, and supports, and shall be aligned with the City's goals for early care and education program quality. Additionally, in preparing the plan, *DEC~~the OECE~~* shall develop guidelines designed to meet neighborhood-specific needs, including school

readiness, subsidy availability, children's dual language development, facility development, parent engagement and education, inclusion of children with special needs, and provider support for both family child care homes and child care centers. Such funding guidelines also shall address the unmet need for universal early education and child care slots in specific City neighborhoods.

The plan shall also include an equity analysis of services and resources for children and families. The *Early Childhood Community Oversight and ~~OECE Citizens'~~* Advisory Committee*, or any successor entity,* shall develop a set of equity metrics to be used to compare existing services and resources in low-income and disadvantaged communities with services and resources available in the City as a whole.

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

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

(d) **Citizens Advisory Committee.** No later than March 1, 2015, the Board of Supervisors shall establish, by ordinance, a Citizens Advisory Committee to provide recommendations to *DEC~~the OECE~~* on universal access to early education and the funds appropriated under this Section *16.123-4*.

SEC. 16.123-6. EXPENDITURE PLANS.

(a) No later than April 1 of each year ~~*during the term of this measure*~~, the San Francisco Unified School District and *DEC*~~*the OECE*~~ shall each submit an expenditure plan for funding to be received *by the School District* from the Public Education Enrichment Fund for the upcoming fiscal year to the *Council,* Mayor, and the Board of Supervisors, in response to the Controller's March fund estimate for the coming fiscal year. *The School District's expenditure plan shall also describe the School District's plans to ensure oversight and transparency of the spending through regular review by the Board of Education and the School District's Public Education Enrichment Fund Community Advisory Committee, or any successor entity.*

(b) The plans shall include a budget for the expenditures, descriptions of programs and services, performance goals, *student impact goals,* target populations, hiring and recruitment plans for personnel, plans for matching or other additional funding, operating reserves, *identification of carryover funds from the previous fiscal year and the reallocation and use of those carryover funds during the upcoming fiscal year,* and any other matters that the *School* District and *DEC*~~*the OECE*~~ deem appropriate or the *Council,* Mayor, or the Board requests.

(c) In addition to the annual expenditure plan referenced in subsection (a), by no later than February 21 of each year, beginning in 2026, the School District shall submit to the Council, Mayor, and the Board of Supervisors an annual report describing: (1) how the School District expended funding it received from the Annual City Contribution for the prior fiscal year, as measured by the Outcomes Framework described in Section 16.127-5; and (2) how it plans to use the Annual City Contribution consistent with the Outcomes Framework in the subsequent fiscal year. The School District shall submit to the Council, Mayor, and the Board of Supervisors mid-year and year-end reports describing expenditures and activities as described in subsection (b), including but not limited to the School District's progress in the design and

delivery of programs and in meeting student impact goals identified in the annual expenditure plan.

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

SEC. 16.123-8. ADJUSTMENTS.

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

As part of the audit function, the Controller shall periodically review performance and cost benchmarks developed by the School District and *DECthe OECE*, including:

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

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

(3) Supporting documentation of Fund expenditures; and,

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

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

* * * *

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

(e) **New State Revenues.** Following full implementation of the per-student funding targets outlined for SFUSD in the State's Local Control Funding Formula ("LCFF"), as adopted in 2013, the Board of Supervisors may, by ordinance, proportionally reduce the contribution to the Public Education Enrichment Fund and the disbursements to the San Francisco Unified School District required by *Section 16.125-5~~this measure~~* if the percentage increase in per-pupil LCFF funding provided by the State of California to the San Francisco Unified School District in any subsequent fiscal year exceeds the percentage increase in the City's cost of living during the previous fiscal year.

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

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

* * * *

(e) The Our Children, Our Families *Initiative ("Initiative") shall be a joint initiative comprised of employees and officers of the City and SFUSD, ~~Council, comprised of department~~*

~~*heads from the City and SFUSD, and community stakeholders, will*~~ *with the mission to* build a *public policy* platform that will place children and families at the center of every policy decision. *The Initiative will support aligning and coordinating the development of comprehensive and connected systems, services, policies, and planning strategies to strengthen the City's services for children, youth, Disconnected Transitional-Aged Youth, and families, with the goals of increasing equitable access and enhancing effectiveness. The Mayor shall lead the Initiative, and shall invite the Superintendent of SFUSD to co-lead the Initiative with support from SFUSD staff in the Superintendent's discretion. The Mayor shall ensure that City departments are convened, coordinated, and engaged as part of the development of the Children and Families Plan and Outcomes Framework described in Section 16.127-5, as well as in advancing the goals established in the Plan and Outcomes Framework. The Our Children, Our Families Council will provide policymaking oversight for the Initiative's projects.*

* * * *

SEC. 16.127-4. OUR CHILDREN, OUR FAMILIES COUNCIL; COMPOSITION.

