



## Coalition Meeting

10/14/2011

8:30 PM

6301 NW 5th Way, Suite 3400  
Fort Lauderdale, FL

### Members in Attendance:

Jeffrey Dwyer, Chair, Stacy Angier, Cindy Arenberg Seltzer, Vice Chair, Andrew Bray, Alfreda Coward, Claudia Dean, Marvin Dejean, Laura Gambino, Secretary, Desorae Giles-Smith, Deborah Hill, Mason Jackson, Dr. Kevin Keating, Donna Korn, Julia Musella, Robyn Perlman, Larry Rein, Mayor Barrington Russell, Laurie Sallarulo, Dr. Barbara Weinstein, Mandy Wells, Kim Gorsuch

### Members Absent:

Dr. Steven Ronik

### Staff in Attendance:

Tabatha Fuchs-Cullen, Interim CEO, Andrea Braynon, CFO, Lee Tirpak, CPO, Janice Carter, CRRD Director, Debbie Bainton, Executive Assistant, Carmen Nicholas, ECE Program Specialist, Gordia Ross, ECE Program Specialist, Leticia Strasser, ECE Program Specialist, Tamara Baker, Accounting, Inez Webb, Administrative Assistant, Faye Franklin, Office Assistant

### Others in Attendance:

Dr. Carol Wasserman, Eileen Kaplan Audrey Gajus, Dr. Wendi Siegel, Ann de las Pozas, Stuart Greenberg, Howard Bakalar, Dan Keys, Yanick Goutier, Lauren Johnston, Mindy Bernstein, Terri Shermett, Bob de la Fuente, Kelly Kinsell, Anita Platt, Chris Sieber, Mari Kelley, Suzanne Ford, Julie Bergstrom, Ruth Rubin, Dr. Mark Gross, Meece Roopmarie, Heather Sahuo, Jody Sheres, Emperatriz Maix, Shari Rubin Mackeen, Rose Tydus, Penny Bernakee, Willie Cameron, Debby Kay, Richard Schagrin, Patty Hawk, JoAnn nelson, Sharon Cohen, Ainsworth Geddes, Mike d'Oliveiro, Elizabeth Gonzalez Dorothy Richardson, Sharon James, Elizabeth Garcia, Afia Baptiste, Maria Warren, Kim Berger, Mike Millard, Keyla Torrealba, Gio Zeldon, Maria Irveta, Joy Gordon, Maria Helen Bernandes, Cynthia Sheppard, Alejanho Tonnenlbar, Kevin Tynan

Mission

To provide the resources, advocacy, leadership, coordination and oversight for early care and education from birth to school age and to support access to school-age care to ensure children’s success in school

Welcome and Call to Order

Jeffrey Dwyer, Chair, called the meeting to order at 8:40 am

Roll Call was taken – quorum established

Report of the Chair

- Welcomed and introduced Stuart Greenberg, Executive Director of the Office of Early Learning, Florida Department of Education.
- Thanked Carol Wasserman, Leticia Strasser, Janice Carter and all ELC staff, providers and everyone who helped with the Broward Early Childhood Educators Conference being held tomorrow at Piper High School. He encouraged the Coalition members to attend
- Congratulated Donna Korn on her appointment to the School Board.
- Congratulated Cindy Arenberg Seltzer for being honored by Angels in Adoption in Washington DC
- Congratulated Dr. Barbara Weinstein for being honored by Leadership Broward.
- Gave a brief update on the ELAC meeting

Mr. Rein reported that a grant was obtained to improve the quality of care for children in foster care. Mr. Rein recognized Mark Gross for his work on this grant.

Consent Agenda

**Motion** made to approve the minutes of August 12, 2011 by Stacy Angier. **Seconded** by Andrew Bray. Unanimously approved.

