



Building Bright Futures

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BUILDING BRIGHT FUTURES REPORT: STAKEHOLDER FEEDBACK ON PROPOSED CHANGES TO ACT 166



2/26/17

Report and Feedback

Building Bright Futures statewide network:

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Stakeholder Feedback on Proposed Changes to Act 166

BUILDING BRIGHT FUTURES REPORT:

BUILDING BRIGHT FUTURES

Building Bright Futures (BBF) is Vermont's early childhood public-private partnership established by law to monitor the state's early care, health, and education systems and to advise the Administration and Legislature on policy and systems improvements. Act 104 is the Vermont statute that authorizes BBF's role and outlines BBF's 16 duties and powers. Through Act 104, BBF has the authority and duty to convene members of the early care and learning community, medical community, education community, and other organizations, as well as state agencies serving young children, to ensure that families receive quality services in the most efficient and cost effective manner.

It is noted in Act 104 that, "Vermont's early childhood system might best described as many diverse patches, or pieces, ready to be linked and sewn together in a New England patchwork quilt" and further that there is a need for a comprehensive and integrated system for all children below the age of 8 and their families in Vermont. BBF operates as a backbone organization for collective impact at the state and local level with a common goal of meeting the diverse needs of all Vermont children and families, recognizing that we can better address the complex issues facing children and families when we work together.

BACKGROUND

In 2017, the Vermont Legislature heard testimony from many parties about challenges and opportunities for improvement in the implementation of Act 166, Vermont's Universal Prekindergarten law. As a result, the legislature tasked the Secretaries of Education and Human Services to make recommendations that would "ensure equity, quality, and affordability, and reduce duplication and complexity in the current delivery of prekindergarten services" (Sec. 37 of Act 49 of 2017). Representatives from both Agencies met regularly throughout the summer and fall of 2017. In fall, they held several public forums to gather input on changes to Act 166 implementation. In November 2017, the agencies released a report with eight recommendations for changes to the law.

In January 2018, AOE and AHS presented the legislature with proposed legislation that would enact those recommendations. AOE and AHS recognize that it is important that those most impacted by Act 166 have an opportunity to weigh in on any changes. They proposed that Building Bright Futures, in its role as early childhood advisor to the administration and legislature, use its state and regional council infrastructure to gather feedback on the Act 166 recommendations and proposed legislative changes in order to present this report to the legislature in early March 2018.

PURPOSE

This report is intended to provide an objective overview and synthesis of the feedback BBF gathered statewide in order to inform respective legislative committees reviewing the newly proposed Pre-K language and changes to Act 166.

METHODS

Throughout February 2018, BBF convened conversations in each of its 12 regions to gather feedback on the Act 166 recommendations and proposed legislative changes. These conversations took place at previously scheduled BBF regional council meetings, or, in some cases, other existing regional tables or special meetings for this purpose. We also gathered additional feedback among Pre-K Coordinators in the Waterbury and Springfield areas, and among child care providers in the Newport area, at the request of those groups.

BBF worked to promote these meetings to those most involved in the implementation of Act 166, including public and private Pre-K providers. An electronic feedback form was also developed, ensuring that those who couldn't attend a community meeting could still provide feedback. In total, feedback was gathered from over 300 stakeholders around the state. Approximately 50% of participants represented private Pre-K programs, 25% represented public Pre-K programs, and 25% represented other sectors of the early childhood system including health, mental health, Children's Integrated Services, Parent Child Centers, etc.

At each meeting, we asked participants to consider proposed statutory changes to Act 166 and share comments, questions, and suggestions, including those aspects of the changes they supported and those about which they had concerns. Note takers captured these comments, questions, and suggestions at each meeting using a uniform template.

BBF then used an inductive approach to analyzing the qualitative feedback data. An inductive approach involves looking for frequent or significant key themes that emerge from reviewing the raw data. In this case, the note taking documents from each regional conversation, as well as the electronic feedback form responses, were read repeatedly and broken down into individual comments in order to identify emerging categories. Individual comments were coded by category and grouped in order to identify overarching themes among categories and analyze what categories emerged across regions and sectors. A draft report, including key themes and analysis was shared with the BBF Regional Coordinators, who facilitated the regional discussions, in order to ensure that the findings of this report aligned with their experience of the regional discussions.

