

Legislative Testimony on Universal Prekindergarten

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Vermont's Guiding Principles: Supporting Each and Every Young Child and Family's Full and Equitable Participation

Each and every young child (birth through Grade 3) and family in Vermont has diverse strengths rooted in their unique culture, heritage, language, beliefs and circumstances. They have gifts and abilities that should be celebrated and nurtured. Full participation means promoting a sense of belonging, supporting positive social relationships and enabling families and early childhood professionals to gain the competence and confidence to positively impact the lives of each and every child and their family.



High Quality PreK Defined

What defines Vermont Universal Prekindergarten Education (UPK) is the implementation of **high-quality**, effective instruction by **licensed educators** who use **evidence-based practices** within **intentionally designed** early learning environments. Early educators align curriculum with the **Vermont Early Learning Standards** while **adapting** experiences to support the **full participation of each and every child** to realize their full potential and promote positive outcomes.



Act 166 Universal Prekindergarten (UPK)

Since 2016, Vermont's Act 166 provides 10 hours of publicly-funded prekindergarten education for 35 weeks for 3, 4, and 5- year –old children not enrolled in kindergarten, through a mixed delivery system (public, private and family childcare home providers).

High quality PreK Classrooms Include:

- Direct PreK instruction by Licensed Early Childhood Educator.
- Developmentally appropriate curriculum aligned with VELs and child progress monitoring through UPK approved assessment-Teaching Strategies GOLD.
- Developmentally appropriate designed learning environments by the Licensed Early Childhood Educators.
- Inclusion of children with and without disabilities.

Publicly Funded PreK

- Prekindergarten education is publicly funded by resident school districts. The cost of prekindergarten is part of a school district's budget as approved by district voters.
- Average Daily Membership (ADM) is .46 for school district reporting & budgeting.
- Per Act 166, 10 hours of UPK per week is consider full-time ADM.
- The tuition rate is adjusted each year by the New England Economic Project cumulative price index. Districts paying tuition for prekindergarten education to a prequalified prekindergarten education program (private or public) shall pay at the statewide rate for 10 hours per week for 35 weeks annually.
- SY 2022-2023 UPK Tuition rate per child is \$3,656.00
- SY 2023-2024 UPK Tuition Rate per child is \$3,764.00

Universal PreKindergarten (UPK) Totals

Total Statewide UPK Prequalified Programs	416
Total Public School UPK Prequalified Programs	155
Total Private UPK Prequalified Programs	212
Total Family Child Care Home UPK Prequalified Providers	49
9/1/2021-6/30/2022 Total UPK Enrolled Children	7, 541

Licensed ECE/ECSE by Setting

Public Schools

- Must have a licensed ECE/ECSE providing direct instruction in each PreK classroom.

Private Programs

- Licensed ECE/ECSE must be on site during 10 hours of PreK instruction.

Family Child Care Providers

- Be a licensed ECE/ECSE, contract with or mentored by licensed ECE/ECSE.

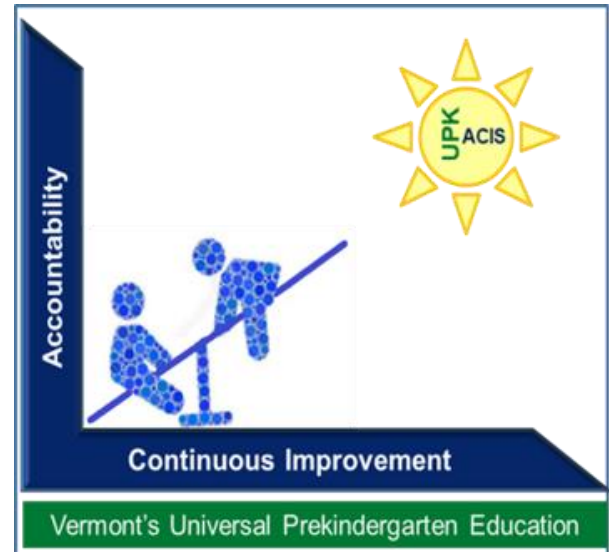
UPK Administrative Rules/ACIS Monitoring

