DEPARTMENT OF ELECTIONS
City and County of San Francisco

JOHN ARNTZ
Director

ACKNOWLEDGEMENT OF RECEIPT

Submission of Measure: Charter Amendment

File No. 240545 **Charter Amendment - Accountability for Funding Children and Youth Services for City Departments and the School District; Clarifying Uses of the Student Success Fund**

(Unofficial Title of Measure)

1) ☒ **Board of Supervisors**

2) ☒ **Tails**

3) ☒ **Legislative Digest**

4) ELECTRONIC COPY OF TEXT

☒ EMAIL- publications@sfgov.org

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5)

Contact Person:	Victor Young
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	San Francisco, CA 94102
Phone:	(415) 554-7723
Date:	July 25, 2024
Submitted:	Victor Young

6) COPIES

☒ John Arntz- Director of Elections, in consultation with the City Attorney, shall forward the measure (within two working days after receipt of the petition) to departments that are affected by the measure.

☒ Publications

☒ Public- copy

☒ Office- original

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BOARD of SUPERVISORS

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July 25, 2024

John Arntz, Director of Elections
Department of Elections
1 Dr. Carlton B. Goodlett Place, Room 48
San Francisco, CA 94102

HAND DELIVERED

Dear Mr. Arntz:

Attached please find four (4) certified copies of the following Charter Amendment for the November 5, 2024, Election, as follows:

File No. 240545 **Charter Amendment - Accountability for Funding Children and Youth Services for City Departments and the School District; Clarifying Uses of the Student Success Fund**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to 1) create an Our Children, Our Families Initiative ("Initiative") to coordinate efforts by City departments and the San Francisco Unified School District ("School District") to deliver outcomes-based services for children, youth, and families; 2) require the Initiative to use an objective and measurable outcomes framework ("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, the Public Education Enrichment Fund ("PEEF"), the PEEF baseline, or any discretionary funding allocated from the General Fund for children, youth, and families; 3) require the Mayor and Board of Supervisors to consider the Initiative'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; 4) require the School District to submit a proposal once every five years describing how it will spend the City's general fund contribution to the PEEF consistent with the San Francisco Children and Families Plan and the Outcomes Framework, and prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and Mayor have approved the School District's proposal; 5) require the School District to submit annual reports describing how it has spent the City's general fund contribution and the PEEF funding for arts, music, sports, and library programs; 6) authorize the Board of Supervisors and Mayor to place PEEF funding to the School District on reserve if the School District's expenditures are inconsistent with the Charter, the Outcomes Framework, or the School District's spending plan or its internal guidelines regarding student educational outcomes; 7) provide that money set aside for the School District in the Student Success Fund

cannot replace, supplant, count as, or substitute for other City funding for the School District or children and youth required under the Children and Youth Fund, the PEEF, or other provisions in the Charter; and 8) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City; at an election to be held on November 5, 2024.

The Board of Supervisors ORDERED SUBMITTED the above listed Charter Amendment on July 23, 2024.

The electronic version of this Charter Amendment is being e-mailed to your office at publications@sfgov.org.

Sincerely,

Angela Calvillo
Clerk of the Board

vy:pp:ams

(Attachments)

AMENDED IN COMMITTEE
7/11/2024

FILE NO. 240545 (SECOND DRAFT)

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[Charter Amendment - Accountability for Funding Children and Youth Services for City Departments and the School District; Clarifying Uses of the Student Success Fund]

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) create an Our Children, Our Families Initiative ("Initiative") to coordinate efforts by City departments and the San Francisco Unified School District ("School District") to deliver outcomes-based services for children, youth, and families; 2) require the Initiative to use an objective and measurable outcomes framework ("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, the Public Education Enrichment Fund ("PEEF"), the PEEF baseline, or any discretionary funding allocated from the General Fund for children, youth, and families; 3) require the Mayor and Board of Supervisors to consider the Initiative'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; 4) require the School District to submit a proposal once every five years describing how it will spend the City's general fund contribution to the PEEF consistent with the San Francisco Children and Families Plan and the Outcomes Framework, and prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and Mayor have approved the School District's proposal; 5) require the School District to submit annual reports describing how it has spent the City's general fund contribution and the PEEF funding for arts, music, sports, and library programs; 6) authorize the Board of Supervisors and Mayor to place PEEF funding to the School District on reserve if the School District's expenditures are inconsistent with the Charter, the Outcomes Framework, or the School District's spending plan or its internal guidelines regarding student educational outcomes; 7) provide that money set aside for the School

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District in the Student Success Fund cannot replace, supplant, count as, or substitute for other City funding for the School District or children and youth required under the Children and Youth Fund, the PEEF, or other provisions in the Charter; and 8) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City.

