



Committee on Social Services

~MINUTES~

Tuesday, January 22, 2019

11:00 AM

DRAFT

Committee Chair: Kitley Covill

Committee Room, 148 Martine Avenue, 8th Floor, White Plains, NY 10601

www.westchesterlegislators.com

CALL TO ORDER

With a quorum present, Chair Kitley Covill called the meeting to order at 11:05 AM.

Attendee Name	Title	Status	Arrived
Kitley Covill	Chair	Present	
Nancy Barr	D6 Legislator	Present	
MaryJane Shimsky	D12 Legislator (Majority Whip)	Present	
David J. Tubiolo	D14 Legislator	Present	
Alfreda Williams	D8 Legislator (Vice Chair)	Present	
Benjamin Boykin	D5 Legislator (Chairman)	Present	

Idie Benjamin - CCCW, Kathy Halas - CCCW, Diane Atkins - CE, Kevin McGuire - DSS, John Befus - DSS

MINUTES APPROVAL

- Monday, January 14, 2019 at 10:05 AM

On motion of Legislator Shimsky, seconded by Legislator Barr the minutes were approved 4 - 0.

I. ITEMS FOR DISCUSSION

- (ID # 11489) Communication - LEGISLATORS MAHER, CLEMENTS, SHIMSKY, BARR, BORGIA, COVILL, BOYKIN AND A. WILLIAMS: LoHud Article - "Day care nightmare: Scarsdale parents' tale of a son losing a fingertip":**

Forwarding a LoHud article entitled, "Day care nightmare: Scarsdale parents' tale of s son losing a fingertip, reveals violations".

Chair Covill opened the meting and gave a brief overview of the incident that took places at The Learning center in Dobbs Ferry. She explained to the members the purpose of the meeting is to explore what are the current regulations and what suggestions can be made for parents. Chair Covill asked Kathy Halas, Child Care Council of Westchester (CCCW) to start the discussion.

Ms. Halas introduced herself the Committee and explained that State regulations require for that situation to have been handled in a different way then the way it was handled. There is information available that can help parents make better decision on choosing a day care facility but many parents go in FaceBook, or recommendations from friends. It does not arm the parents with the information they need. When parents call the CCCW, apart from meeting the families individual need, the CCCW also informs the families to check the Office

of Children and Family Services (OCFS) website to know the history of the facility and how to use the website. Parents often make their choice based on the location and then price, quality and safety are often last.

CCCW has always hope that the State of NY would fully implement a quality rating improvement system for day care centers which has been up and running in other States for years. Currently, there is a framework called Quality Stars NY it was developed in 2008 but has never been funded.

Chair Covill asked if the CCCW as an independent entity have the ability to rate day care centers.

Ms. Halas responded that she has been waiting for 10 years for Quality Stars NY to be fully implemented since she was part of the planning team, it takes money and people to carry it out and the CC does not have the means to do that.

In the past CCCW has been instructed to take facilities off their referral list if there was a CPS investigation.

Chair Covill asked if that still happens? Ms. Halas responded, no because it changed the only time they are now instructed by OCFS is if the facility's license is suspended or revoked.

Commissioner Kevin McGuire, Social Services address the Committee and stated there is a perception that if a day care center is privately run, the facility is new and has a great marketing campaign the place is good and that is not always the case. Mr. McGuire agrees with Ms. Halas, that an unbiased measurement of quality and safety, done by a non-governmental agency so a good direction to go in.

Chair Covill asked if the County has the ability to empower CCCW to start a rating system?

John Nonna, County Attorney responded and stated there may be an expressed or implied pre-emption.

Mr. McGuire added the issue is mainly funding.

Mr. Nonna ask Mr. McGuire if the day care centers get any funding through Social Services and Mr. McGuire responded they get they licensed from NYS, OCFS and subsidies for child care through the Department of Social Services (DSS).

