

## **Minutes of the Kansas Children's Cabinet and Trust Fund Meeting**

The Kansas Children's Cabinet and Trust Fund Board was called to order by Chair Kim Moore at 9:00 a.m. on November 1, 2019. The board met in the Marvin Auditorium Room 101 B-C at the Topeka and Shawnee County Public Library, 1515 SW 10<sup>th</sup> Avenue in Topeka. Quorum present. Proper notice was published in the Kansas Register.

**Members Present:** Kim Moore, Shari Weber, DiAnne Owen Graham, Sen. Dinah Sykes, LeEtta Felter, Terri Rice, John Wilson, Tyler Smith, Laura Howard, DCF, Rebekah Gaston, DCF, Amanda Petersen, KSDE, and Hope Cooper, DOC JJA, Rachel Sisson, KDHE attended via Zoom  
Cabinet Staff: Melissa Rooker, Amy Meek, and Dyogga Adegbore

### **Welcome**

Chairman Kim Moore welcomed everyone to the meeting and joining via zoom. Chair Moore gave a special welcome to the newest board members DiAnne Owen Graham, Dr. Tyler Smith, John Wilson and Hope Cooper.

The Cabinet thanks Annie McKay for her years of service as a Cabinet member and wishes her much success in her future endeavors.

### **Approval of Minutes**

Chairman Moore remarked the minutes from the August 23 meeting had been distributed. He asked the board if there were edits to the minutes and if not, would a member entertain a motion.

### **MOTION:**

It was moved by Dinah Sykes and seconded by LeEtta Felter, that the Cabinet approve the minutes of August 23, 2019, as written. Motion carried.

### **State Budget Process**

Chairman Moore remarked that Melissa Rooker would be leading a discussion about the State budget process and how the Cabinet's CIF recommendations fit into that process.

Melissa Rooker, Executive Director presented information on the State budget process and timelines. Melissa commented that it was important for the board to understand the State budget cycle so that the board could see how their CIF recommendations fit into that cycle. The State Fiscal Year begins July 1 of every year and ends on June 30. The cycle includes State Board of Education budget approval in July, agency budget recommendations are due to Division of Budget by September 15, Cabinet recommendations for this year on November 1, Division of the Budget response to agencies also occurs November 8, agency appeals due by November 22, Governor's Budget Review in early December. Legislature returns in January, Governor's Budget is sent to Legislature in January, Appropriation Bills and Legislative Review occurs throughout the legislative session. Consensus Revenue Estimates released on November 7, 2019 and April 20, 2020. In April, the tobacco settlement share is announced. The legislature returns for Omnibus Session to finalize the budget sometime in May or June. Once the budget is signed into law, the State Financial Council meets to make necessary adjustments in June. The fiscal year ends June 30 each year. *(See attached budget cycle handout).*

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### **Children's Initiatives Fund (CIF) Annual Investment Impact Report**

Dr. Jessica Sprague-Jones, Assistant Director, The University of Kansas, Center for Public Partnerships and Research (CPPR), presented on the accountability process overview and timeline and walked through information from the Annual Investment Impact Report (AIIR). The FY 2019 AIIR contained in-depth information on funding, profiles, funding by population, agency and program populations, evaluation and recommendations, and plans for FY 2020 accountability process. The CIF funded programs collect Impact data, Service delivery data, and Collaboration data. As a result of the accountability work, evaluators from the CPPR team provided recommendations for the Cabinet board to consider.

Chairman Moore asked about a statistic under the Children's Mental Health Waiver on Page 18 in the AIIR. He noted and expressed concern that only 24 children are served in the 2-5 year age population. Dr. Sprague-Jones remarked that is correct and typical for that program. Secretary Laura Howard remarked that this program is a waiver that is not designed to serve children below age 5 and thus is not presenting an accurate picture of the need for services that exists in the birth-5 age group. Dr. Tyler Smith asked if there are issues about early childhood access for kids into the mental health waiver program and recommended that sharing that detail, for children ages birth to five, with physicians so that service code is added on the records is important. (*See CIF program sheet and the AIIR*).

Executive Director Melissa Rooker suggested the Cabinet talk about the general recommendations before making the CIF program funding recommendations.

The Cabinet discussed the following recommendations.

#### **MOTION:**

It was moved by John Wilson and seconded by DiAnne Graham, the following motion be made:

**The Kansas Children's Cabinet and Trust Fund (the Cabinet) recommends at minimum the continuation of funding for all Children's Initiatives Fund (CIF) programs at their FY 2020 levels with the following provisions:**

Currently, the Cabinet is shouldering a \$22 million share of state obligations for federal match and/or maintenance of effort. The Cabinet recognizes the importance of the programs being funded, and the need to draw down the maximum amount of funding available from the federal government. However, by supplanting state general fund dollars with CIF funding, the Cabinet's ability to increase investments in the early childhood care and education program is severely hampered.