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, 16.127-5, 16.127-6, 16.127-7, and 16.131; and adding Sections 16.127-8, 16.127-9, 16.127-10, 16.127-11, 16.127-12, and 16.133, 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-

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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~~Fiscal ~~y~~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

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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

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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) Beginning April 1, 2028 and every fifth year thereafter, 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 Initiative (the "Initiative"), the Department of Children, Youth, and Their Families, the Mayor, the Controller, 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 Citywide Community Needs Assessment described in Section 16.127-5, the School District's internal guidelines regarding student educational outcomes, and 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 Initiative shall review the proposal described in subsection (d)(1) and make a recommendation to the Mayor and the Board of Supervisors as to whether to approve or disapprove the School District's proposal. As part of its review, the Initiative may request comments from interested organizations and committees, including the School District's Public Education Enrichment Fund Community Advisory Committee or any successor body created by the School District.

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(3) Beginning with the contribution for Fiscal Year 2029–2030, 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, except as provided in this subsection (d)(3). If the Board of Supervisors and the Mayor do not enact such a resolution before the enactment of the biennial budget for the first fiscal year of the five-year cycle, then the School District may submit a modified proposal during the course of the five-year period for consideration by the Initiative, the Board of Supervisors, and the Mayor following the process in this subsection (d)(3). 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, but such contribution may be placed on reserve, consistent with subsection (d)(4). If neither the Mayor nor a member of the Board of Supervisors introduces a resolution consistent with this subsection (d)(3) before July 1 immediately prior to the first year of the five-year cycle, then the City shall provide the Annual City Contribution during the five-year period, but such contribution may be placed on reserve, consistent with subsection (d)(4).

(4) The City shall place the Annual City Contribution for the second fiscal year of the City's biennial budget on reserve in the biennial budget if, before enactment of that budget, the Board of Supervisors adopts and the Mayor signs a resolution finding that the School District's expenditures for the current or past fiscal year are inconsistent with the Charter, the School District's spending proposal described in subsection (d)(1), the Outcomes Framework described in Section 16.127-5, or the School District's internal guidelines regarding student educational outcomes. The Board of Supervisors by motion may release the Annual City Contribution from the reserve during the fiscal year.

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(5) 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*~~ *("DEC")* or any successor entity ~~*("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.

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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 *("Annual Expenditure Plan")* for funding to be received *by the School District* from the Public Education Enrichment Fund for the upcoming fiscal year to the *Initiative, the Controller, the* Mayor, and the Board of Supervisors, in response to the Controller's March fund estimate for the coming fiscal year. *The School District's Annual 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. The Initiative shall review the School District's Annual Expenditure Plan and may provide any recommendations regarding the plan to the Board of Supervisors.*

(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, *the estimated carryover funds in the current fiscal year and the planned allocations for those estimated funds during the upcoming fiscal year,* and any other matters that the *School* District and *DEC~~the OECE~~* deem appropriate or the *Initiative, the Controller, the* Mayor, or the Board requests.

(c) By no later than April 1 of each year, beginning in 2026, the School District shall submit to the Initiative, the Controller, the Mayor, and the Board of Supervisors an annual report describing how the School District plans to expend funds for arts, music, sports, and library programs for schools consistent with the School District's internal guidelines regarding student educational outcomes in the subsequent fiscal year.

(d) In addition to the Annual Expenditure Plan referenced in subsection (a), by no later than January 31 of each year, beginning in 2026, the School District shall submit to the Initiative, the Controller, the Mayor, and the Board of Supervisors an annual report detailing the School District's budgeted expenditures compared to its actual expenditures for the prior fiscal year, and describing: (1) how the School District expended arts, music, sports, and library and other funding it received from the Annual City Contribution for the prior fiscal year, including, if applicable, a comprehensive summary of courses and programs funded in each school by the Annual City Contribution, with information about participation rates in each course or program; (2) how the expended funding is consistent with the Citywide Community Needs Assessment described in Section 16.127-9, the Outcomes Framework described in Section 16.127-5, and internal guidelines regarding student educational outcomes; and (3) how the School District plans to use the Annual City Contribution consistent with the Citywide Community Needs Assessment, Outcomes Framework, and internal guidelines regarding student educational outcomes in the subsequent fiscal year; and (4) identification of any carryover funds from the Annual City Contribution and how the School District plans to reallocate those carryover funds during the fiscal year.