SUMMARY OF KEY THEMES

The first section of this summary describes categories of broad alignment, both support and concerns, about aspects of the proposed changes to the law. Each includes a summary description of feedback as well as quotes from participants. The quotes chosen for each category are either representative of comments in that category, or clearly articulate a particular idea within that category.

The second section dives deeper into some of the nuances, diversities of opinion, and potential promising ideas related to each area of broad alignment.



CATEGORIES OF BROAD ALIGNMENT

1) Support for areas of the law that have been maintained

Participants expressed general approval of several key aspects of the law that are maintained in the proposed legislation, including the commitment to universality, supporting family choice in maintaining the portability of the voucher through a mix-delivery system, and continuing funding from the Education Fund. Representative quotes include:

- *“I like that there is no means test for eligibility”*
- *“Agree that a portable voucher system will benefit families and remove barriers to access”*
- *“We need to actively support our commitment to mixed delivery through this law”*
- *“Funding from the education fund has been the "carrot on the stick" that encourages private programs to work toward higher standards (e.g. STARS). It also gives the schools incentive to pay attention to early childhood programs. As a result, relationships are forming, trust is growing and the children are benefiting”*

2) **Concern about access for families and equitable services for students receiving special education services**

In considering many aspects of the proposed changes, participants expressed concern for reducing barriers and promoting access for families, including the practical challenges of 10 hours a week, ease of enrollment, parity between towns, and maintaining and expanding program capacity. Many participants also highlighted the specific inequities facing families of students receiving special education services, especially when it comes to portability and the challenge to deliver such services by public schools. Representative quotes include:

- *“I reside in Swanton and my son attends the Franklin County Early Childhood Education program at Swanton Elementary MTW 8-11:20. I ended up leaving my job as an RN because I was unable to leave work midday in order to pick him up to transport him to his daycare provider.”*
- *“Accessibility challenges aren’t uniform – for some, going in to the school to enroll is a barrier. For others, completing an online form is a barrier. We need to offer multiple options/entry points to make it accessible as possible.”*
- *“I worry that that the ability to approve more hours "if voters agree" will provide another advantage to children in wealthy communities.”*
- *“There is limited to no capacity to send special educators to children who attend programs outside of the SU boundaries. Therefore, families must choose to either send their child to a program within the SU or forego access to special education. This is a decision that families of children without disabilities do not face, which creates the inequity. “*
- *“In my district, the EEE program no longer designates their classroom as an IEP placement for children on IEPs. The classroom program is now considered the town Early Childhood program. All children's names, including those of children with IEPs and needing socialization(as per their IEP) are put into a lottery and then chosen for a classroom slot OR NOT”*

3) **Concern about adequate and equitable funding for Pre-K services**

Responses demonstrated a need for clarification about the proposed changes to funding, including changes to the way Average Daily Membership (ADM) is determined, and the way vouchers will be distributed to public and private programs.

Participants expressed concern about the impact of ADM changes on public school budgets. Many participants, both public and private, discussed their concerns that funding inequities exist between private and public programs, both under the current law and under the proposed changes. Participants also expressed interest in allowing for administrative costs for both public and private programs.

Representative quotes include:

- *“Need clarity on ADM funding/ preschool hours provided”*
- *“Need to look very carefully at the implications of removing all Pre-K students from the equalized pupil count, and the impact on per pupil costs.”*
- *“Guardrails against competition between public and private providers is key”*
- *“Having one rate for all programs feels like price setting based on the assumption that 10 hours are the same at all locations, which isn’t the case.”*
- *“There is a cost attached to providing additional supports, whether in a private or public setting. Need for a portion of the voucher to cover admin costs for public and private programs”*

4) Support for a move toward simplification and streamlining in administration

Participants expressed broad support for efforts to reduce duplication and administrative burdens in the implementation of the law. While the complexity of this is in the details (as outlined in the in the next section), there is general agreement that having one lead agency administering the program and working to standardize contracting are improvements. Representative quotes include:

- *“Good to think about aligning and consolidating administration for families, programs, and schools”*
- *“All agree it would be helpful to have one unified system as it is a burden off of schools and providers.”*
- *“I believe it is necessary for one agency to take ownership of this initiative, so am in favor of this change.”*
- *“Having one source of invoicing/payment and eliminating the multiple districts and processes now in place, would simplify things for providers and districts as long as the one source is efficient and timely.”*
- *“Applaud centralized agreements and streamlining of paperwork.”*

5) Concern about loss of local partnerships and connection with families

One of the strongest concerns expressed by both public and private programs in response to proposed centralized contracting, was the loss of existing local partnerships, between public and private programs, and the families they serve. Many people spoke of the benefits of these partnerships and a desire to see them maintained and strengthened through the law. Representative quotes include:

- *“While I would like to see an end to duplicative regulations for public and private partners, I am deeply concerned that relationships that have taken years to*

nourish and foster will be lost when contractual agreements are moved to the state.”

- *“Purpose of Pre-K historically is to promote connections between early childhood programs and schools about the children they are serving. We don’t want to destroy some of the existing partnerships that have been built.”*
- *“Will the connectedness between the local providers and the School district go away? It’s so positive now! We don’t wish to lose this.”*
- *“Losing the local connection between schools and private partners would be dangerous and not beneficial to kids and families. Schools and private providers both benefit from the close collaboration.”*
- *“How will we know who is incoming to K if we don’t have the data we have now? The private partner/public school connection will be destroyed with this change. When we meet families, we find that they need support - if their parents don’t speak English etc. If we [school district] lose our connection with our providers, we will lose our connection with children and families.”*

6) Support for striving to maintain the same standards/criteria across all Pre-K settings, public and private

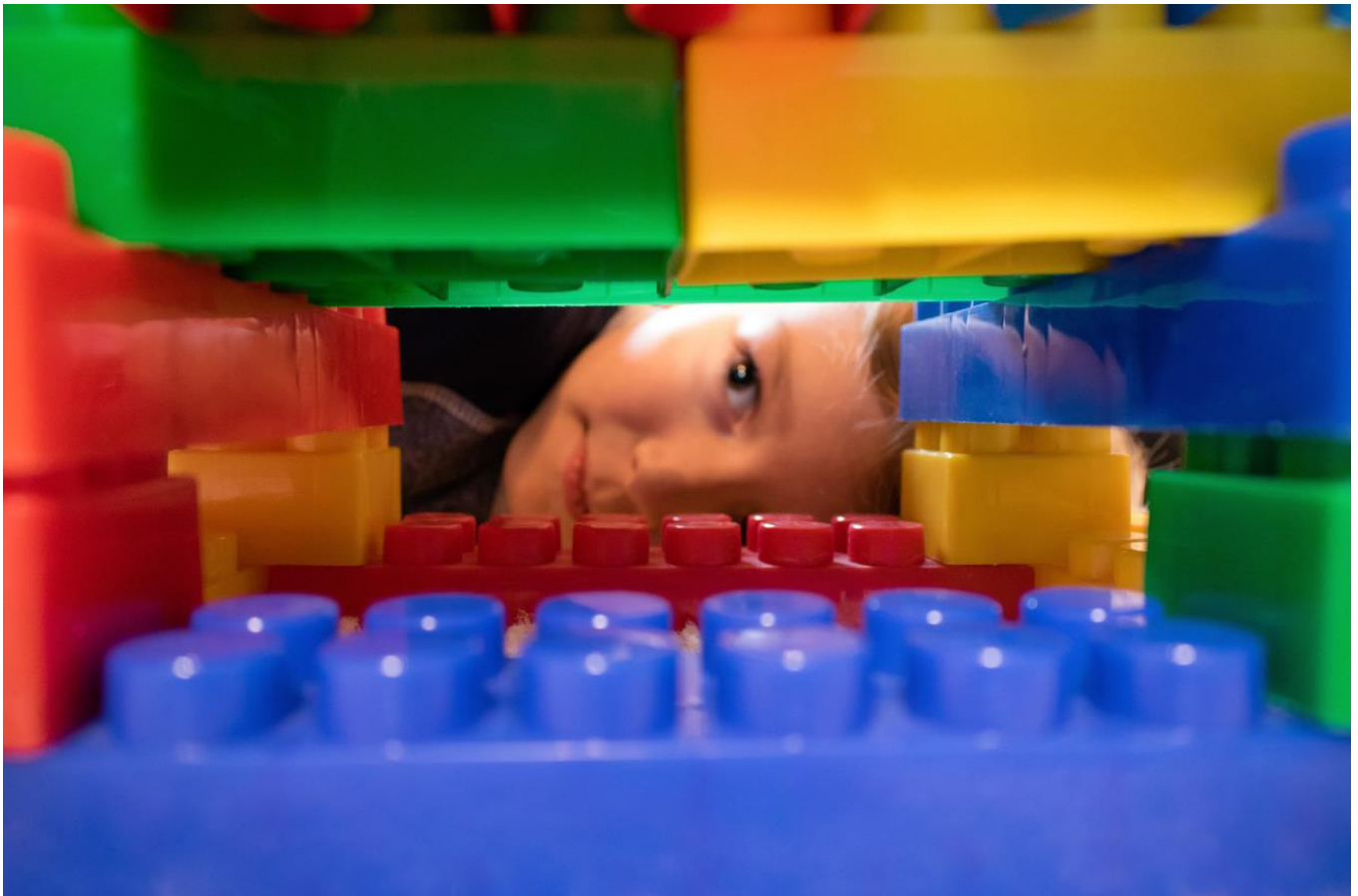
While the feedback regarding changes to quality criteria and regulation contained significant diversity of opinion, one unquestionable common theme was that we should be striving to maintain the same quality standards and criteria for all Pre-K programs, regardless of setting. More on the nuances of the feedback can be found in the next section. Representative quotes include:

- *“If our goal is to keep kids in safe, healthy environments, why should there be different rules for private and public programs?”*
- *“It is important parents can easily compare program quality across public and private programs.”*
- *“Having different standards for public and private programs bifurcates the system, driving the cultures of education and early childhood further apart”*
- *“Is it possible to have program quality requirements aligned and the same for both public and private providers?”*

7) Support for sufficient time and resources before changes in implementation

Participants were generally appreciative that time to plan for implementation is built into the proposed changes. Many expressed a desire for more time, as well as the need to do a deeper analysis of current implementation, and clearly outline a timeline for implementation inclusive of public input, dialogue, and problem solving. Participants also highlighted the need for the right resources to be in place, particularly at the Agency of Education, so that they have the capacity to support successful implementation.

- *“Appreciate this acknowledgement of the time needed to make these kind of changes”*
- *“Rushed initial implementation of Act 166 added to some of the challenges we saw in the first few years of the law. Good to not repeat past mistakes.”*
- *“These requirements should definitely not go in effect any earlier than July 2019, and may realistically take longer than that for programs to be able to implement them and do it well.”*
- *“We agree that an effective and thorough roll-out will require a well-defined timeline with prescribed benchmarks and would be enhanced by seeking guidance and feedback from Act 166 Coordinators from around the state.”*
- *“Want to ensure the AOE’s capacity to make all of these changes so that programs and families can feel confident”*
- *“What investments in terms of staff and resources are going to be made in the Agency to support the implementation and support communities in delivering these services well?”*



NUANCES, DIVERSITIES OF OPINION, AND PROMISING IDEAS WITHIN EACH BROAD CATEGORY OF ALIGNMENT:

