

**CHILDREN'S SERVICES COUNCIL OF PALM BEACH COUNTY**  
**COUNCIL MEETING**  
**Thursday, May 28, 2015, 5:00 p.m.**

**MINUTES**

**1. Call to Order**

Vice-Chair Weber called the meeting to order at 5:01 p.m.

Present:

Thomas Bean

Vince Goodman

Kathleen Kroll

Thomas E. Lynch

Dennis Miles

Debra Robinson, M.D.

Shelley Vana (arrived 5:34 p.m., present for voting)

Thomas P. Weber

Excused: E. Wayne Gent, Greg Langowski

- A. Invocation – led by Vince Goodman
- B. Pledge of Allegiance – led by Vice-Chair Weber
- C. Presentations

1. Recognition of Council Member E. Wayne Gent

Vice-Chair Weber stated that Mr. Gent was unable to attend that evening, and that it would be the last Council meeting where he would be the Superintendent. He stated that for 16 years Mr. Gent had been an educator and leader in Palm Beach County and that CSC had been lucky to have him on the Council for more than three of those years. He stated that CSC greatly appreciated how Mr. Gent's leadership had helped grow CSC's strong partnership with the School District, however the time had come to say goodbye. He stated that a plaque would be given to Mr. Gent in recognition of his dedication to the children of Palm Beach County. He thanked Mr. Gent and wished him well on his future endeavors. Lisa Williams-Taylor, Ph.D., Chief Executive Officer stated that she would take the plaque to Mr. Gent's office on May 29, 2015.

- 2. Early Childhood Collaboration – LaNita Sanders, Program Officer; Victoria DelValle, Community Education Specialist – PBCSD/BRIDGES Liaison; Travelle Northern, Director of BRIDGES at West Palm Beach; Daphney Lange, BRIDGES at Highland Parent/Member; West Palm Beach; Dr. Moneek McTier, Principal, Pleasant City Elementary School, West Palm Beach

LaNita Sanders, Program Officer stated that they wished to share information regarding the Early Childhood Collaborative Leadership Institute ("Institute") that had been held in January. She stated that in partnership with the Palm Beach County School District, the Institute for Educational Leadership's National Coalition of Community Schools out of Washington DC, together with, University of New Mexico's Family Development Program: A Center for Excellence in Early Learning, introduced the Early Childhood Leadership Toolkit to BRIDGES and Linkage School staff, community members, early childhood care and education providers, and parents. She stated that the Toolkit provided a framework for making deliberate improvements across early childhood and community school settings through building effective linkages to ensure that the lives of children could be impacted prior to reaching Kindergarten through a continuum of learning with a focus on Kindergarten readiness.

Travelle Northern, Director of BRIDGES at West Palm Beach stated the seeds that had been planted by the Institute in January were beginning to sprout and the development was due to the collective efforts of the BRIDGES, community stakeholders, local providers and the School District. He stated that the Institute reinforced and strengthened the BRIDGES' effort to positively affect outcomes for the youngest children and their families and sees the toolkit as a comprehensive framework for co-learning and practice, aimed at building a collaborative leadership skills at the individual, team, and community levels. He stated that the University of New Mexico's Family Development Program believes that extensive engagement and intentional learning is necessary in guiding community-based capacity building for early learning childhood systems change, and that the Institute's goal was to provide support for dedicated leaders who had made a commitment to innovatively collaborate to overcome inequities that perpetuate poor outcomes within these communities. He stated that the toolkit provided reference for practical activities that equipped leaders, teams and communities through intentional reflective practices that were connected to real world action strategies for collaboration.