**Action items:**

Keep Minutes on File

**Person responsible:**

Executive Assistant

**Deadline:**

10/17/11

Presentations		
<p><u>Gold Seal Recognitions</u>                      Robyn Perlman and a Kelly Kinsell, Sr. Vice President, Sr. Community Development Officer from Wells Fargo presented certificates to providers who obtained Gold Seal.</p>		
<p>Mr. Dwyer introduced Bob de la Fuente and Kevin Tynan</p>		
<p>Stuart Greenberg gave a presentation on VPK. A question and answer period followed. It was requested that the Power Point used for the presentation be placed on the ELC Website.</p>		
<p>Audrey Gajus gave a presentation on Market Rate which recommended a 9% rate increase in addition to requesting that the ELC Board review the market rate annually and publically discuss it. The Coalition discussed some issues such as quality, parent fees, and the complexity of the issue.</p> <p><b>Motion</b> made by Cindy Arenberg Seltzer to establish a committee to work with providers to work on a proposal regarding the market rate and quality to be brought back to the December Coalition Meeting. <b>Seconded</b> by Mason Jackson. <b>Motion passed – 1 no vote.</b> Julia Musella, Stacy Angier, Dr. Barbara Weinstein abstained from voting. The following Coalition members volunteered to be a part of the Committee: Cindy Arenberg Seltzer, Chair, Desorae Giles-Smith, Laurie Sallarulo, Mandy Wells and Claudia Dean. Providers were invited to attend.</p> <p><b>Motion</b> made by Mason Jackson to place Market Rate discussion on the Coalition agenda annually. <b>Seconded. Unanimously approved.</b></p> <p>It was suggested that it be brought back at the meeting after the annual meeting so that the Coalition knows what the budget will be for the following year. It was also requested that staff look at policy and bring back recommendations.</p>		
<b>Action items:</b>	<b>Person responsible:</b>	<b>Deadline:</b>
Schedule Market Rate Committee	Executive Director	12/9/11

Reports and Recommended Action Items

Special Needs Children Update

Lee Tirpak, CPO, gave a summary of the background of the issue and recommended policy recommendation being brought forward by the Committee. The Coalition members discussed concerns of not having enough time to review the issue and the process of it being vetted and voted on at the Committee level. It was pointed out that a motion was made to table and no further discussion should be had until a vote is taken on the motion.

**Motion** made by Desorae Giles-Smith to table the item. **Seconded** by Mandy Wells. **Motion passed** with 10 for and 7 against.

Quality Counts and Reliability of ERS Assessors

Deborah Hill raised a concern about receiving the information so close to the meeting and did not have enough time to review the item before the meeting. It was pointed out that there was correspondence and information regarding the issue was sent to the Board up to two weeks prior to the meeting.

The goal is to try to accomplish the objectives in the original contract as well as having the defective assessment redone. It is being brought forward so that Coalition members may ask questions and everyone can discuss.

Lee Tirpak gave an update on the current situation regarding the ERS Assessors noting that a corrective action plan is in place and re-assessments have started and should be completed by the end of November. She stated that staff is continuing to follow the contract the way it is currently written in terms of corrective action plans and there are recommendations for the Board to consider whenever the Board decides to look at them.

The biggest question is whether the Coalition is paying for the re-assessments and staff needs direction from the Board on how to proceed. The Committee that is looking at the market rate can include this issue as well. It was announced that any providers that would like to participate and be heard with regards to this issue should contact Lee Tirpak.

Current Interim CEO

The Chair was concerned that he was going to lose a quorum and without objection he brought forward the issue of Interim CEO position. He announced that the Miami Dade Coalition is not willing to renew the contract to allow Tabatha Cullen to continue her service with Broward and it is also her position that she no longer wants to continue working with the Broward Coalition.