1) Support for areas of the law that have been maintained

- **Support for more than 10 hours:** When asked to reflect on the fact that the proposed changes would maintain Universal Pre-K at 10 hours a week for 35 weeks year, many participants encouraged Vermont to keep moving toward more than 10 hours.
 - *“Want to continue to move beyond 10 hours, toward full day full year, in the same way we transitioned to full-day kindergarten.”*
 - *“The universal pre-k act is a wonderful start towards increasing access to high quality preschool for Vermont’s young children, but 10 hours a week is not enough to meet many children’s and families’ needs.”*
- **Lack of consensus around age eligibility:** There was a diversity of opinion about the clarification that only 5-year-olds not yet eligible for Kindergarten would be eligible for Pre-K. Many expressed a desire that parents be able to choose if their child needs an additional year of Pre-K. A slightly smaller number supported the new clarity around age eligibility. Several wanted to ensure that local teams would continue to be able to make this determination. Several participants in different regions suggested creating a 2-year entitlement for Pre-K that could be used for ages 3-4 or 4-5 at parent’s discretion.
 - *“I believe funding should cover students who are 5 and eligible for Kindergarten but are not kindergarten ready. This would improve the quality of education for all children.”*
 - *“Clarification of who is eligible is beneficial.”*
 - *“Don’t want to see the removal of the ability to adjust age eligibility for the handful of kids (in Burlington, for example) by the child’s team. Often these are kids receiving special education who really benefit from an extra year.”*
 - *“Provide opportunity for a two-year allowance/entitlement for Pre-K that could be used by a 3, 4, or 5 year old as the family desires.”*

2) Concern about supporting access for families and equitable services for students receiving special education services

- **Need to explicitly address portability inequity for students receiving special education:** While participants didn’t offer concrete solutions to this aspect of the law, they made clear that it needs to be explicitly addressed.
 - *“Has a system been set up for SU’s to provide IEP services by partner agreements with other SU?”*
 - *“Establish clearer language in the bill about the relationship to special education services. Particularly, right now, that a family can only access special education supports in their home district and access varies based on district capacity.”*
 - *“Rule making, access, and messaging to families needs to be clear around access to special education funding; the two are very related to how this bill works successfully”*

- *“Unlike parents of typically developing children, families of children with special needs do not have freedom of choice regarding a location that might better match their other work/life schedules. In that this was not addressed in the original Act, I would like to see the proposed reforms address this important concern. I have wondered whether there might be some opportunities inherent in the Act 46 consolidation efforts”*

3) Concern about adequate and equitable funding for Pre-K services

- **Concern and confusion about impact of Average Daily Membership changes:** There was broad concern and some misunderstanding and lack of clarity about changes to the way districts determine ADM for Pre-K students. Public programs are very worried about the impact of these changes on district budgets the ability to support existing school-based programs.
 - *“The change in funding for public school programs from ADM funding to the voucher value will result in a loss of funding for these programs which will have a negative effect on the program quality.”*
- **Impact of public expansion on infant toddler care:** Participants, mostly private providers, are concerned about the fact that the proposed changes eliminate the limitations on public programs to expand or open and allows public programs to provide more hours by getting voter approval to increase school budgets. Participants worry that these changes could exacerbate competition, draw Pre-K students away from private programs and impact their capacity to provide infant and toddler care.
 - *“Concerns remain about equity between private and public programs. If districts increase their preschool hours to more than 10 hours/week then children will go to public programs, public programs will get more funds and leave the private programs at a disadvantage.”*
 - *“Our [public] expansion does impact the private providers, and it’s really tough to create pressure on our child care providers.”*
 - *“Without preschool slots being filled, private programs will not be able to afford to keep infant and toddler programs open and they will close. Likewise, programs cannot hold spots open for the summers, school vacations, or the time beyond the 7 hours of the school day and there will be nowhere that is regulated for children to go before and after school, on vacations, or during the summers.”*
- **More partnership between public and private programs to expand hours or programs:** There is broad agreement that more Pre-K capacity, and the possibility of more hours would be beneficial to children. Several participants discussed the need for more partnership between public and private programs around expansion, including community conversations, needs assessments, and whether a mechanism could exist, if voters agreed to expand Pre-K hours, for both public and private programs to participate in that expansion.
 - *“Wherever we can have partnerships we should be working towards that, and this law should emphasize the value of partnerships and encourage them in our provision of early Ed.”*

- *“The needs assessment is really important to know where the need for expansion is. Public and private. We need to determine what the community needs are”*
- *“Mechanism should allow not just a public Pre-K program to get additional funding from voters for more Pre-K hours, but for private programs as well.”*
- *“Ensure that if taxpayers approved expanded hours for the residents of their town, families could choose to access hours in a public or private program.”*
- *“If schools want to offer more hours and fund it that would be fantastic for the children enrolled. However programs which offer more than the 10 required hours should also be funded per the voter’s approval to spend more per student at any preapproved Pre-K partner, public or private.”*