(e) By no later than January 31 of each year, the School District shall submit to the Initiative, the Controller, the Mayor, and the Board of Supervisors a report describing, to the extent available, its fiscal year-to-date expenditures and activities as described in subsection (b) for the current fiscal year, including but not limited to the School District's progress in the

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design and delivery of programs and in meeting student impact goals identified in the Annual Expenditure Plan and expenditures regarding arts, music, sports, and library programs.

(~~f~~e) The Mayor and the Board of Supervisors may request further explanation of items included in the plans, and the District and *DEC~~the 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.

(g) The Board of Supervisors by ordinance may modify the deadlines in this Section 16.123-6.

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 *DEC~~the 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 *DEC~~the 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 *DEC~~the 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.

* * * *

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(l) To further support a coordinated approach to outcomes-based services for children, youth, Disconnected Transitional-Aged Youth, and families, the Our Children, Our Families Initiative ("Initiative") shall be a joint initiative staffed by employees and officers of the City and SFUSD 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, engaging in a Citywide Community Needs Assessment for children, youth, and families, and the Outcomes Framework described in Section 16.127-9, as well as in advancing the goals established in the Plan and Outcomes Framework.

SEC. 16.127-5. OUR CHILDREN, OUR FAMILIES COUNCIL; RESPONSIBILITIES.

* * * *

(b) **The San Francisco Children and Families Plan.** 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 Mayor shall invite SFUSD to participate in the planning process for the Plan.* The Plan shall *be*

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responsive to the Citywide Community Needs Assessment ("CCNA") in Section 16.127-9 and 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 SFUSD. Other City departments and commissions shall provide information and data to assist the Council, the Initiative, and DCYF to draft the Plan. To ensure the Plan accomplishes its purposes, the Initiative shall propose recommendations and accountability measures to include in the Plan on how City departments and commissions can streamline processes, reduce duplicative data collection, improve data sharing across City platforms to simplify the navigation of City services for children, youth, and families, and establish standardized performance metrics where City departments or commissions provide overlapping or shared services to children, youth, and families.*

(c) No later than May 1, 2016, and every fifth year thereafter, the Council, *with support from the Initiative,* shall develop and adopt a set of proposed Citywide outcomes for services to children and families, including an 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 ~~D~~*d*epartments *that serve children, youth, and families* shall consider the Plan in developing their own strategic plans to make the City more supportive of children and families. *The Controller shall provide guidance to City departments about how to incorporate the findings of the CCNA and the Plan into their proposed budgets under Article IX.*

* * * *

SEC. 16.127-6. OUR CHILDREN, OUR FAMILIES COUNCIL; STAFFING.

* * * *

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

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support and contributions. *Funding for administrative support for the Council shall not be included in the Children and Youth Fund Baseline calculation.*

SEC. 16.127-7. 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.

SEC. 16.127-8. ROLE OF THE OUR CHILDREN, OUR FAMILIES INITIATIVE.

(a) The 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 evaluating submissions from City departments and SFUSD under this Section 16.127-8.

(b) The Initiative shall ensure that various community groups, agencies, and organizations responsible for providing support, including SFUSD, other government agencies, and community partners, work together in aligned, coherent, and effective ways.

(c) The Initiative shall ensure that the City maximizes opportunities to receive available funding for children and youth from the State and Federal governments. As part of their biennial budget submission under Article IX, City departments that provide services to children, youth, and families shall report on any State or Federal funding for which the department has applied or received funding.

(d) The Board of Supervisors by ordinance shall designate a department, commission, or other City entity to assume primary responsibility for supporting the Initiative and establish the responsibilities of constituent City departments and commissions within the Initiative.

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Funding for administrative support for the Initiative shall not be included in the Children and Youth Fund Baseline calculation.

SEC. 16.127-9. RESPONSIBILITIES OF THE OUR CHILDREN, OUR FAMILIES INITIATIVE.