Attached to this report is a draft of our comprehensive, statewide Needs Assessment report prepared for the 2019 federal Preschool Development Grant B-5 planning grant. This report documents the severity of the needs that exist in the Kansas early childhood care and education system. Based on the findings of this report, **the Cabinet strongly recommends the state of Kansas increase investment in early childhood programs and services beyond the scope of the Tobacco MSA funds available.** We understand the many demands on the state general fund budget and the need to balance competing priorities.

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We acknowledge this change will not happen overnight. However, in order for the Cabinet to increase our capacity to be a catalyst for long-term improvement and transformation in the early childhood care and education system, additional funding must be made available. In accordance with K.S.A. 38-1901, the Cabinet should be consulted regarding all requests for additional funds for programs that are included in the Children's Initiative Fund to ensure aligned and coordinated programming.

Motion carried.

### MOTION:

It was moved by LeEtta Felter and seconded by Dinah Sykes:

**The Cabinet directs staff and KU-Center for Public Partnerships and Research (KU-CPPR) consultants to refine the timeline and goals of the annual accountability process to ensure decisions are made with high-quality, current and meaningful data.** Programs will be expected to continue participating in the Accountability Process, including reporting on program activities, Common Measures (if applicable), and outcomes data. Changes will involve adjusting the timing of recommendations to better align with the state budget process and the addition of a systems level approach to decision-making to strengthen the ability of the Cabinet to invest in a portfolio of programs designed to meet the needs of children and families while also providing meaningful guidance to the governor regarding future funding allocations. (effort is underway to establish timelines and procedures for 2020)

Chairman Moore commented that anytime changes are made to the accountability cycle and timeline, we should be mindful of the impact on the grantees particularly if it means requiring more data gathering and reporting from them.

Motion carried.

### MOTION:

It was moved by Dinah Sykes and seconded by LeEtta Felter, the following motion:

In order to prioritize the needs of children and families in our system of data analyses, the responsibility for collecting and monitoring outcomes cannot rest on individual programs alone. Understanding the combined impact and long-term outcomes of our CIF programs and services across other state agencies will require a statewide, coordinated effort. **The Cabinet recommends systems level solutions to more effectively measure long-term outcomes - the establishment of an Early Childhood Integrated Data System (ECIDS) and appointment of an ECIDS Core Team.** The Cabinet is well-positioned to direct an interagency process to align reporting requirements across state agencies and establish data governance agreements.

The power of longitudinal data can be found in the study conducted by one of the Cabinet's grant recipients, The Opportunity Project (TOP) Early Learning Centers. Twelve years into the study, conducted in partnership with the Wichita Unified School District with consent from the families involved, the study reveals concrete examples of stronger student achievement, decreases in special education placement resulting in significant cost savings, and improved social skills.

Motion carried.

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### **AMENDED MOTION:**

It was moved by John Wilson and seconded by Tyler Smith, to offer an amended motion that read:

Research clearly shows that children thrive when their basic needs are met, and that parents and caregivers are better able to support children when their own basic needs are met. **The Cabinet recommends the Governor and the Kansas Legislature increase access to work and family support programs that help children and families meet their basic needs.** The Cabinet believes current restrictions to these programs undercut the investments made through the CIF and blunt the efficacy of these programs. The 2019 comprehensive, statewide Needs Assessment documents these concerns.

Motion carried.

### **E-Cigarettes Litigation & Cabinet Legal Services**

LeEtta Felter reported on a recent incident concerning e-cigarettes in Kansas and asked the Cabinet to explore the feasibility of taking legal action against tobacco companies selling e-cigarettes. DiAnne Graham suggested the Cabinet make a motion to pursue legal counsel to address the sale of e-cigarettes in Kansas.

### **MOTION:**

It was moved by LeEtta Felter and seconded by John Wilson that the cabinet explore filing a lawsuit with regard to the use of e-cigarettes.

### **AMENDED MOTION:**

A substitute motion was made by DiAnne Graham and seconded by John Wilson (with approval of the makers of the original motion LeEtta Felter and John Wilson):

The Cabinet MOU with the Kansas Department of Education does not formally include legal services. While we have on occasion sought guidance from in-house counsel at KSDE, Department of Administration and the Governor's General Counsel, none of the input is construed to be legally binding or official legal advice. **The Cabinet recommends that staff explore options for legal services dedicated to representing the interests of the Cabinet itself and providing subject matter expertise.** The options to be explored will include retainer, contractual, contingency and pro bono arrangements, and should align with requirements of the state procurement process.