Mr. Northern stated that the follow up plan from the Institute was for them to create early childhood collaborative teams at the linkage schools within the local BRIDGES communities and the goal was to construct a foundation for early learning beginning at birth through the school age years, created by partnerships between families, early learning programs, local government, churches, schools, and the community at large to develop and implement a pre-Kindergarten transition plan. He stated that the plan would be launched in the fall of 2015 at Pleasant City Elementary School and all the BRIDGES throughout the county, and would consist of a comprehensive menu of activities and opportunities for child and school connections, family school connections, and community school connections. He stated that the inter-connection, cohesion, collaboration and partnership work had already begun to ensure that each child within the BRIDGES communities was ready for school on day one. He stated that they believed that the partnership for school success began at birth.

Daphney Lange, BRIDGES at Highland Parent/Member and part-time BRIDGES Childwatch staff thanked the Council. She stated that she had been invited to the Institute, and she would like to thank the outreach coordinator for supporting and encouraging her. She

stated that originally, she had not wanted to attend, but after being there, realized it was an essential thing to do. She stated that she had felt empowered to see teachers, principals and administrators there for her children, and the community's children. She stated that her take-away had been to understand that she was supported as a parent, and what she learned from the toolkit showed her she could empower her own community. She stated that after the Institute, and thinking about what was happening in her community, she identified a gap in workshops provided by the BRIDGES at Highland. She stated that she spoke Creole, and at the workshops there had not been many Haitian-speaking people attending. She stated that she had wanted other Haitian parents to benefit from all the great information and knowledge she was learning and using to help her kids, so she approached the BRIDGES director to find a way to engage the people who were not present. She stated that she had wanted to be more culturally sensitive to them, and had brainstormed how to get them to attend. She stated that she had decided to organize a focus group, and with the help of the BRIDGES team, she had used the tools from the Institute to conduct a meeting with an Agenda. She stated that she had been able to reach various people to determine why they were not showing up for the BRIDGES events and activities. She stated that there was a board at her location with the quotation "We must be the change we wish to see in the world", and that it resonated with her, she wanted to see change and to be change. She stated that she was happy that they had valued her as a parent, and was happy to be at the Council meeting.

Vince Goodman stated that it was enlightening to him to see parents attend Council meetings and testify about their experiences. He asked if they had been able to determine why those desired community residents were not attending the meetings. Ms. Lange stated that she had invited certain people and had asked them to invite others. She stated that with that particular population it was difficult to network through flyers because of low illiteracy, so she had called to invite them. She stated that she had called for two weeks straight, had invited 14 people, and 6 people showed up. She stated that one attendee had informed her that in order to get the desired population to attend they needed to be more culturally sensitive and approach them in a way that would make them want to come. She stated that they needed someone who spoke their language when they showed up so that they felt comfortable. Mr. Goodman asked what language she had used when she had contacted them, Ms. Lange stated that it was their native language, Creole. Mr. Goodman asked whether the children attended the school, Ms. Lange stated that the children went to Highland Elementary. Mr. Goodman asked whether the children were taught in English or Creole. Ms. Lange stated that the parent's first language was Creole and they spoke to their children in Creole. Mayor Vana stated that at school they are taught in English. Debra Robinson, M.D. stated that there were no dual language programs in Creole at the current time, and that it was something that should be explored.

Victoria DelValle, Community Education Specialist – PBCSD/BRIDGES Liaison stated that her work was to help support the Initiative (from the January meeting) and help guide the formation of linkage school teams. She stated that the first part was to ensure that the teams had the right people at the table which necessitated helping the schools and community leaders identify who the right people were. She stated that all teams would look

different depending on the needs of the community. She stated that the principals would be participating and identifying other leaders within the school building. She stated that at Pleasant City, Dr. McTier had her pre-K teacher, reading coach and others on her team. She stated that the community aspect of the team included BRIDGES directors, pre-K leaders, child care leaders, community and faith based representatives. She stated that they would start formally in the fall, set goals, and develop a timeline of activities that would not only be for the children transitioning to the school but also for the entire family, which was a key component. She stated that the schools would have a timeline for transitioning activities for a minimal time of 1 year before the students entered the school, so the parent and the children could become a part of the community to ease the transition of the early childhood years to the formal traditional school model. She stated that each school would be using FLKRS (the Florida Kindergarten Readiness Screen) data to drive the initiative: to identify areas of strengths and need, set goals and develop transition activities to meet those goals. She reiterated that her job was to set the framework for the teams in order for them to be successful.