The Council shall consist of seven seats. The Mayor shall *appoint four seats and the Board of Supervisors shall appoint three seats on* ~~*chair*~~ the Council*.*~~*,*~~ ~~*and shall invite the Superintendent of SFUSD to serve as co-chair of the Council. Other members of the Council shall include the heads of City departments with responsibilities for services to children and families, members of the community, and stakeholders. The Mayor shall also invite the heads of SFUSD divisions identified by the Superintendent to serve as members of the Council.*~~ *Members shall serve four-year terms, beginning at noon on April 1, 2025; provided, however, the term of two of the Mayor's initial appointees and one of the Board of Supervisors' initial nominations, chosen by lot, shall be a two-year term, expiring at noon on April 1, 2027. The Board of Supervisors shall by ordinance establish qualifications for any seats on the Council.*

SEC. 16.127-5. OUR CHILDREN, OUR FAMILIES COUNCIL; RESPONSIBILITIES*; ROLE OF OUR CHILDREN, OUR FAMILIES INITIATIVE*.

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

(b) **The San Francisco Children and Families Plan *and Outcomes Framework*.** The Council*, with support from the Department of Children, Youth, and Their Families ("DCYF") and the Initiative,* shall craft a San Francisco Children and Families Plan ("the Plan") and identify relevant goals and strategies to align and coordinate the services to children and families provided by City departments, SFUSD, and community partners and to maximize support for children and families. The Plan shall consider the following elements:

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

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

(3) Existing quality of service benchmarks established by City and SFUSD departments;

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

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

The Plan shall also include an equity analysis of services and resources for children, youth, and families. The Council shall develop a set of equity metrics to be used to compare

existing services and resources in low-income and disadvantaged communities with services and resources available in the City as a whole. The Council may draw upon metrics used by departments including DCYF, ~~*and*~~ the *Department of Early Childhood*~~*Office of Early Care and Education*~~ (or any successor agency), *and the San Francisco Unified School District*. *Upon the Council's request, other City departments and commissions shall provide information and data to assist the Council and DCYF to draft the Plan.*

(c) No later than May 1, 2016, and every fifth year thereafter, the Council shall develop and adopt a set of proposed Citywide outcomes for services to children and families, including an *objective and measurable* outcomes framework *("Outcomes Framework")* responsive to the evolving needs of the community. No later than July 1, 2016, and every fifth year thereafter, the Council shall prepare and adopt a Children and Families Plan for the City, which shall include a comprehensive assessment of City policies and programs, both public and private, addressing the needs of children and families in San Francisco, and policy-level recommendations for making the City more supportive of children and families. The Council shall emphasize solicitation and incorporation of community input in the development of the initial Plan and subsequent Plans.

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

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

(f) **Planning.** ~~*Following the adoption of implementing legislation under Section 16.126-7, the Mayor shall appoint members to the Council and t*~~*T*he Council shall convene to make initial decisions regarding staffing, organization, and implementation. The Council shall also begin planning for the start of the five-year planning cycle in Fiscal Year 2016-2017. The

Council may recommend, and the Board of Supervisors may approve by ordinance, changes to the due dates and timelines provided in this Section 16.127-5.

(g) ***Role of the Our Children, Our Families Initiative.*** ~~***Coordination of Stakeholders.***~~ *The Our City, Our Families Initiative shall provide support for the Council by providing data and information relevant to the Council's decisions, by preparing drafts of the Outcomes Framework and the Plan, by implementing alignment of systems and coordination of services, and by assisting the Council to evaluate submissions from City departments and SFUSD under this Section 16.127-5 and Section 16.123-6.* The ~~*Council*~~ *Initiative* shall ensure that various community groups, agencies, and organizations responsible for providing support, including ~~*the City,*~~ SFUSD, *other government agencies,* and community partners, work together in aligned, coherent, and effective ways.