Substitute Motion carried.

### **MOTION:**

It was moved by LeEtta Felter and seconded by John Wilson:

Given the rise in use of e-cigarettes, the potential adverse impact of this epidemic on children and families, and evidence that tobacco companies are using the same deceptive practices at the heart of the Tobacco Master Settlement Agreement, **the Cabinet directs staff to explore the option of taking legal action against the tobacco companies engaged in the sale of e-cigarettes.** The Cabinet further recommends staff confer with the Governor and the Attorney General to discuss legal options available. Cabinet member Felter pointed to a group of school districts in Kansas that have each filed individual lawsuits using a law firm in New York engaged on a contingency basis. Motion carried.

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**Children's Initiatives Fund (CIF) Recommendations for FY 2021**

Chairman Moore asked for motion regarding the CIF Recommendations for FY 2021.

**MOTION:**

It was moved by LeEtta Felter and seconded by John Wilson, the Cabinet accept the presented list of CIF Recommendations at continued level funding for FY 2021. There was discussion.

**AMENDED MOTION:**

It was moved by Dinah Sykes and seconded by John Wilson to amend motion to read:

Cabinet accepts the list of FY 2021 CIF Recs at continued level funding and additional dollars available be earmarked to ECBG/(CIF Grants)

Motion carried.

**Break**

*Chairman Moore called for a 10 minute break at 11:10 a.m. The meeting resumed at 11:20 a.m.*

**Early Childhood Block Grant (ECBG) Request For Proposals Work Group**

Chairman Moore reported on the ECBG RFP workgroup that met on September 26 and October 16. Team members included Chair Moore, former Cabinet member Annie McKay, Rachel Sisson, KDHE, Amanda Petersen, Nis Wilbur, and Natalie McClane, KSDE, Jackie Counts, KU CPPR, Cabinet staff Melissa Rooker and Amy Meek.

The Workgroup focused on applicant eligibility and requirements for funding, funding period, minimum cash match, award amount maximum and allowable use of funds. The Cabinet was presented with a summary of recommendations concerning the ECBG RFP for FY 2021. *(See Summary of Recommendations handout).*

**MOTION:**

It was moved by Dinah Sykes and seconded by John Wilson, the Cabinet accept the summary of recommendations for the ECBG RFP for FY 2021.

Motion carried.

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### **Ex Officio Reports**

#### **Kansas Department for Children and Families**

Rebekah Gaston, Director of Policy and Economic & Employment Services, DCF reported since the last meeting.

- Awards went to 18 organizations for the Family First Prevention grant.
- Twenty-seven (27) staff have been certified as Kansas State Sleep instructors
- Reported on new data now available for Child Care Assistance caseloads

#### **Kansas State Department of Education**

Amanda Petersen, Director, Early Childhood, KSDE reported:

- Nineteen (19) Kansas Parents as Teachers affiliates obtained Blue Ribbon status
- Second year of a Statewide initiative analysis for the Kindergarten Readiness snapshot for the ASQ-3 for academic skills and the ASQ-SE2 measures social-emotional status. Approximately 20,000 questionnaires were completed for children and an additional 4,200 were completed for either one or the other assessment.
- Kansas Family Engagement and Partnership Standards for Early Childhood has been updated to add in best practices. Barbara Gannaway, executive director at Kansas Parent Information Resource Center (KPIRC) lead that initiative.

### **Executive Director's Update**

Melissa Rooker reported the Preschool Development Grant advisory team scheduled their meeting at 1:00 p.m. today. Discussion will revolve around the upcoming federal PDG grant renewal due 11/5/2019.

Melissa remarked the Cabinet meetings will be shifted from four quarterly meetings to six meetings including an annual Retreat. All regular meetings will be conducted at 9:30 a.m., unless otherwise noted, and on the first Friday of every other month. The dates are February 7, April 3, June 5, August 7, October 2 and December 4, 2020. A zoom link will be provided and a feature at all meetings.

Melissa reported the **Cabinet Retreat** is scheduled Friday, November 8, 2019 and held at the Shawnee Mission School District Center for Academic Achievement in Overland Park.

### **Adjournment**

There being no further business for discussion, it was moved by John Wilson and seconded by LeEtta Felter, the Cabinet adjourn the meeting at 11:58 a.m. Motion carried.