Mr. Dwyer stated that he reached out to the United Way which was the Executive Committee's second choice during the process of determining who should be the Interim CEO. A proposal to provide services was passed out for the Coalition members to review. Responding to questions, the cost is basically Mr. Bakalar's hourly rate plus benefits for 20 hours per week. Mr. Dwyer explained that the comparison between Ms. Westberry's salary and benefits and Ms. Cullen's was about \$1,200.00 difference a month and that money went back into slot dollars at Miami Dade. The difference now is

that the money will not go back into the budgetary item of another ELC it will go directly to the United Way. The Chair offered to go back out and redo the process if that is what the Board wants.

**Motion** made by Andrew Bray to accept United Way’s offer. **Seconded** by Cindy Arenberg Seltzer. **Unanimously approved.**

ECE Systems Community Partners Gathering, Early Childhood Educators Conference

Stacy Angier gave a brief update on the gathering. She announced the Early Childhood Educators Conference starts at 8:00 am tomorrow. She invited all Board members to attend and thanked the Coalition for their support.

Van Safety Update

Lee Tirpak stated that staff looked at the Broward Ordinance which already has a written system for logging children in and out of vans. She reported that new vans do have these types of alarm systems but was not sure if it was a standard feature.

**Motion** made by Andrew Bray to direct staff to send a letter to the County Commission regarding van safety. **Seconded** by Mayor Barrington Russell. **Unanimously approved**

America’s Backyard Event, Wells Fargo Grant, Partnership with DD’s Discount & First Book Grant Award

Janice Carter report included the following:

- Passed out flyers to the America’s Backyard Event and invited everyone to attend. She asked for a \$5 donation in return for a \$20 gift certificate to go back to America’s Backyard at a future time
- Wells Fargo gave ELC a \$30,000 award for slots which will also be put forward for match dollars
- Announced partnership with DD’s Discount & First Book Grant Award to purchase books in the amount of \$1,336.00. A celebration is being planned in the near future.

Action items:	Person responsible:	Deadline:
Draft and send letter to County Commission in support of van safety	Chief Program Office	12/31/11

Committee Reports and Recommended Action Items

Personnel Committee

**Motion brought forward by the Personnel Committee** to decrease the employee dependent contribution to 95% starting January 1, 2012 with an option of gradually decreasing after August 1, 2012 to a potential 90% and another 5% reduction the following year down to 85% employer contribution.

**Motion passed** 12 for – 4 against.

Cindy Arenberg Seltzer stated that she is strongly against this with what staff has been going through, and not receiving a raise this year and now the Coalition is giving them a “pay cut”. She further stated that dependency coverage from a policy matter is critically important.

**Motion** brought forward by the Personnel Committee to decrease the employer 403(b) contribution to 5% with an additional employee match requirement of 2% effective January 1, 2012. After a brief discussion the Coalition agreed that this is not clear.

**Motion** made by Laura Gambino to table the motion on the employer 403(b) contribution. **Seconded** by Mason Jackson. **Unanimously approved.**

#### CEO Search Committee

Laura Gambino gave a brief update on the process thus far. She indicated that the Committee will meet in two weeks and actual interviews will be conducted in November. The final goal is to bring a final candidate back to the Board on November 18, 2011. Mr. Dwyer reported that there were no applications from any other ELC staff members throughout the State. Tabatha Cullen did not submit an application for the job. No Board members applied.

#### Procurement Committee

Cindy Arenberg Seltzer reported that the Legal RFQ was distributed to the full Board for comment. The RFQ was released today for bids to come in. Staff is still doing research on Parents as a Child’s First Teacher. She indicated that the draft minutes are behind Tab 13 as an FYI. Questions were raised regarding the lack of public input, the timing of the Board receiving the Legal RFQ document and the process on how the document was vetted. A discussion pursued regarding the make-up of the Committee and the concerns raised by a Board Member wanting to serve on the Committee.

#### **Finance Committee**

##### Financial Statements

Andrea Braynon, CFO, gave a brief summary of the financial statements.

**Motion** brought forward by the Finance Committee to approve the Coalition’s July 2011 Financial Statements pending the annual audit performed by a qualified independent certified public accounting firm. **Unanimously approved.**

##### Utilization Reports

Submitted as an FYI. Ms. Braynon pointed out a few changes that were made to the report one of which was including previous year’s numbers.