~~*(h) **Coordination of Departments.** The Council shall facilitate cooperation and coordination between relevant departments of the City and SFUSD to maximize alignment and improve outcomes for children and youth. The Council shall oversee development and implementation of a data-sharing agreement between SFUSD and relevant City departments. The Council, in cooperation with the Board of Supervisors, the San Francisco Board of Education, and community groups, shall work to ensure that funds spent to benefit children and families are targeted to those most in need of specific services and that the funds are used strategically to leverage and complement existing and anticipated federal, state, and local resources.*~~

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

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

*(j) **Outcomes Framework Analysis.** By January 1, 2028 and at least once every five years thereafter, the Council, in consultation with the Controller, shall develop a policy to help the Council evaluate whether the following types of expenditures are consistent with the Outcomes Framework: (1) expenditures that are included in, or are eligible to be included in, the Children and Youth Fund Baseline described in Section 16.108(h), and (2) expenditures from the Public Education Enrichment Fund described in Section 16.123-2.*

(k) Budget Review and Approval for Proposed Appropriations in the Children and Youth Baseline and Public Education Enrichment Fund.

(1) By February 21 each year, beginning in 2026, each City department that anticipates expending funds for eligible services in the Children and Youth Fund Baseline or the Public Education Enrichment Fund in the subsequent fiscal year shall submit a written report with its anticipated expenditures to the Council for review. The Council may request that City departments provide additional reports on expenditures as the Council deems necessary.

(2) Beginning in Fiscal Year 2028-2029, the Council shall review and determine whether each department's proposed expenditures under subsection (k)(1) and SFUSD's annual report under Section 16.123-6(c) are consistent with the Outcomes Framework. The Council

shall also review the department's and SFUSD's expenditures for eligible services in the Children and Youth Fund Baseline or the Public Education Enrichment Fund for the current and prior fiscal year, if any, to determine whether those expenditures were consistent with the Outcomes Framework. By April 30 each year, the Council shall provide a written report to the Mayor and Board of Supervisors evaluating whether each department's and SFUSD's current and prior year expenditures were consistent with the Outcomes Framework and stating whether the department's and SFUSD's proposed expenditures for the subsequent fiscal year are consistent with the Outcomes Framework.

(3) In preparing the biennial budget under Article IX of this Charter, the Mayor shall consider the Council's written report. In its evaluation of the proposed biennial budget, the Board of Supervisors also shall consider the Council's written report and shall hold a public hearing on the Council's report before finally approving the budget.

(4) By no later than the date of final enactment of the biennial budget, beginning with the biennial budget for Fiscal Year 2029-2030, the Board of Supervisors shall, by resolution, find that all anticipated expenditures for services in the Children and Youth Fund Baseline and City department and SFUSD expenditures under the Public Education Enrichment Fund in the biennial budget are, on balance, consistent with the Outcomes Framework as provided in subsection (k)(2), or that specified expenditures are not consistent with the Outcomes Framework but otherwise serve an overriding public purpose.

(l) The Board of Supervisors by ordinance may modify the deadlines in subsections (j) and (k) of this Section 16.127-6.

SEC. 16.127-7. OUR CHILDREN, OUR FAMILIES COUNCIL; GENERAL FUND EXPENDITURES.

No later than February 21 of each year, beginning in 2026, each City department that anticipates expending funds from the City's General Fund to procure or otherwise support any services related to children and youth in the subsequent fiscal year, other than funds for eligible services in the Children and Youth Fund Baseline or the Public Education Enrichment Fund, shall submit to the Council a written report describing its anticipated expenditures. Beginning in Fiscal Year 2028-2029, the Council may evaluate whether the anticipated expenditures are consistent with the Outcomes Framework, and may provide a written report to the Mayor and Board of Supervisors detailing the expenditures that it has concluded are consistent with the Outcomes Framework and the expenditures that it has concluded are inconsistent with the Outcomes Framework and the reasons for such conclusion.

The Board of Supervisors by ordinance may modify the deadlines in this Section 16.127-7.

SEC. 16.127-~~7~~8. OUR CHILDREN, OUR FAMILIES COUNCIL; IMPLEMENTATION.

The Board of Supervisors shall further provide by ordinance for the ~~*membership,*~~ structure, functions, and support of the Council, consistent with the provisions of Sections 16.12~~6~~7-1 through 16.12~~6~~7-~~6~~7.

SEC. 16.132. DISCRETIONARY APPROPRIATIONS TO THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT; DATA SHARING AGREEMENT.