Dr. Moneek McTier, Principal, Pleasant City Elementary School, West Palm Beach presented data from the FLKRS (the Florida Kindergarten Readiness Screen) assessment. She stated that it was an assessment that students in Kindergarten were given to measure all data points outlined in the slide (overall score, physical development, health and safety, scientific thinking, mathematical thinking, language and literacy, personal and social development). She stated that the slide showed that Pleasant City Elementary School was lagging behind in all the indicators when compared to the County and State. She stated that she had always been a proponent of early childhood education, and her previous school (Northboro Montessori) had offered a 3-year old program. She stated that she realized Pleasant City needed more than a 3 year old program to ensure the students would reach the desired targets and that they needed parent involvement.

Dr. McTier stated that the data showed that children did not enter the school with enough of the required skills. She stated that her school's pre-K program was fantastic and they had wonderful teachers, however, it was still not enough. She stated that they wanted to look deeper to see what could be done and her time at the Institute helped her understand what some of the other concerns may be. She stated that parents may not engage, and parents may not understand, but it was not true that they did not care. She stated that the parents did not know how to be involved in the system and she believed that the collaborative teams would be the starting point for getting the parents to the table. She stated that Ms. Daphne Lange (parent) was at the table, and she was sure that the impact in her children's education would be measurable. She stated that there was nothing wrong with Pleasant City's children's capacity to learn, and that Pleasant City was #1 in the county for growth in math, and #2 in the county for growth in reading. She stated that they wanted to be able to say that their children were #1 and #2 in terms of proficiency. She stated that they wanted to get the parents to the table to own up to their accountability and realize that the educators needed them at the beginning. She stated that she had attended several graduations, and parents were vociferous in their support of their children, and they needed the parents to have the same excitement when they were born and when they came

through the door of the school. She stated that once they get the parents through the door they will change the paradigm of Palm Beach County and the community.

Tom Lynch asked how many children were in Kindergarten at Pleasant City Elementary. Dr. McTier stated that there were 72 children. She stated that there were two pre-K classrooms, but it had been very difficult to engage the parents and get the children to come to pre-K which was the opposite of her experience at Northboro Montessori. She stated that at Northboro the pre-K program was at capacity and parents had volunteered to pay for the program if only they could get their children in. She stated that she had assumed that the same vitality would be present at Pleasant City for a free program, and that she had been shocked that it was not. She stated that once they had advertised the pre-K program on the marquee, all the parents who were not successful in getting in at Northboro had applied. She stated that they had to be vigorous to get the Pleasant City parents in the door, and once they were onboard they worked wonders with them. She stated that the poor-scoring data would continue because they first had to address the parenting and nurturing piece before they could address the educational component. She stated that they needed to find a way to educate the parents and have them feel comfortable about partaking in their child's education, allowing them to feel as comfortable on the first day as they did on graduation day.

Tom Lynch asked how many of the 72 Kindergarteners had first attended Pleasant City's pre-K program. Dr. McTier stated that of the current 42 students in the pre-K program, possibly 20 of them would matriculate into the Pleasant City Kindergarten program. Mr. Lynch asked whether they had tested in 1<sup>st</sup> and 2<sup>nd</sup> grade the difference between those who had attended pre-K vs. those who had not. Dr. McTier stated that those children who had attended pre-K outscored all the incoming Kindergarteners. Mr. Lynch asked how CSC could help Dr. McTier get the other 40 children of the incoming Kindergarten year to attend pre-K. Dr. McTier stated that they could get them into pre-K, but she wanted to get parents like Ms. Lange to the table. She stated that when they came to the table they would see all that was necessary for them to help their children. She stated that something needed to be centered around policy and making it a requirement. She stated that a parent had attended because she lived in a particular housing group, and had specified that she was attending because she needed points for her housing group. She stated that after being involved in the pre-K room the parent had been shocked that the children had to do so much. She stated that the parent realized that her child was severely lagging and needed her support, and started coming to the school more often. She stated that the problem was that they did not get the parents in the building enough in order to attune them to what was necessary. She stated that the accountability system was changing every day, and was becoming more rigorous and vigorous. She stated that they were able to see a change as the children matriculated upwards, but the change was about growth and not proficiency. She stated that they wanted the proficiency rate to be just as wide a margin as the growth rate.