4) Support for a move toward simplification and streamlining in administration

- **Importance of continued agency partnership:** While many participants supported establishing one lead agency, people also spoke to the importance of continued agency partnership in supporting a unified system of care and education for young children.
 - *“Understands the appointment to one agency, but finds it disheartening that they cannot work together - and finds this disappointing to see. We have worked for 20 years to integrate early care and early education.”*
 - *“Keep some AHS perspectives like being family centered”*
 - *“It’s important for AHS to have a seat at the table.”*
- **Questions about Pre-K Monitoring:** Many participants had questions about what Pre-K Monitoring would look like under the new system, including the role of TS Gold as an assessment. Many expressed support of the inclusion of social and emotional outcomes as part of the monitoring and evaluation system.
 - *“How and when will the monitoring and evaluation of the pre-K system take place and by whom?”*
 - *“What will monitoring and evaluation of the Pre-K system be? How will it be implemented? Will VELS be used? Will play be the focus?”*
 - *“Third bullet - SO glad that you are giving equal weight to social and emotional development! Numeracy and literacy is important, but if the social/emotional piece is lacking, it will have a huge impact on their participation in school and life.”*
- **Concerns about centralized contracting:** As noted above, many participants expressed support for the concept of centralized funding. However, many concerns were raised about the specifics:
 - Clarifications around the complexities of this work and whether it could truly all be centralized, including attendance, enrollment, students who come into Pre-K mid-year, and complex student situations such as residency, guardianship/custody, and homelessness, etc.
 - *“This is really complex, I want to know how kids are pro-rated, how they figure out eligibility when school districts have different deadlines, will schools continue to have access to TS Gold and transition information, who’s looking at residency?”*

- Concerns about capacity to implement this well at the state level given these complexities, particularly the ability to support parents in the enrollment process at the state level.
“Strong concerns about infrastructure and capacity. It took a fulltime job for one fifth of the state. How can 2 staff members do this for the whole state?”
“If enrollment is consolidated, does AOE have the capacity and local information to respond to parent questions in a timely way?”
- The critical importance of timely payments to providers under a centralized system
“We need to be sure that private partners are paid with the timing and frequency that works in a business.”
“Centralized agreements and payments sounds like it will mean delayed reimbursement and more red tape and hoops to jump through.”

5) Concern about loss of local partnerships and connection with families

- **Retain some aspect of local involvement in efforts to standardize and simplify contracting:** As mentioned above, concern about loss of local partnership was the biggest reason people were hesitant about centralized contracting. However, participants identified several possible solutions to streamlining processes while maintaining local relationships, including creating uniform and standard paperwork, and bolstering regional coordination.
 - *“If AOE could create a uniform process for enrollment, attendance, etc., and then hand off management of the partnership to the districts to use and administrate, that would be ideal.”*
 - *“AOE develops all of the paperwork to administer the program (enrollment pack, contracts, supporting documentation if necessary) and allows local schools to put it on their letterhead and handle everything locally.”*
 - *“Can AOE just give guidance for payment, invoicing, scheduling etc. rather than change this law in this way?”*
 - *“Request the “process for parents to enroll” be managed at the local level”*
 - *“Look at a regional wide structures similar to regions of superintendent association. (State feels too big local SUs too small)”*
 - *“Want the Pre-K Coordinators to be an element of the new system”*

6) Support for striving to maintain the same standards/criteria across all Pre-K settings, public and private

- **Nuances of what criteria are important to public and private programs:** As mentioned above, there is broad agreement that all Pre-K settings should have uniform quality criteria. Different stakeholder groups tended to have different perspective on what criteria were most important. Many private providers want to ensure that AOE regulation of public programs will be developmentally appropriate for young children and that requirements around health, safety, student-teacher ratios etc. need to apply to all programs. Many public programs want to ensure that licensed teacher requirements are the same for all programs.
 - *“Is there incentive for public schools to protect Pre-K developmental practices?”*
 - *“Direct instruction by a licensed teacher is critical to private providers AND public providers.”*