*(a) **Citywide Community Needs Assessment.** The Initiative shall assist the Department of Children, Youth, and Their Families ("DCYF") in developing a Citywide Community Needs Assessment ("CCNA") for children, youth, and families. The CCNA shall supplement and expand upon the CNA described in Section 16.108(i)(1), and the Initiative and its constituent departments, commissions, and SFUSD shall use the CCNA to develop the San Francisco Children and Families Plan (the "Plan") and Outcomes Framework. DCYF shall prepare the CCNA using the same process and timeline described in Section 16.108(i)(1).*

*(b) **The San Francisco Children and Families Plan and Outcomes Framework**. The Initiative shall support the Council in crafting the Plan and Outcomes Framework described in Section 16.127-5 and identifying 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. Through the Initiative, the Mayor shall invite SFUSD to participate in the planning process for the Plan and the Outcomes Framework.*

SEC. 16.127.10. BUDGET REVIEW PROCESS.

*(a) **Outcomes Framework Analysis.** By January 1, 2028 and at least once every five years thereafter in alignment with the beginning of the Five-Year Planning Cycle described in Section 16.108(i), the Initiative, in consultation with the Controller, shall develop a policy to help the Initiative evaluate whether the following types of expenditures are consistent with the*

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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 ("PEEF") and the annual PEEF Baseline appropriation ("PEEF Baseline") described in Section 16.123-2.

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

(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, the PEEF, or the PEEF Baseline in the subsequent fiscal year shall submit a written report with its anticipated expenditures to the Initiative for review. The Initiative may request that City departments provide additional reports on expenditures as the Initiative deems necessary.

(2) Beginning in Fiscal Year 2028–2029, the Initiative shall review and determine whether each department's proposed expenditures under subsection (b)(1) and SFUSD's annual report under Section 16.123-6(d) are consistent with the Plan and Outcomes Framework. The Initiative shall also review the department's and SFUSD's expenditures for eligible services in the Children and Youth Fund Baseline, the PEEF, or the PEEF Baseline 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 Initiative shall provide a written report to the Mayor and Board of Supervisors evaluating whether each department's current and prior year expenditures were consistent with the Outcomes Framework and stating whether the department's proposed expenditures for the subsequent fiscal year are consistent with the Outcomes Framework. By April 30 each year, the Initiative also shall provide a written report to the Mayor and the Board of Supervisors evaluating whether SFUSD's current and prior year expenditures were consistent with the Outcomes Framework and stating whether SFUSD's

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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 Initiative's written report. In its evaluation of the proposed biennial budget, the Board of Supervisors also shall consider the Initiative's written report and shall hold a public hearing on the Initiative's report before finally approving the budget. The Initiative may provide an addendum or update to the report based on new information it receives following its initial report regarding 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 PEEF and the PEEF Baseline in the biennial budget are, on balance, consistent with the Outcomes Framework as provided in subsection (l)(2), or that specified expenditures are not consistent with the Outcomes Framework but otherwise serve an overriding public purpose.

(c) The Board of Supervisors by ordinance may modify the deadlines in this Section 16.127-10.

(d) For purposes of Section 16.127-10(b)(2), the Controller and the Board of Supervisors' Budget Analyst shall jointly be responsible for approving the final determinations and reports of the Initiative. The Board of Supervisors by ordinance may designate a different City entity to perform the duties of the Initiative for the purposes of that subsection.

SEC. 16.127-11. OUR CHILDREN, OUR FAMILIES INITIATIVE; GENERAL FUND EXPENDITURES.

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(a) 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, the PEEF, or PEEF Baseline, shall submit to the Initiative a written report describing its anticipated expenditures. Beginning in Fiscal Year 2028–2029, the Initiative may evaluate whether the anticipated expenditures are consistent with the Plan and 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 Plan and Outcomes Framework and the expenditures that it has concluded are inconsistent with the Plan or Outcomes Framework and the reasons for such conclusions.

(b) The Board of Supervisors by ordinance may modify the deadlines and the reporting requirements in this Section 16.127-11.

SEC. 16.127-12. TRANSFER OF DUTIES TO INITIATIVE.