Beginning July 1, 2026 or a later date established by ordinance, the City may not make any payment to the San Francisco Unified School District ("District") not required by this Charter or State law unless the District has entered into a data-sharing agreement with the

Department of Children, Youth, and Their Families ("DCYF") under which the District agrees to share any appropriate and relevant data with the Our Children, Our Families Council, DCYF, and the Department of Early Childhood (or any successor agency) during the period in which the District will use the discretionary funds.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ Henry L. Lifton
HENRY L. LIFTON
Deputy City Attorney

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BOARD of SUPERVISORS

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TDD/TTY No. (415) 554-5227

M E M O R A N D U M

TO: Greg Wagner, City Controller, Office of the Controller

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

DATE: May 28, 2024

SUBJECT: CHARTER AMENDMENT INTRODUCED
November 5, 2024, Election

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the November 5, 2024, Election. This matter is being **referred** to you in accordance with Rules of Order 2.22.3.

File No. 240545 (ver1)

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to 1) require the Our Children, Our Families Council ("Council") to use an outcomes framework to evaluate the budget and spending of each City department with expenditures that are eligible to be included in the Children and Youth Fund baseline or the Public Education Enrichment Fund ("PEEF"); 2) require the Mayor and Board of Supervisors to consider the Council's findings during their consideration of the City budget each year, including by the Board of Supervisors holding a public hearing and adopting findings about the expenditures by resolution; 3) require the San Francisco Unified School District ("School District") to submit proposals once every five years and annual reports describing how it will spend the City's general fund contribution to the PEEF consistent with the outcomes framework; 4) prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and the Mayor have approved the School District's proposal; 5) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City; 6) create an Our Children, Our Families Initiative to coordinate City departments and the School District; and 7) establish the size and membership of the Council; at an election to be held on November 5, 2024.

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, Office of the Controller
Natasha Mihal, Office of the Controller

Janice Levy, Office of the Controller

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M E M O R A N D U M

TO: Alondra Esquivel-Garcia, Director, Youth Commission
Joshua Rudy Ochoa, Youth Commission

FROM: Victor Young, Assistant Clerk, Rules Committee

DATE: May 28, 2024

SUBJECT: LEGISLATIVE MATTER INTRODUCED

The Board of Supervisors' Rules Committee has received the following Charter Amendment. This item is being referred for comment and recommendation.

File No. 240545

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to 1) require the Our Children, Our Families Council ("Council") to use an outcomes framework to evaluate the budget and spending of each City department with expenditures that are eligible to be included in the Children and Youth Fund baseline or the Public Education Enrichment Fund ("PEEF"); 2) require the Mayor and Board of Supervisors to consider the Council's findings during their consideration of the City budget each year, including by the Board of Supervisors holding a public hearing and adopting findings about the expenditures by resolution; 3) require the San Francisco Unified School District ("School District") to submit proposals once every five years and annual reports describing how it will spend the City's general fund contribution to the PEEF consistent with the outcomes framework; 4) prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and the Mayor have approved the School District's proposal; 5) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City; 6) create an Our Children, Our Families Initiative to coordinate City departments and the School District; and 7) establish the size and membership of the Council; at an election to be held on November 5, 2024.

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

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RESPONSE FROM YOUTH COMMISSION Date: _____

____ No Comment
____ Recommendation Attached

_____
Chairperson, Youth Commission

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M E M O R A N D U M

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
Patrick Ford, Executive Director, Ethics Commission
Dr. Matt Wayne, Superintendent, SFUSD (waynem@sfusd.edu)
Trent Rhorer, Executive Director, Human Services Agency
Ingrid Mezquita, Executive Director, Dept. of Early Childhood
Maria Su, Director, Dept. of Children, Youth and Their Families

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

DATE: May 28, 2024

SUBJECT: CHARTER AMENDMENT INTRODUCED
November 5, 2024

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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: Michael Canning, Ethics Commission
Andres Power, Mayor's Office
Chris Armentrout, SFUSD armentroutc@sfusd.edu
Danielle Houck SFUSD daniellehouck@sfusd.edu
Marin Trujillo, SFUSD trujillocm@sfusd.edu
Mele Lau Smith, SFUSD lausmithm@sfusd.edu
Elizabeth LaBarre, Human Services Agency
Susie Smith, Human Services Agency
Rebecca Corteza, Dept. Children Youth and Their Families
Jasmine Dawson, Dept. Children Youth and Their Families