- **Need some way to accommodate school specific regulation with equitable standards:** While there is broad agreement about equitable standards, many participants also identified the need to have regulation that reduces duplication and better fits the oversight model of public programs.
 - *“Doesn’t feel like the original criteria/regulations were written with schools in mind and some of them are very difficult or duplicative. Support having public school specific regulation.”*
 - *“Can we make the STARS application less cumbersome for public schools so that we can use the same standards across programs?”*
 - *“Can there be a cross walk between CDD licensing regulations and AOE school requirements to identify differences and identify how best to align.”*

- **Impact of changing quality criteria on private, particularly home-based, providers:** While a good portion of participants were pleased to see the law continue to increase quality requirements for Pre-K programs, many expressed concerns about the impact that removing the 3-STARs-with-a-plan option and increasing licensed teacher requirement to 10 hours for home-based providers would have on the capacity of private providers, particularly given current challenges around finding and retaining licensed teachers in private programs. Proposed solutions included making no changes, gradually phasing in the changes over time, and creating a tiered voucher system.
 - *“Will requiring private providers to have a licensed, ece/ecse certified teacher result in a shortage of private programs, at least short-term? Will there be a process to help private providers meet that requirement over time? “*
 - *“Concerned about eliminating private programs which have 3 STARS with a plan for 4. Providers expressed that it takes time and investment to get to 4 STARS. Instead of helping people get to a place where they can partner, we are cutting them off from engaging in the system.”*
 - *“Suggest transition from the current 3-hours of a licensed teacher for home-based providers to 5-hours, with a plan to increase, or participate in a learning community. Particularly for regions that don’t have center-based care.”*
 - *“Teacher certification is important in any Pre-K setting. Recommend a tiered voucher system to support a certified teacher for direct instruction in every classroom while still allowing centers without a teacher per class or who lose their certified teacher to participate In Pre-K via district partnership.”*

7) Support for sufficient time and resources before significant changes in implementation

- **Several participants expressed a desire to “pump the brakes” on making any changes to the law.**
 - *“Would like to see a more thorough evaluation of the impact and outcomes of the law currently, before making substantial changes.”*
 - *“Why can’t we wait to see the effectiveness of the current ACT 166 guidelines? There hasn’t been sufficient time to evaluate it.”*
 - *“Why are we not evaluating the current Act 166 rules before making additional changes?”*

CONCLUSION

Ensuring that Vermont children have access to high quality early care and learning is a priority for our state, and is evidenced by our state's commitment to Universal Pre-K. Implementation challenges are to be expected, as well as the unavoidable challenges that go hand-in-hand with transformative change. As we aspire towards a seamless continuum of early care and learning we recognize that Pre-K sits at the hinge of our public and private programming in Vermont, and it will take time, patience, trust, and iterative change to achieve the best system for children in Vermont. It is important that we continue working together toward the common goal of universal, high quality Pre-K for all Vermont children and families. We recognize and honor the strengths of both the Agency of Education and the Agency of Human Services, and encourage and support their continued collaboration. At its best Act 166 should encourage exceptional partnerships; in which we all contribute and share responsibility. After all, our collective work to create real and lasting change for Vermont's children and families is arguably the most important work we can do today for a better future.

Acknowledgements

Building Bright Futures (BBF) would like to thank the Agency of Education for their directive and charge in asking BBF to lead this statewide convening process, ensuring that those most impacted by the law have the opportunity to weigh in and have their voices heard. BBF would also like to thank the BBF Regional Coordinators and Regional Councils who were critical in organizing and facilitating regional meetings on short notice. We would further thank the Vermont Legislature for the attention that you are giving to Universal Pre-K in Vermont and your honoring of this public input process. Your commitment to hear the voices of our communities and to utilize information from this statewide public input process to inform your review and action is critical, and will allow us to make sensible, well-thought out policy decisions that will benefit generations of Vermont children to come.

Thank you for your consideration of this report. BBF is ready and poised to serve in our role as convener and utilize our statewide network to actively problem-solve and support the ongoing implementation of Universal Pre-K in Vermont. We look forward to continuing to work with you to ensure the well being of Vermont's children, families and our communities.