Tom Lynch stated that an area Superintendent in Delray Beach had been able to get the community to pay for a dinner to get parents in the door. He stated that attendance had been low the first time but that it had been filled beyond capacity the second time. He

suggested that a breakfast might be a possibility at Pleasant City, and once they were in, Dr. McTier could indoctrinate them. Dr. McTier stated that they wanted to change a parent's mindset and have them come because they realized it was important. She stated that they did not send home report cards because they were so detailed, and instead offered a parent conference training week to go over the report card, and BRIDGES provided a dinner for any interested parental figures in the household. She stated that all attendees had to meet with their child's educators, and only then could they get the dinner. She stated that they wanted to change a parent's mindset so that they understood that it was their responsibility to attend.

Tom Weber stated that he would be interested to hear a report in the coming year to see how the numbers had moved as a result of the collaboration. Dr. Robinson stated that they should not be called school-based teams. Victoria DelValle stated that they were called Early Childhood Collaborative Teams (based at the school).

3. SROI Presentation (carried over from the CSC's Annual Planning Session) – Randy Palo, Director of Community Planning and Partnerships

Lisa Williams-Taylor, Ph.D. stated that staff had been asked to explore the concept of social return on investment (SROI) at the request of the Council several years previously. She stated that in 2012 an RFP had been released for SROI and there had been two responses. She stated that they had determined at the time that the cost of investigating SROI would not be worth it for the product the respondent proposed to deliver. She stated that they had decided to continue to monitor what was happening nationally and locally. She stated that in late 2012 an organization (Augenblick, Palaich and Associates, Inc. - "APA") came to CSC's attention because they had developed a web-based application to look at SROI for evidence-based programs. She stated that they had worked in New York State, Colorado, Minnesota, Ohio, and Massachusetts. She stated that a system had already been created and CSC would only need to do refinements instead of creating a new infrastructure. She stated that CSC had contracted with APA in 2013.

Randy Palo, Director of Community Planning and Partnerships stated that CSC had started working with APA with the mindset of checking currently-funded programs, in addition to utilizing it in planning areas to make strategic decisions. He stated that they had determined that there was not a consistent and universally used definition of return on investment, especially in the social service sector. He stated that the formula was the total benefits of the program divided by the total cost of the program, and gave the example of an benefits of \$12 million realized, with costs of \$2 million, being \$6 ROI. He stated that when they tried to apply it to any of the programs it was a much different definition than in the Private Sector, because it had to do with how much a community was saving, rather than how much it was earning.

Mr. Palo stated that another difference was that it was calculated entirely on social benefits, therefore calculating the monetary value of a social benefit such as 'decreasing the need for special education' or 'increasing healthy births'. He stated that as they delved into the tool

they found the benefits were often not coming directly to CSC (such as CSC investing in early childhood education which later prevented the need for remedial services or special education) that it was often not a savings to CSC, but was a benefit to the community. He stated that much of the ROI calculations made sense at the State level because the State invested in both sides of the programming and so they were able to realize the savings. He stated that they were primarily looking at the benefits of prevention and early intervention leading to later savings.