If, by June 30, 2026, the Council ceases to exist, the Initiative shall assume the Council's responsibilities described in Sections 16.127-1, 16.127-3, 16.127-5, and 16.127-6; provided that if those sections have been removed from the Charter by the voters, the City shall enact an ordinance designating the Initiative or a different City entity to assume the Council's responsibilities.

SEC. 16.131. STUDENT SUCCESS FUND.

(a) **Establishment of Fund.** There is hereby established the Student Success Fund ("the Fund") to be administered by the Department of Children, Youth, and Their Families (the "Department"), or any successor agency. Monies therein shall be expended or used solely by the

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Department, subject to the budgetary and fiscal provisions of the Charter, for the purposes set forth in this Section 16.131.

* * * *

(d) **Annual Appropriations to the Fund.**

(1) In Fiscal Year 2023-2024, the City shall appropriate $11 million to the Fund (an amount that is equivalent to approximately 3.1% of the anticipated value of Excess ERAF for Fiscal Year 2023-24, as projected by the Controller on June 1, 2022). In Fiscal Year 2024-2025, the City shall appropriate $35 million to the Fund (an amount that is equivalent to approximately 9.4% of the anticipated value of Excess ERAF for Fiscal Year 2024-25, as projected by the Controller on June 1, 2022). In Fiscal Year 2025-2026, the City shall appropriate $45 million to the Fund (an amount that is equivalent to approximately 11.5% of the anticipated value of Excess ERAF for Fiscal Year 2025-26, as projected by the Controller on June 1, 2022). In Fiscal Year 2026-2027, the City shall appropriate $60 million to the Fund (an amount that is equivalent to approximately 14.6% of the anticipated value of Excess ERAF for Fiscal Year 2026-27, as projected by the Controller on June 1, 2022).

(2) In each year from Fiscal Year 2027-2028 through Fiscal Year 2037-2038, the City shall appropriate to the Fund an amount equal to the prior year's appropriation, adjusted by the percentage increase or decrease in aggregate discretionary revenues, as determined by the Controller, based on calculations consistent from year to year, provided that the City may not increase appropriations to the Fund under this subsection (d)(2) by more than 3% in any fiscal year. In determining aggregate City discretionary revenues, the Controller shall only include revenues received by the City that are unrestricted and may be used at the option of the Mayor and the Board of Supervisors for any lawful City purpose.

(3) Notwithstanding subsections (d)(1) and (d)(2), the City may freeze appropriations to the Fund for any fiscal year after Fiscal Year 2023-2024 at the prior year

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amounts when the City's projected budget deficit for the upcoming fiscal year at the time of the March Joint Report or March Update to the Five Year Financial Plan as prepared jointly by the Controller, the Mayor's Budget Director, and the Board of Supervisors' Budget Analyst exceeds $200 million, adjusted annually beginning with Fiscal Year 2023-2024 by the percentage increase or decrease in aggregate City discretionary revenues, as determined by the Controller, based on calculations consistent from year to year. In any such fiscal year, the City also may in its discretion appropriate to the Fund an amount less than the amount required by subsection (d)(1) or (d)(2), as applicable, provided that the City must appropriate at least $35 million to the Fund in each such fiscal year.

(4) Notwithstanding subsections (d)(1), (d)(2), or (d)(3), if the Controller determines that there will be a Significant Reduction in Excess ERAF in any fiscal year after Fiscal Year 2023-2024, then the City shall not be required to appropriate the full amount set forth in subsection (d)(1) or (d)(2) for that fiscal year, but the City shall appropriate at least $35 million to the Fund in that fiscal year, in the following manner and sequence: In any such fiscal year, the City shall appropriate monies withdrawn from the separate reserve account under subsection (d)(6) until that account has no remaining funds. If there are no remaining funds in that reserve account, the City shall appropriate monies withdrawn from the City's Budget Stabilization Reserve established under Charter Section 9.120. If there are no remaining funds in the Budget Stabilization Reserve, the City shall appropriate monies withdrawn from other budget reserve accounts established under Charter Section 9.120.

(5) If, at any election after November 8, 2022, the voters of the City enact a special tax measure that dedicates funds for the purposes described in this Section 16.131, the City may reduce the amount of appropriations in subsections (d)(1) and (d)(2) in any subsequent fiscal year by the amount of special tax revenues that the City appropriates for those purposes in that fiscal year.

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(6) Reserve Account.