Mr. Nonna expressed to the committee that an angle the County can take is to make the approval of the subsidy contingent upon the quality of the day care center but it infringes on the rights of the parents.

Legislator Boykin asked is the CCCW has an idea of what is going on with most of the if a parent asks for CCCW's opinion on a specific facility can you provide it?

Ms. Halas responded that they have to be clear that CCCW is offering parents referrals and not recommendations. They would neither confirm or deny that information but they would encourage the parent to check out the regulatory history of the facility. CCCW tells parents what they should look for in a facility and what to look for in the OCFS website and they also encourage parents to visit the facilities.

Chair called Ida Benjamin, Director of Professional Development at the CCCW. Ms. Halas asked her if the classroom where the child was hurt was closed. Ms. Benjamin responded they are not sure if the classroom was closed but she was made aware that the school was closed for 3 or 4 days after the incident and when they were allowed to re-open they could only use the classroom where they had enough teachers.

Chair Covill asked County Attorney Nonna to look into how far pre-empting would go for a County Law. She also believes the County should be able to mandate the day care centers post where parents can look for violations in a visible location.

Mr. Nonna, agreed to look into it.

Mr. Nonna asked if the County could lobby OCFS to mandate how to look up violations.

John Befus, Deputy Commissioner stated it is possible because OCFS has a lot of leeway in how they regulate.

Kathy Halas added it is a state requirement to post violation on the parents bulletin board but most people miss it.

Chair Covill asked for clarification on that matter.

Ms. Benjamin responded and stated whenever a facility is sited for a violation there is an additional letter included that is to be posted on the parent bulletin board and programs receive violations for not posting those violation letters.

Legislator Maher asked if any of the franchise programs accept subsidies?

Ms. Halas responded yes, although she is not aware franchise policy there is one franchise that has several locations in the county but many of their locations are not in areas where people who require subsidies live but she is not aware of them denying people with subsidies.

Commissioner McGuire added he has not heard of any day care centers or chains that do not accept subsidies. There is also the issue of public relations and marketing with this case. There are many family day cares and non-profit day cares that have a negative perception because they take child care subsidies parents have the impression that the quality isn't as great, which is untrue. They just aren't putting their money into marketing.

Ms. Halas mentioned some things the CCCW are going to start doing differently going forward. Although CCCW encourages families to choose quality child care not everyone knows what that means so CCCW will release ads via social media to be more specific to the information they give families. The ads will juxtapose what is typically seen in the field which is poor quality care vs what parents are supposed to see or look for in child care. Through OFCS, CCCW is responsible to monitor regulatory compliance of small family providers and registered after school programs and the inspections are only required to be completed annually but CCCW is going to start to identify programs that are in chronic regulatory frequency and visit those locations more frequently. There are also a number of non-profit organizations in not the best locations or buildings. As the County is looking into developments project it would be interesting to look into relocation prospects for some of the not-for profits.

Legislator Maher asked Ms. Halas to keep the Legislators abreast on that.

Chair Covill asked how many of the licensed day care centers does the CCCW interact with?

Ms. Halas responded they are in touch with all of the registered after school and all of the registered family providers.

Chair Covill asked approximately how many parents call the CCCW for referrals?

Ms. Halas responded the number has gone down to about 2,000 parents per year and it used to be 4,000. There are 34,000 registered child care slots in throughout the County.

Legislator Shinsky suggested that the CCCW send the Board and the CE information that they can be able to reach constituents via e-blast.

Chair Covill thanked the guests for attending the meeting.

RESULT: RECEIVED AND FILED

II. OTHER BUSINESS

Unfinished Business and any other agenda items to come before the Committee.

III. RECEIVE & FILE

1. **(ID # 11457) Communication – HON. DAMON R. MAHER: Daily Freeman Article - "Ulster County's New Family Court called 'a model' that others could follow":**

Forwarding a *Daily Freeman* article entitled, "Ulster County's new Family Court called 'a model' that others in NY could follow."