Mr. Palo showed a slide which outlined the benefits in a multitude of areas (pre-term and caesarian births, breastfeeding, immunizations and child health care, child care, substantiated child maltreatment, repeated grades, special education, foster/home care, juvenile justice system, tangible crime victim savings, maternal earnings, additional costs of college, adult care, adult education, welfare savings, adult health, lifetime earnings). He stated that as they reviewed program to program there were many categories with a zero because the program did not focus on child care or breastfeeding, for example. He stated that using ROI in decision-making ways, you would not always be looking at an equal comparison because the analysis itself was sometimes done differently.

Mr. Palo stated that they had noticed the long term projections and estimates involved, in the example shown it calculated the benefit to juvenile justice, adult health and lifetime earnings. He stated that an example was for a nurse visiting program which had occurred before and after a child was born, and a juvenile justice savings was 15 years later, etc. He stated that it was a projected figure based on many assumptions. He stated that there was limited utility in the tool for various reasons:

- They were rough estimates, so the pluses and minuses were widely spread
- It was difficult to associate certain outcomes with a monetary value (foster care)
- It was an emerging area of practice.

Mr. Palo stated that ROI was discussed with national experts at CSC's Think Tank meeting in March, 2015 and they had expressed that CSC should use the results with caution. He stated that the feeling of the national experts was that it was difficult to make decisions using the current research available, the comparisons were often very skewed because of the inconsistencies in the methodology used. He stated that there were also few programs that could even have an ROI calculation. He stated that there were only a certain number of evidence-based programs which had already had rigorous research conducted on them, and only a handful of them had gone the next step and had calculated ROI on themselves.

Mr. Palo stated that ROI was only one type of analysis: CSC had its CPPA process and program evaluations for monitoring programs. He stated one way to regard it was "is a program worth implementing only if it had a financial savings?" He asked whether healthy births had value as a program only because it produced a savings in medical costs, or was there another reason you would want to promote healthy births?

Mr. Palo stated that ROI did have some uses, and they were not recommending dropping ROI altogether. He stated that together with the other analysis performed by CSC (strategic

planning, CPPA and program evaluations), they would still identify ROI where possible and be realistic in how precise those results would be when trying to use it. He stated that ROI had value in terms of communication – it was hard to ignore ROI and was becoming part of the vernacular in the human services field. He stated that when CSC went to Referendum there was much discussion regarding return on investment on CSC's programs, so it was not prudent to ignore it. He stated that the tool could provide examples for programs, and what the ROI could be, and it could get the message across about why CSC funded prevention and early intervention programs, and how CSC contributed to the community by the provision of those programs.

Mr. Palo stated that the leader in the field was the State of Washington's Institute for Public Policy which had a staff of 17, just to focus on ROI calculations and how to use those as decision-making tools.

Vice-Chair Weber stated that virtually everything CSC did had economic value and return on investment, and that the real issue was how to quantify it. Thomas Bean stated that he agreed with the approach of not dropping it, and having it as something to continue to look at. He stated that in general, it was an area that continued to grow both in charitable giving and quantifying return on investment in social services. He stated that the tool currently in existence had not been around 6 to 10 years ago, and had not even been thought of 20 years previously. He stated that it was a field that was growing very quickly, and he agreed with Mr. Palo's caution that no matter how advanced this field continued to get, they should always regard the results with a grain of salt. He stated that it was not as clear cut because the investments may be seen in the community 15 years later, but may also not be seen because other influences had come into play. He stated that it did not mean that the programs that CSC was pursuing and funding were not worth pursuing and funding, however, the tool could give them a better handle to help with the conversation although not be the driver of the conversation. Mayor Vana stated that she agreed, and that CSC could not have a conversation with legislators unless they had some sort of quantifiable effect. She stated that while everyone present knew there were many factors influencing what went in and what came out, you still had to be able to say "this is what it does".

