



TO: Representative Ann Pugh, Chair, Human Services Committee  
FROM: Sarah Kenney, Deputy Director, Let's Grow Kids  
DATE: May 3, 2018  
RE: S.257, Section 9-13

Thank you for the opportunity to testify before your committee yesterday related to the pre-K sections of S.257. I wanted to follow up with some specific suggestions as the committee considers amending the bill.

**Bifurcation: We support the current system in which both AHS and AOE provide their expertise to support Vermont's early care and learning system.** As the committee heard, there is a strong sentiment in the field that it does not make sense to create entirely separate regulations for pre-K provided in public programs, and to have different agencies monitoring compliance for public and private programs. Instead of bifurcating the system, we believe that current regulations could be amended to accommodate the valid concerns that public pre-K programs have identified. Rather than make several of the changes throughout the draft required for a bifurcation, we recommend that the committee direct the agencies along the following lines:

*AOE and AHS shall propose amendments to the rules regulating universal prekindergarten to make necessary adjustments to regulations that don't apply to public school settings.*

**Average Daily Membership (ADM) [Sect. 10]:** As was also discussed yesterday, there is much concern about the proposal to provide .7 ADM for public providers that provide more than 20 hours per week of pre-K. Though this proposal is very well intended, if similar expansion of hours is not also provided for private providers the potential impacts could be severe. We do not support this language and strongly recommend that the committee strike the changes in Section 10.

**Effective Dates [Sect. 25]:** The effective date of the pre-K sections in the House Education-passed bill needs to be amended so that the changes would take effect in the 2019-2020 school year. The bill in front of the committee would take effect immediately

upon passage, which would be complicated given that pre-K coordinators are already planning for enrollment for this fall.

**5-year-old eligibility [Sect. 9(a) and 12]:** The language related to eligibility of 5-year-olds for pre-K provides important clarification to new Agency of Education policy. As you heard from Donna Bailey, while some might prefer a more liberal policy, this proposed language is a reasonable adjustment to the agency's recent interpretation.

**Prequalification [Sect. 9(c)]:** Rather than completely bifurcating the pre-K system, AOE could be solely in charge of prequalification of all pre-K programs. This process is currently jointly administered. [Note: in this section, in (c)(1)(A), the "or" may need to be replaced in (i) to clarify that NAEYC accreditation is not required if the program meets the STARS qualifications.]

**Standard contract [Sect. 9(e)]:** There appears to be agreement that AOE should produce a standardized contract that would be implemented statewide. However, the date of August 1, 2018 for implementation of the new contract could be problematic. Given that school districts will soon be entering into contracts for the coming school year, any new contract would either need to be implemented immediately upon passage or delayed until 2019, to avoid confusion with current contracts. [(ii)]

**Advisory Committee/Data Collection and Analysis [Sect. 13]:** As has been noted, there is generally a need for more and better data collection and analysis related to Act 166 implementation.

Whether this happens through a legislative Advisory Committee, the analysis by the Joint Fiscal Office proposed in the budget bill passed by the Senate, or another means such as the Building Our Future Think Tank, here are some additional considerations:

- Part 4 of the charge for the advisory committee asks them to determine whether to extend kindergarten education to include children who are four years of age, it would be beneficial to tie specific considerations to this process. For instance:
  - The potential fiscal and programmatic impacts on private providers currently operating prekindergarten programs and on school districts not currently operating pre-K programs;
  - The readiness of public schools to provide care and learning environments for 4-year-olds, including an analysis of the availability of licensed teachers and the capacity and renovation needs for environments suitable for pre-K within public school facilities;

- How to incorporate the input and expertise of early childhood development experts at the Child Development Division of Agency of Human Services in 4-year-old prekindergarten programming;
  - Anticipated impact on the capacity of child care providers in VT, as removing 4 year-olds could influence tuition rates charged for other ages;
  - How CCFAP funds would or would not be impacted by this move, as some families may opt to use full-day child care for their 4-year-old rather than enroll them in 4K.
- Part 6 of the charge asks the committee to evaluate how to ensure that funding for pre-k is equitable and does not create undesirable outcomes for student, their parents, or providers of pre-k services or child care services. While doing so it would be beneficial to:
  - Define equity for the purposes the inquiry;
  - Evaluate how to improve the current process of collecting data around pre-K participation and equity to collect the most useful and accurate information possible;
- Additional questions to investigate include:
  - What can be learned from best practices in other states;
  - What does early childhood research point to as optimal dosage for pre-K education; and
  - Current federal guidance regarding an optimal pre-K delivery system.
- Finally, the current charge of the advisory committee does not acknowledge work already done to evaluate the process of financing high-quality early care and learning system in Vermont through the Blue Ribbon Commission on Financing High Quality Child Care and subsequent work that Building Bright Futures is leading. It would be beneficial to incorporate consideration of the BRC's recommendations and build off this commission's important work in determining the financing needed in Vermont to ensure that families of children birth to five have access to an affordable and high-quality system of child care and early learning options.