(A) The Controller shall establish a separate reserve account in the Fund to facilitate additional appropriations and expenditures during fiscal years described in subsections (d)(3) and (d)(4). In any fiscal year described in subsection (d)(3) or (d)(4), the City may appropriate and expend funds from this separate reserve account for the purposes permitted by this Section 16.131, provided that the total amount expended from the Fund in any fiscal year shall not exceed the amount set forth for that fiscal year in subsection (d)(1) or (d)(2).

(B) At the end of each fiscal year, the Controller shall deposit in the separate reserve account any monies that were appropriated to the Fund under subsection (d)(1) or (d)(2) but that remain uncommitted, provided that the amount in the separate reserve account shall not exceed $40 million. The Controller shall return to the General Fund any additional monies in the Fund that remain uncommitted.

(7) In Fiscal Year 2025-2026 and thereafter, monies from the Fund shall not replace, supplant, count as, or substitute for funding that is included or partially included in the Children and Youth baseline requirements under Section 16.108, the Public Education Enrichment Fund baseline requirements under Section 16.123-2, or any other provision of this Charter that requires the City to provide funding to the District or to services for children and youth.

(e) **Uses of the Fund to Support ~~*Community*~~ Schools ~~*Site Initiatives for Academic Achievement and Social Emotional Wellness of Students*~~.** On a funding cycle determined by the Department, the Department shall invite Eligible Schools and the District to apply for grant funding to support academic achievement and social/emotional wellness of students. The Department shall establish after making reasonable efforts to consult with and reach mutual agreement with the District, or the Board of Supervisors may establish by ordinance after requesting input from the District, a simple and accessible grant funding process. If there is any

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conflict between any ordinance and a regulation described in the preceding sentence or in any other provision in this subsection (e), the ordinance shall prevail.

(1) Criteria: The Department, after consultation with the District, shall adopt criteria, and the Board of Supervisors may by ordinance adopt criteria, establishing the qualifications for Eligible Schools to receive a Student Success Grant or a Technical Assistance Grant, or for the District to receive a District Innovation Grant in coordination with one or more Eligible Schools. At minimum, to receive a Student Success Grant under subsection (e)(2), each Eligible School, including Eligible Schools covered by a District Innovation Grant, must meet the following criteria:

(A) The Eligible School must have a School Site Council that has endorsed the Eligible School's grant funding proposal and has committed to supporting the implementation of the programs and/or staffing funded by the grant *either before the award of the grant or within the first year of the grant being awarded*.

(B) The Eligible School must have a full-time Community School Coordinator, or must plan to hire and in fact hire a Community School Coordinator, who will serve in a leadership role working alongside the Eligible School's principal in implementing the grant and ensuring that the programs funded by the grant integrate with and enhance the Eligible School's academic programs, social/emotional supports, and other programming. If there is a program or a community-based organization integrally connected to the Eligible School that provides on-site services and support for students and their families, including without limitation an after-school, Beacon, or other program, the Community School Coordinator must fully integrate these programs or organizations so they work together to enhance the academic learning and social/emotional support that occurs during the regular school day. The Community School Coordinator must participate in the School Site Council to help it gain and maintain the skills and capacity to meaningfully reflect the values of the school community and support the

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implementation of programs funded by each Student Success Fund Grant. The District or the Eligible School may pay for the Community School Coordinator with monies allocated through Student Success Grants or Technical Assistance Grants.

(C) The Eligible School must agree to coordinate with City departments and with the District's administration to ensure that all resources, strategies, and programs at the Eligible School best serve students and their families. If the Eligible School implements initiatives that advance ~~*the community school*~~*innovative student support* model*s and strategies* but are not funded by a grant under the Fund (for example, but without limitation, Beacon, ExCEL, or Promised Neighborhoods programs, or other partnerships with community-based organizations), then the Eligible School must demonstrate to the Department how programs supported by the grant will coordinate with, align with, and share leadership with those other initiatives. Eligible Schools' initiatives should utilize the state-mandated school plan to ensure a coherent approach and align resources allocation with student outcomes in both academic achievement and social/emotional wellness.

* * * *

~~*(h) **Task Force.** By no later than March 31, 2023, the Board of Supervisors shall pass an ordinance establishing a task force to exist until at least July 31, 2024 with the purpose to provide advice to the Board and the Mayor regarding potential future sources of revenue for the Fund, including a potential special tax measure that would dedicate funds for the purposes described in this Section 16.131.*~~

(*~~i~~h*) **Expiration.** This Section 16.131 shall expire by operation of law on December 31, 2038, following which the City Attorney may cause it to be removed from the Charter unless the Section is extended by the voters.

