

Sasha Linker

From: Cathy McDonald <[REDACTED]>
Sent: Wednesday, July 20, 2022 10:10 AM
To: CommAsst
Subject: Claire Crandall stipulation comment

EXTERNAL EMAIL

July 20, 2022
Re: Claire Crandall Stipulation

Dear Commissioners:

I was informed by a former colleague that the FTC has issued a report regarding the case of Claire Crandall. Upon learning this news, I reviewed the summary of the investigation and stipulation, which is on the FTC agenda for August 2022.

After many years and what I assumed was a thorough investigation, I was surprised that the conclusion and resulting fine focused on a relatively narrow incident regarding Ms. Crandall's use of her position at the San Diego County Office of Education (SDCOE) to encourage other COEs to purchase her husband's software system. I have no doubt that this occurred, as the evidence indicates. However, I was very surprised that there was no evidence/information in the report about Ms. Crandall's actions that led SDCOE to select Crandall's husband's company as part of an RFA process. It was this selection that resulted in the Crandall's initial financial windfall and enabled Ms. Crandall to use her position as SDCOE coordinator to promote her husband's software to other COEs throughout the state.

In 2012, I was asked to serve on the SDCOE review committee that evaluated three companies that SDCOE was considering that would provide data collection software system to meet reporting requirements for their Preschool for All/Quality Preschool Improvement (QPI) Program. The three vendors that presented to the review committee on which I served were: WestEd, Mark Crandall's company (EQS), and another vendor (I do not remember the name of that company). As a consultant who supported school districts and non-profit organizations that had state preschool contracts, I carefully evaluated the merits of each vendor's software for features that would enable agencies to use the software to fulfill reporting requirements for both QPI and California Department of Education-funded state preschool contracts. I believed that software that met both program data collection requirements would be the best and most sustainable use of SDCOE resources. In my review, I rated the WestEd software higher than the other two vendors. That said, I also recall how strikingly similar the WestEd and EQS software were in terms of features, but I felt WestEd's version was more advanced in its development and better aligned with state preschool reporting requirements.

When I learned that SDCOE chose Crandall's husband's company, I accepted the decision despite my view that the WestEd software was superior. When I subsequently learned that PRIOR to the RFA committee meeting Ms. Crandall – in her role as SDCOE coordinator – had been in contact with WestEd to “learn more” about their software since SDCOE was considering purchasing it and even traveled to San Francisco to meet with WestEd staff, I realized that it was possible that she shared her knowledge gathered in these communications with her husband's software development team. WestEd staff unknowingly shared software specifications and proprietary information that Ms. Crandall may have then shared with her husband, thus giving him an advantage in the RFA competition.

That said, I urge the Commission to thoroughly review all the evidence gathered as part of this investigation and consider all events that led to SDCOE's selection of Crandall's husband's company. Clearly, Claire Crandall used her position at SDCOE to not only give her husband's company an advantage in its initial contract award with SDCOE, but

also to then to further promote the purchase of their software by other COEs, which in its totality led to a significant financial gain for Claire and Mark Crandall, and a misuse of public funds for personal financial gain.

Respectfully,

Cathy McDonald