##### Banking RFP Update

Andrea Braynon indicated that she will be sending out the Banking RFP to Mel Wilson today and as soon as it comes back will be sending it to the Finance Committee and to the Board as an e-mail.

Ms. Arenberg Seltzer pointed out that the RFQ’s for the Auditor and the Bank have not been discussed at

Committee meetings prior to them going out. The Banking RFP was discussed at Finance because there were some concerns raised.

**Executive Committee**

Report Action to Obtain Special Counsel

Tabatha Cullen, Interim CEO, stated that any action that was made needs to be reported to the full Board and this is being submitted as an FYI. Mr. Dwyer gave a summary of the events leading up to the action taken which was required to maintain the integrity of the organization. He confirmed with the other members of the Committee that that the vote was 4 to 1 for the action to terminate GC Contract.

Insurance Broker RFQ

**Motion** made by Andrew Bray to put out an RFQ for Insurance Broker. **Seconded** by Cindy Arenberg Seltzer. **Unanimously approved**

**Motion** made by Laura Gambino to bring the RFQ back to the Executive Committee. **Seconded** by Cindy Arenberg Seltzer. **Motion passed** 12 yes – 3 no

Ms. Seltzer stated for clarity that staff will draft the RFQ and then distribute it to all Board Members for review and then it will be released and the process of reviewing it, rating it and making the selection and recommendation will be handled by Executive Committee.

Policy Recommendations

**Motion** to table the policy recommendation regarding provider contact with Board Members by Alfreda Coward. **Seconded** Mason Jackson. **Unanimously approved.** It was noted that it was too vague

**Motion** made by Mason Jackson to table the policy that staff shall evaluate all current service providers. **Seconded** by Desorae Giles-Smith. **Unanimously approved.**

It was asked if there is a policy about policies. The Chair responded that he was not sure and pointed out that this is the reason he has been looking to have the Coalition accredited.

Action items:	Person responsible:	Deadline:
Proceed with process to change employee dependent health care coverage	HR Manager	1/2/12
Place employee retirement contribution on next Personnel Committee meeting	Executive Director	
Keep Financial Statements on File	Chief Financial Officer	10/20/11
Proceed with an RFQ for Insurance Broker	Executive Director	1/30/12

Committee Updates

**Nominating Committee**

Donna Korn indicated that she will pursue getting a Committee meeting together.

**By-Laws Committee**

Cindy Arenberg Seltzer indicated that the By-Laws Committee will be scheduled once the Coalition has a new CEO in place

**Accreditation Committee**

Larry Rein also reported that a Committee meeting will be scheduled once the Coalition has a new CEO

**Wait List Committee**

Alfreda Coward indicated that as soon as things die down she will schedule another meeting.

Unfinished Business

The Chair thanked Tabatha Cullen for her hard work, insight, patience. He asked if the Coalition would like to send a letter of apology.

**Motion** made by Julia Musella to write a letter of apology. **Seconded** Laurie Sallarulo. **Motion passed** – 1 against. Larry Rein indicated he voted no because he feels that he has done nothing wrong.

Mason Jackson stated that he believes that the Coalition has nothing to apologize for and would recommend that a letter of appreciation for her hard work would be more appropriate.

**Motion** made by Mason Jackson, as a member of the prevailing side, to put the motion just voted on back on the table. **Seconded. Unanimously approved.**

**Motion** made by Mason Jackson to commend Tabatha for her service. **Seconded** by Julia Musella. **Unanimously approved.**

Alfreda Coward asked for an update on all the public records request that were made recently noting who they were received from and a status.

Action items:	Person responsible:	Deadline:
Send an update on all public records request and their status to Coalition members		

New Business

R. Anderson Complaint

Mr. Dwyer indicated that he would like to address the R. Anderson Complaint first so he can recuse himself when moving on to the Board Member Complaint.