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SEC. 16.133. 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 City, under which the District agrees to share any appropriate and relevant data with the Our Children, Our Families Initiative, Department of Children, Youth, and Their Families, and the Department of Early Childhood (or any successor agency) during the period in which the District will use the discretionary funds. Any data-sharing agreement between the District and the City shall include terms requiring compliance with applicable State and Federal student privacy laws.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

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

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City and County of San Francisco
Tails
Charter Amendment

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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DEPARTMENT OF ELECTIONS

File Number: 240545 **Date Passed:** July 23, 2024

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to 1) create an Our Children, Our Families Initiative ("Initiative") to coordinate efforts by City departments and the San Francisco Unified School District ("School District") to deliver outcomes-based services for children, youth, and families; 2) require the Initiative to use an objective and measurable outcomes framework ("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, the Public Education Enrichment Fund ("PEEF"), the PEEF baseline, or any discretionary funding allocated from the General Fund for children, youth, and families; 3) require the Mayor and Board of Supervisors to consider the Initiative'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; 4) require the School District to submit a proposal once every five years describing how it will spend the City's general fund contribution to the PEEF consistent with the San Francisco Children and Families Plan and the Outcomes Framework, and prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and Mayor have approved the School District's proposal; 5) require the School District to submit annual reports describing how it has spent the City's general fund contribution and the PEEF funding for arts, music, sports, and library programs; 6) authorize the Board of Supervisors and Mayor to place PEEF funding to the School District on reserve if the School District's expenditures are inconsistent with the Charter, the Outcomes Framework, or the School District's spending plan or its internal guidelines regarding student educational outcomes; 7) provide that money set aside for the School District in the Student Success Fund cannot replace, supplant, count as, or substitute for other City funding for the School District or children and youth required under the Children and Youth Fund, the PEEF, or other provisions in the Charter; and 8) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City; at an election to be held on November 5, 2024.

July 01, 2024 Rules Committee - CONTINUED TO CALL OF THE CHAIR

July 11, 2024 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 11, 2024 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

July 11, 2024 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

July 11, 2024 Rules Committee - CONTINUED AS AMENDED

July 15, 2024 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

July 16, 2024 Board of Supervisors - CONTINUED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

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July 23, 2024 Board of Supervisors - ORDERED SUBMITTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 240545

I hereby certify that the foregoing Charter Amendment was ORDERED SUBMITTED on 7/23/2024 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

City and County of San Francisco

Certified Copy

Charter Amendment

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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240545 **[Charter Amendment - Accountability for Funding Children and Youth Services for City Departments and the School District; Clarifying Uses of the Student Success Fund]**

Sponsors: Melgar; Ronen, Walton, Stefani, Safai, Dorsey, Engardio, Preston and Mandelman

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to 1) create an Our Children, Our Families Initiative ("Initiative") to coordinate efforts by City departments and the San Francisco Unified School District ("School District") to deliver outcomes-based services for children, youth, and families; 2) require the Initiative to use an objective and measurable outcomes framework ("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, the Public Education Enrichment Fund ("PEEF"), the PEEF baseline, or any discretionary funding allocated from the General Fund for children, youth, and families; 3) require the Mayor and Board of Supervisors to consider the Initiative'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; 4) require the School District to submit a proposal once every five years describing how it will spend the City's general fund contribution to the PEEF consistent with the San Francisco Children and Families Plan and the Outcomes Framework, and prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and Mayor have approved the School District's proposal; 5) require the School District to submit annual reports describing how it has spent the City's general fund contribution and the PEEF funding for arts, music, sports, and library programs; 6) authorize the Board of Supervisors and Mayor to place PEEF funding to the School District on reserve if the School District's expenditures are inconsistent with the Charter, the Outcomes Framework, or the School District's spending plan or its internal guidelines regarding student educational outcomes; 7) provide that money set aside for the School District in the Student Success Fund cannot replace, supplant, count as, or substitute for other City funding for the School District or children and youth required under the Children and Youth Fund, the PEEF, or other provisions in the Charter; and 8) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City; at an election to be held on November 5, 2024.