AOE/AHS Joint Oversight

- UPK application approval process
- ACIS monitoring co-investigations
- Interagency bi-weekly meetings

11 UPK requirements including:

- Licensed ECE/ECSE (AOE)
- Vermont Early Learning Standards (AOE)
- Teaching Strategies GOLD (AOE)
- Child Care Regulations & STARS (AHS)



Policy Statement on Inclusion

It is well documented that the beginning years of all children's lives are critical for building the early foundations of learning and wellness needed for success in school and later in life. During these years, children's brains develop rapidly, influenced by the experiences they share with their families, teachers, peers, and in their communities. Like all children, it is critical for children with disabilities to be exposed to a variety of rich experiences where they can learn in the context of play and everyday interactions and engage with their peers with and without disabilities.

— U.S. Departments of Health & Human Services and Education (2015).
Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs

IDEA Part B and Section 619

- IDEA Part B Ages three through 21
- IDEA Part B Section 619 three through five
- Part B, Section 619 of the IDEA Ages three through age five authorizes additional preschool formula grants to states that are eligible for grants under Section 611 of Part B.
- States are eligible if they make *Free Appropriate Public Education (FAPE)* available to all children ages 3 through 5 with disabilities.
- While not mandatory, all states are currently providing IDEA services to preschool-aged children.



IDEA Part C vs Part B Environments

Part C: Early Intervention (0-3)

Appropriate early intervention services are made available to all eligible **infants and toddlers** with disabilities in natural environments, including the home, and community settings in which children without disabilities participate, to the maximum extent appropriate, factoring in each child's routines, needs, and outcomes.

Part B (Special Education 3-21)

Special education and related services are to be made available to all children with disabilities ages **three through 21**, to the maximum extent appropriate, in the least restrictive environment (LRE) factoring in an individual child's unique strengths and needs.

Determining LRE

- Once the team (which includes the parents) develops the IEP and determines the services a child needs, a decision must be made about where services will be provided.
- IDEA presumes the first placement option considered is the regular public preschool program the child would attend if the child did not have a disability.
- Only when the team determines the education of a particular child with a disability cannot be achieved satisfactorily in a regular early childhood educational environment, even with the provision of supplementary aids and services, can the team consider placement in a more restrictive environment.

— 34 CFR §§300.114–300.120, 34 CFR §300.133



FAPE in the LRE

The public agency responsible for providing a free and appropriate public education (FAPE) to a preschool child with a disability must ensure that FAPE is provided in the least restrictive environment (LRE) where the child's unique needs (as described in the child's IEP) can be met, regardless of whether the LEA operates public preschool programs for children without disabilities.



Focus on Regular Education Settings

- The IDEA places a strong emphasis on educating children with disabilities in settings with children without disabilities with needed supports and aids in regular education settings
- A regular education setting can be a private or public UPK programs, Head Start, family childcare, licensed childcare settings, e.g.).
- A regular education setting also needs to have 50% or more children without disabilities