Kevin Tynan introduced himself and gave his background information. Mr. Tynan indicated that this

complaint clearly needs to be investigated. He suggested the following:

- Saving any discussion on the matter until such time when the Board has the ability for someone to investigate
- Have a process in place so that it gets fully vetted and reported back to the full Board

Mr. Jackson indicated that before anything is done it is necessary to clarify from Ms. Anderson what the complaint is about and what remediation is requested.

Mr. Tynan stated that he did not see this as a large project. He indicated he would put it in a letter to the Board. He also stated that he would work for the same hourly rate as the previous general counsel.

Stacy Angier asked if he could come back to the Board with a recommended policy on Board Member Complaint with something that is protective of the organization and the individuals serving on the Board

**Motion** made by Cindy Arenberg Seltzer to direct Mr. Tynan to contact Ms. Anderson to gain clarity around her complaint and what remedy she is seeking and to develop a process to investigate complaints. **Seconded** by Mason Jackson. Unanimously approved. Alfreda Coward abstained from voting.

Mason Jackson stated that if you look at the statement on Form 8B it is not enough to just say I declare a conflict of interest, you have to say your name and position on the Board, the nature of the conflict, who will gain or lose as result of the conflict and you have to fill out Form 8B. He emphasized that the Coalition needs to tighten this up and, if not, it can come back and bite you if you are not doing it according to the law. Cindy Arenberg Seltzer added that it also says that you will refrain from discussion and must state that at the beginning of any discussions.

Barbara Weinstein stated as CEO of a Company that is holding contracts with the Coalition she stated that she has a conflict with voting and has filled out form 8B for all votes.

#### Board Member Complaint

Mr. Dwyer indicated that he received the e-mail with the complaint after 5:00 last night noting he has not looked at it as yet and will now be recusing himself and handed the gavel over to Cindy Arenberg Seltzer to conduct business.

Ms. Seltzer clarified for the Board that the Complaint is from Burnadette Norris Weeks against the Chair. It has been received and placed on the Agenda pursuant to ELC Board Member Complaint policy. It was noted that policy states prior to any action being taken there shall be an investigation of the validity of the complaint and then the Board will make a decision.

**Motion** made by Stacy Angier to have Mr. Tynan develop a proposed policy and procedure to investigate complaints and bring back to the Executive Committee. **Seconded** by Laura Gambino. **Unanimously approved.**

It was stressed that Mr. Tynan is not doing an investigation about either complaint but developing a process or procedure.

#### General Public Comment

Ms. Arenberg Seltzer asked if there were any public comments:

A lady came forward that worked with Burnadette Norris-Weeks for many years stated that she believes Ms. Weeks is a competent lawyer. She indicated that she did not know the complexities of the politics that is going on but was there in support of Ms. Weeks.

Rose Tydus gave a brief summary of her background and indicated she was at the meeting to speak positively and to support Burnadette Norris-Weeks.

Ms. Burnadette Norris-Weeks spoke on her behalf. She commented on the process that was used that violated her contract. She stated that she has not and will not exercise her legal right which she believes she is entitled to and wants to be completely clear on that, saying that she does not plan on suing the Board or the Coalition. She stated that she has worked for the Coalition for almost 11 years. She indicated that it was very troubling to have her Complaint minimized by public records requests and expressed her opinions about the handling of recent events.

Cindy Arenberg Seltzer stated to Ms. Weeks that her complaint is not being taken lightly and it will be addressed by the Coalition and the Coalition will do everything it needs to do.

Ms. Seltzer handed the gavel back over to Jeffrey Dwyer.

#### Adjourn

Meeting adjourned at 2:20 pm

These minutes contain the action items of the Early Learning Coalition meeting. They do not include all facets of each issue discussed. A tape recording of the meeting is held in the Coalition office. Corrections from the Coalition members will be taken prior to approval at the next meeting.

**Submitted by**  
Debbie Bainton