7/16/2024 Board of Supervisors - CONTINUED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

7/23/2024 Board of Supervisors - ORDERED SUBMITTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Charter Amendment is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

July 25, 2024
Date

Angela Calvillo
Clerk of the Board

FILE NO. 240545

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LEGISLATIVE DIGEST
(Revised 7/11/2024)

[Charter Amendment - Accountability for Funding Children and Youth Services for City Departments and the School District; Clarifying Uses of the Student Success Fund]

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) create an Our Children, Our Families Initiative ("Initiative") to coordinate efforts by City departments and the San Francisco Unified School District ("School District") to deliver outcomes-based services for children, youth, and families; 2) require the Initiative to use an objective and measurable outcomes framework ("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, the Public Education Enrichment Fund ("PEEF"), the PEEF baseline, or any discretionary funding allocated from the General Fund for children, youth, and families; 3) require the Mayor and Board of Supervisors to consider the Initiative'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; 4) require the School District to submit a proposal once every five years describing how it will spend the City's general fund contribution to the PEEF consistent with the San Francisco Children and Families Plan and the Outcomes Framework, and prohibit the City from providing PEEF funding to the School District until the Board of Supervisors and Mayor have approved the School District's proposal; 5) require the School District to submit annual reports describing how it has spent the City's general fund contribution and the PEEF funding for arts, music, sports, and library programs; 6) authorize the Board of Supervisors and Mayor to place PEEF funding to the School District on reserve if the School District's expenditures are inconsistent with the Charter, the Outcomes Framework, or the School District's spending plan or its internal guidelines regarding student educational outcomes; 7) provide that money set aside for the School District in the Student Success Fund cannot replace, supplant, count as, or substitute for other City funding for the School District or children and youth required under the Children and Youth Fund, the PEEF, or other provisions in the Charter; and 8) prohibit the City from providing discretionary funds to the School District unless it has entered into a data-sharing agreement with the City.

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 Charter establishes a set-aside fund called the Student Success Fund, which pays for grants from DCYF to schools in the School District, or to the School District itself, to support academic achievement and social/emotional wellness of students. The City must appropriate specified amounts of money to the Student Success Fund each year. In Fiscal Year 2024-2025, the City must appropriate $35 million to the Student Success Fund, and the annual requirement will grow in future years, subject to some exceptions.

Amendments to Current Law

The proposed Charter amendment would create a joint initiative, called the Our Children, Our Families Initiative ("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. The proposed Charter amendment would require the Initiative, 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. The Initiative would also assist DCYF in developing a Citywide community needs assessment ("Citywide Community Needs Assessment"), adding to the existing DCYF community needs assessment.

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 Initiative with its expenditures in the previous fiscal year and its anticipated expenditures in the upcoming budget. And, starting on January 31, 2026 and each year thereafter, the School District must provide the Initiative 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 Initiative 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 Initiative 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 Initiative'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.

In addition to its annual expenditure report, the amendment would require the School District to submit a proposal every five years describing how it will spend the City's general fund contribution to the PEEF consistent with the Charter, Citywide Community Needs Assessment, the School District's internal guidelines regarding student educational outcomes, the San Francisco Children and Families Plan and the Outcomes Framework. The City would not provide its contribution until the Board and Mayor pass a resolution approving the School District's proposal, but, if the Board or Mayor do not introduce a resolution by June 30 or if they disapprove the proposal, the School District may submit a modified proposal for approval.

The proposed Charter amendment would also require the School District, by no later than January 31 each year, to submit to the Initiative, Mayor, and Board a report describing its fiscal year-to-date expenditures. The amendment would place a portion of the City's contribution to the PEEF on reserve if the Board and Mayor pass a resolution finding that the School District's expenditures are inconsistent with the Charter, the School District's five-year spending proposal, the Outcomes Framework, or the School District's internal guidelines. The Board could release the reserve by motion. The Charter amendment would require the School District to submit annual reports describing how it has spent the City's general fund contribution and the PEEF funding for arts, music, sports, and library programs.

The proposed Charter amendment would also prohibit the City from counting expenditures from the Student Success Fund when calculating the Children and Youth Fund baseline, the PEEF baseline, or any other similar provisions in the Charter. The Charter amendment would require the City to spend money other than the Student Success Fund to meet these baseline requirements.

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