With a motion by Legislator Tubiolo and seconded by Legislator Shimsky the item below was received & filed with a vote of 4 to 0.

RESULT: RECEIVED AND FILED

2. **(ID # 11458) Communication – HON. DAMON R. MAHER: NY Equity Coalition Report - NYS's Education System Suspension Crisis:**

Forwarding a report from The New York Equity Coalition and the Press Release from The Education Trust - New York on the NYS's education system suspension crisis.

With a motion by Legislator Tubiolo and seconded by Legislator Shimsky the item below was received & filed with a vote of 4 to 0.

RESULT: RECEIVED AND FILED

3. **(ID # 11470) Communication – HON. DAMON R. MAHER: Dailyfreeman.com Article - "Ulster County's new Restorative Justice Center":**

Forwarding a *Dailyfreeman.com* article entitled, "Ulster County's new Restorative Justice Center aims to steer youths away from crime."

With a motion by Legislator Tubiolo and seconded by Legislator Shimsky the item below was received & filed with a vote of 4 to 0.

RESULT: RECEIVED AND FILED

4. **(ID # 11471) Communication – LEGISLATORS MAHER AND A. WILLIAMS: Pew Charitable Trust Report - "Prison Health Care Costs and Quality":**

Forwarding a Report from *Pew Charitable Trust* entitled, "Prison Health Care Costs and Quality - How and why states strive for high performing systems."

With a motion by Legislator Tubiolo and seconded by Legislator Shimsky the item below was received & filed with a vote of 4 to 0.

RESULT: RECEIVED AND FILED

5. **(ID # 11472) Communication – HON. DAMON R. MAHER: Various articles on Advancing Equitable Early Childhood Systems in Local Communities:**

Forwarding various articles on Advancing Equitable Early Childhood Systems in Local Communities.

With a motion by Legislator Tubiolo and seconded by Legislator Shimsky the item below was received & filed with a vote of 4 to 0.

RESULT: RECEIVED AND FILED

6. (ID # 11480) Communication – HON. MARYJANE SHIMSKY: Correspondence regarding Reporting and Preventing Hate Incidents:

Forwarding correspondence from Ardsley Mayor Kaboolian regarding a Proposal on Policy and Procedures for Reporting and Preventing Hate Incidents.

With a motion by Legislator Tubiolo and seconded by Legislator Shimsky the item below was received & filed with a vote of 4 to 0.

RESULT: RECEIVED AND FILED

7. (ID # 11482) Communication – HON. MARYJANE SHIMSKY: NYTimes Article - "The Kernel of Human (or Rodent) Kindness":

Forwarding a *New York Times* article entitled, "The Kernel of Human (or Rodent) Kindness."

With a motion by Legislator Tubiolo and seconded by Legislator Shimsky the item below was received & filed with a vote of 4 to 0.

RESULT: RECEIVED AND FILED

8. (ID # 11485) Communication – HON. MARYJANE SHIMSKY: Law360.com Article - "Legal Aid Funder Faces Existential Crisis Under Trump":

Forwarding a *Law360.com* article entitled, ""Legal Aid Funder Faces Existential Crisis Under Trump."

With a motion by Legislator Tubiolo and seconded by Legislator Shimsky the item below was received & filed with a vote of 4 to 0.

RESULT: RECEIVED AND FILED

9. (ID # 11491) Communication – LEGISLATORS MAHER AND BARR: New York Times Article - "How a Crackdown on MS-13 Caught Up Innocent HS Students":

Forwarding a *New York Times* article entitled, "How a Crackdown on MS-13 Caught Up Innocent High School Students"

With a motion by Legislator Tubiolo and seconded by Legislator Shimsky the item below was received & filed with a vote of 4 to 0.

RESULT: RECEIVED AND FILED

ADJOURNMENT

Moved by Legislator Tubiolo seconded by Legislator Barr the Committee adjourned at 12:04 PM.