Lisa Williams-Taylor, Ph.D. stated that one reason why CSC wanted to review SROI locally was because legislators hear much about High Scope Perry Preschool with its return, but what was the return locally? She stated that it was nice to be able to localize the dollars such as the cost of special education in Palm Beach County. Tom Lynch stated that approximately 8 years previously the Federal Reserve in Minnesota had issued a report showing the intangible return on investment which had been phenomenal. He stated that they had a lot of data, and if CSC could get that, it would be very valuable.

## **2. Minutes**

### **A. April 23, 2015 CSC Annual Planning Session Minutes**



**An omnibus motion by Goodman/Bean to approve the Minutes of the April 23, 2015 CSC Annual Planning Session as presented and to ratify the actions taken and approve the Minutes of the April 23, 2015 Council meeting as presented was approved by unanimous vote.**

B. Ratification of Actions Taken and Approval of Minutes of April 23, 2015 Council Meeting

**An omnibus motion by Goodman/Bean to approve the Minutes of the April 23, 2015 CSC Annual Planning Session as presented and to ratify the actions taken and approve the Minutes of the April 23, 2015 Council meeting as presented was approved by unanimous vote.**

**3. Individual Appearances – Agenda Items – N/A**

**4. Council Committees:**

Program Review Committee

Vice-Chair Weber stated that the Program Review Committee approved the PRC Consent Agenda including the Warrants List and Resolutions #15-015 and #15-016. He stated that there had been a System of Care update, and approval of Resolution #15-017 accepting Child First RCT evaluation grant.

**A motion by Bean/Goodman to approve the PRC agenda in its entirety was approved by unanimous vote.**

Finance Committee

Tom Lynch stated that the Finance Committee had met prior to the PRC meeting that day and recommended approval of the April 30, 2015 Financial Statements. He stated that in May the Council had approved Davidson Fixed Income to manage CSC's investments, and they had gone to bid for an audit firm. He stated that 10 firms had applied, one was disqualified, leaving 9 submissions. He stated that the top two firms were rated and evaluated the previous week, and the Finance Committee recommended approving Resolution #15-018 and an agreement with Caler, Donten, Levine, Cohen, Porter & Veil, P.A. He stated that the fee for the auditors would be approximately \$5,000 less than what had most recently been paid. He stated that it was a five-year contract, and every five years CSC would switch to another firm.

Mr. Lynch stated that the Finance Committee had reviewed the upcoming budget with an expected increase in taxes of about 8%, and the figures indicated that the increase would be 8.6%. He stated that the Committee would be looking at alternatives, and it was good news for Palm Beach County that the tax base was increasing, home values were increasing, and new construction was moving forward.

**A motion by Goodman/Kroll to approve the Finance Committee report, Financial Statements ending April 30, 2015, and Resolution #15-018 for a new audit firm was approved by unanimous vote.**

## 5. Business/Consent Agenda

### A. Consent Agenda Management

1. Additions, Deletions, Substitutions - None
2. Items to be Pulled for Discussion – There were no Agenda Items pulled for discussion purposes.
3. Adoption of the Consent Agenda and Walk-in Warrants List

**A motion by Goodman/Bean to approve the Consent Agenda and Walk-in Warrants list was approved by unanimous vote.**

### B. CSC Funded Programs – Current – N/A

### C. CSC Funded Programs – Future – N/A

### D. Planning & Development – N/A

### E. Personnel – N/A

### F. Financial

1. Warrants List – Approved by Consent

### G. Administration – N/A

## 6. Business/Non Consent Items – N/A

## 7. Walk-In Items

## 8. Chief Executive Officer's Report

Lisa Williams-Taylor, Ph.D. stated that the information from April's Planning Session had been collected and some follow up had occurred. She stated that the CEO Report showed what had been completed so far and that more information/data would be brought forward as it became available. She asked Council members to email her if there were any items that had been omitted in order to get it on the plan. She stated that a question had been raised about Incredible Years asking "in comparison to other sites did the BRIDGES sites have better engagement rates?" She stated that the data had been analyzed and it showed that BRIDGES had a completion rate of 51% and non-BRIDGES sites had a completion rate of 46%. She stated that while BRIDGES had fared better than others, the rate of attrition was very high.