— 34 CFR §§300.114–300.120, 34 CFR §300.133



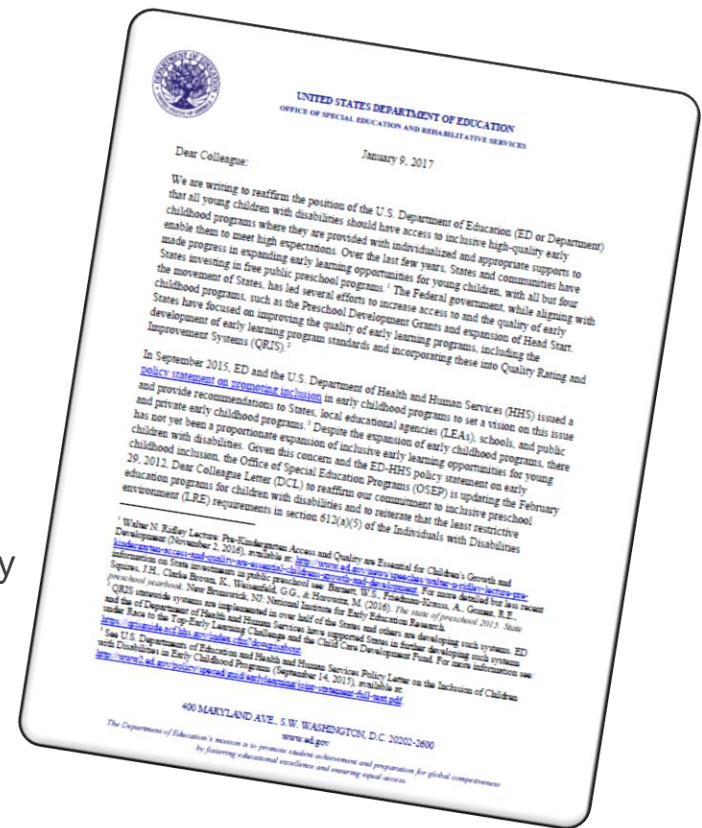
Preschool Inclusion in LRE

All young children with disabilities should have access to inclusive high-quality early childhood programs, where they are provided with individualized and appropriate support in meeting high expectations.

The public agency responsible for providing FAPE to a preschool child with a disability must ensure that FAPE is provided in the LRE where the child's unique needs (as described in the child's IEP) can be met, regardless of whether the LEA operates public preschool programs for children without disabilities.

Children with disabilities and their families continue to face significant barriers to accessing inclusive high-quality early childhood programs despite the legal foundation and research base supporting inclusion.

Dear Colleague Letter on Preschool Least Restrictive Environment (Jan. 9, 2017)



Annual Federal Reporting on (3 through 5)

States are required to report yearly in **the Annual Performance Report (APR) and a State Performance Plan (SPP) every six years.** Three indicators are specific to ECSE.

Indicator 6 collects State data on the LRE- whether children receive the majority of hours of special education and related services in the regular education environment, in some other location, or at home.

FFY21 LRE Data

	3	4	AGE05NOTK	Total	
6_Denom_count	437	576	222	1235	
6A Regular Education Setting	251	408	162	821	66%
6B Separate Class	1	4	1	6	
6B Separate School	2	5	0	7	
6B Residential	0	0	0	0	1.6%
6C Family Home	47	25	13	85	6.88%

Benefits for Three-Year-Olds with and without Disabilities in UPK Programs

A full continuum of individualized placements for children with disabilities

High quality, inclusive environments with their same aged peers

Developmentally appropriate models

A licensed ECE/ECSE Educator in the classroom with them (if in all public UPK and some private UPK)

ESCE and related service providers onsite in the public PreK programs

Current Opportunities: Preschool Development Grant

- Over three years
- Supports birth to five
- Cross agency collaboration
- AOE leads/ co-leads four projects
- Includes data position

**ACIS
Monitoring
(AOE/CDD).**

**Early MTSS
(AOE/CDD)**

**Vermont
Early
Learning
Standards**

**Provisional
Licensing**

Resources

- [Act 166 Universal Prekindergarten Education \(UPK\) webpage](#)
- [Act 11 PreK Study Report \(July 1, 2019\)](#)
- [UPK Vermont State Board of Education Administrative Rules](#)
- [UPDATED DEAR COLLEAGUE LETTER on Preschool Least Restrictive Environments \(January 9, 2017\)](#)
- [POLICY STATEMENT: Inclusion of Children with Disabilities in Early Childhood Programs \(September 18, 2015\)](#)





Questions?