Dr. Williams-Taylor stated that CSC had kicked off the 4<sup>th</sup> Happily Ever After book event at Poinciana STEM Elementary school. She stated that Council member Thomas Bean had been present, in addition to School Board member Erica Whitfield. She stated that school administrator Keith Oswald was in attendance, in addition to a representative from the Florida Children's Services Council. She stated that the CEO of the Literacy Coalition, Kristen Calder was in attendance, in addition to folks from the local BRIDGES program. She stated that it was all covered by the Media. She stated that the event had allowed time for dignitaries to sit down with the children and read with them.

Dr. Williams-Taylor stated that the Drowning Prevention campaign kick-off had been May 7, 2015. She stated that the Council had approved the addition of \$50,000 annually, provided there was a match from local business. She stated that the kick-off had been attended by Council member Dennis Miles, County Commissioners Paulette Burdick and Steve Abrams, and School Board members Erica Whitfield and Karen Brill. She stated that there had been significant media coverage for this event and it had been standing room only. Photos of each event were shown.

Dr. Williams-Taylor stated that Monday of the previous week CSC had hosted children of staff members in its "Bring your Child to Work Day". She stated that CSC had planned a full day of events for the children and they had learned why it was important to care for those in the community, and more about the work of CSC and how CSC made a difference. She stated that she had received very positive feedback from this event.

Dr. Williams-Taylor recognized Jeff Goodman, Research & Evaluation Analyst who had been invited to present at the National CityMatch conference in Chicago in September, 2015. She stated that Scott Davey had been promoted to Director of Information Systems and Chris Jacob had been promoted to Director of Information Technology. She introduced Kasha Owers, Director of Program Performance. She stated that Andy McAusland had received his five year service award and thanked him.

Dr. Williams-Taylor stated that a member of the public had written to the editor of the Palm Beach Post and had thanked CSC for the literacy campaign and book drive. She stated that there was new collateral for the Triple P program which had been distributed at Council members' places.

Dr. Williams-Taylor stated that CSC had recently received three accolades for its launching of the Strong Minds network. She stated that a letter had been received from a child care organization thanking CSC for the quality system and how they were now able to hire an employee to help with their center's quality, someone dedicated to training teachers and improving the quality of care.

Dennis Miles thanked the Council for bringing the community together regarding the Drowning campaign. He stated that when looking at child fatalities, drowning and unsafe sleep were by far the leading cause of death. He stated that the Drowning Prevention kickoff event had been outstanding and had really engaged community leaders with heavy media coverage.

## **9. Legal Reports**

Tom Sheehan stated that Council members would shortly be receiving the Financial Disclosure form which was due to be filed by July 1, 2015.

1. Overview of Public Records and Sunshine Law

Mr. Sheehan stated that the Sunshine Law provided the right of access to government proceedings including Council meetings. He stated that if there was a known violation of the Sunshine Law it could be punishable by a misdemeanor of the second degree, up to 60 days imprisonment and a fine of \$500. He stated that an unintended violation could be prosecuted as a non-criminal infraction with a civil penalty of up to \$500. He stated that Courts have held that actions taken in violation of the Sunshine Laws are void from the beginning, and you would have to start all over from the beginning to re-approve those business decisions, which was very time consuming and cumbersome.

Mr. Sheehan stated that there were three basic requirements for the Sunshine Law:

- Meetings must be open to the public
- Meetings should be reasonably noticed
- Minutes of meeting must be taken and must be available for public inspection. Verbatim Minutes are not required, recordings are not required, but there must be some type of Minutes.

Mr. Sheehan stated that CSC met all those requirements for the Sunshine Law, for Council and Council committee meetings.

Mr. Sheehan stated that the real issue with the Sunshine Law was not typically with the meetings outlined above. He stated that it was when any two Board members got together and talked about something reasonably likely to come before the Council for action, which was also considered a meeting. He stated that in these cases there would be no minutes, there would be no notice, and the public would not have been invited. He stated that there were situations at a regular meeting where people could possibly get into trouble for various things, such as (under certain conditions) sections of the meeting could be closed for discussion of litigation strategy, collective bargaining, etc. He stated that there were very strict requirements to be met in these cases. He stated that Council members needed to be mindful of the Sunshine Law when conducting their daily business.

Mr. Sheehan stated that Council members were free to talk to each other about any manner of subjects: sports, religion, politics, but must not discuss anything that may come before the Council for action. He stated that the Sunshine Law applied not only to face-to-face meetings but covered phone calls, email, instant messaging/texting, Facebook, Twitter, and any other means of communication.

Mr. Sheehan stated that should Council members feel the need to impart information to other Council members prior to a meeting they could send a one-way type memorandum. He stated that since everyone is used to replying to emails (which would then present a problem, because a response to the email would qualify it as a conversation out of the Sunshine), Council members could provide the one-way memorandum to the Chief Executive Officer, and it could be distributed in a way that there would be no "reply all" feature creating a discussion.

Mr. Sheehan stated that communications with staff were not covered by the Sunshine Law. He stated that Council members could not ask staff to act as a conduit to let their views be known to another member of the Council.

Mr. Sheehan stated that Public Records were very broadly defined under the law, and covered all materials in whatever form you could imagine: paper, digital, maps, films, CDs, etc. He stated that a Public Record was an item that was made or received by an agency in connection with official business that were used to perpetuate, communicate or formalize knowledge. He stated that the public had the right to inspect and/or copy those records, and if they were denied that right, they then had the right to bring suit. If they were successful in their lawsuit they would then have the right to attorney's fees. He stated that, additionally, a public officer who knowingly violates the provisions of the Public Records Law is subject to suspension and removal or impeachment, and may be guilty of a misdemeanor in the first degree, punishable by up to one year in prison and/or a fine of \$1,000.

Mr. Sheehan stated that, absent a statutory exemption, all of CSC's public records were available for reviewing and copying by the public. He stated that there were significant exemptions: information identifying children (or their parents or guardians) as exempt. He stated that some information that was subject to HIPAA or federal law, which was exempt. He stated that social security numbers were exempt, bank account numbers, and medical information were all exempt. He stated that there had been a few instances where a personnel file had been requested and he had made redactions of certain items, however most of the file was eligible for review by the public.

Mr. Sheehan that when getting into email and instant messaging, if it was made in connection with official business it was then a public record, and it needed to be maintained as a public record, which was part of the public records law. He stated that at CSC they had not found a good way of capturing text messaging/instant messaging, and when a phone was issued to an employee by CSC, those features were blocked. He stated that if a Council member was using a phone/instant messaging for CSC business they needed to ensure that they had a way of preserving those records. He stated that an attorney at the County suggested that in the case of Facebook, you could make periodic screenshots and preserve those.

Mr. Sheehan stated that Minutes were available to public inspection even if they had not yet been approved. They would be labeled "draft" and be made available. He stated that the location of a record did not determine whether or not it was public. He stated that you could use a CSC computer sending an email to a friend on a personal matter, and it would not be a public record. He stated that you could use your computer at home or a smartphone, send an email regarding CSC business, and it would be a public record. He stated that the fact that it was on your own personal device did not exclude it from becoming a public record. He stated that as technology expanded with smartphones etc. this area would become more difficult to remain in compliance.

Mr. Sheehan stated that Council members should contact him if they had any questions regarding the Sunshine Law or Public Records.

**10. Individual Appearances – Non-Agenda Items – N/A**

**11. Council Comments – N/A**

**12. Adjournment**

The meeting was adjourned at 6:13 p.m.



Vincent Goodman, Secretary

Lisa Williams-Taylor, Ph.D., Chief Executive Officer