



Date: Monday, February 22, 2021
To: Representative Ann Pugh, Chair
House Committee on Human Services
From: Sarah Kenney, Chief Policy Officer, Let's Grow Kids
Re: Suggested edits to H.171

We at Let's Grow Kids have been closely following the conversation in the Human Services Committee as you've begun discussion of H.171. We are grateful for the care and attention the committee brings to this issue, and we share your commitment to ensuring that the bill makes the lasting change that Vermont's children, families, and early childhood educators need, without creating inequitable unintended outcomes. Below are suggestions to strengthen the bill, based on testimony thus far and attempting to address the concerns raised by Commissioner Brown and the Child Development Division (CDD).

Section 2 – CCFAP eligibility

- We recommend preserving the language on lines 12-14 instead of striking it. Until eligibility is broadly expanded to include all families, families seeking employment should be entitled to participate for up to three months with further extension possible.
- We recommend striking existing law in subsection (2) starting on line 21 that currently prohibits CCFAP support for families making more than 100 percent of the State median income. With state funding, CCFAP can support families making more than this amount and legislative intent in H.171 identifies the goal to move beyond that cap.
- We also recommend inserting language in subsection (2) on page 6, line 2 to require the State to automatically adjust eligibility annually to align with the latest federal poverty guidelines, while preserving existing state statute directing that the eligibility remain level in years where the federal poverty guidelines decrease.

Section 4 – CCFAP eligibility

- We agree with CDD that this section should not be included in the statute. Recommend instead inserting session law language to read:

The Child Development Division shall amend CCFAP eligibility rules to ensure that families enrolled full-time or part-time in any higher education or job training program are eligible to participate in the program.

Section 5 – Payment to providers

- We recommend delaying implementation of the first part of subsection (a), related to modeling the cost of care for determining reimbursement rates, until July 1, 2022 (SFY23) to give CDD adequate time to determine the elements of the cost of care and work with the federal Office of Child Care to seek approval for the alternative methodology.

- The change in subsection (a), Page 8, line 4, to base payment on enrollment should be effective in SFY22, as soon as the new IT system is able to calculate it.
- For SFY22, we recommend inserting language in statute to align base reimbursement rates with the 50th percentile of rates in the 2019 market rate survey findings, as CDD has indicated is their intention.

Section 6 – State Plan Amendment

- We recommend striking section 6 in its entirety, as a result of the concerns articulated by CDD.

Section 7 – Appropriation for CCFAP

- The amount specified does not reflect CDD’s latest estimate for the cost of CCFAP expansion and should be updated.

Section 8 – BFIS modernization

- The amount specified does not reflect CDD’s latest estimate for the cost of this project and should be amended to read \$4,500,000.00.
- We recommend including language to require that the Division perform testing with end users, including families, directors of center-based programs and family child care homes, and early childhood educators.

Section 9 – Workforce supports

- On page 10, line 9, we recommend changing the word “eight” to “five” to reflect the intention of this section to focus supports for early childhood educators working with children age birth through five, before kindergarten.

Section 12 – Early care and education governance study

- On line 18, subsection (a), we recommend adding the following language after the word “providers”: including early care and education programs’ ability to refer and connect families to needed services. This additional language clarifies the need for the governance analysis to also evaluate the administrative structures and resources necessary to ensure that early care and education programs are supported to refer and connect children and families to needed services in their communities.
- On page 15, line 13, subsection (b), we recommend changing the reporting date to July 1, 2022 to provide adequate time for Building Bright Futures (BBF) to secure a consultant and complete the analysis.
- On page 15, line 19, subsection (d)(1), we recommend increasing the amount appropriated for the study and analysis from \$150,000 to \$200,000 to reflect the estimated need identified by BBF.

Section 13 – Early childhood financing study

- On page 16, lines 10 and 16, subsection (a), we recommend removing the Auditor from the list of entities leading the study, and instead directing the Auditor to serve in a consultative role. Language should be added to subsection (c), line 18 to read:

The group shall consult with the Auditor to ensure that recommendations include appropriate requirements for ongoing performance review, accountability and outcomes tracking.

The reference to the Auditor in subsection (d)(1), line 19 on page 17, would also need to be removed.

Section 14 – Early care and education governance and administration advisory committee

- Building Bright Futures facilitates a Statewide Advisory Council (SAC) including membership reflective of many of the entities named in (b). However, the SAC focuses broadly on all issues pertaining to early childhood and is not focused exclusively on early care and education. For the intensive work contemplated in H.171, including the governance and administration study, it is imperative that there be a committee specifically focused on early care and education. It is also important that the Legislature direct this committee to perform a consultative role with the Department for Children and Families and AHS during the two years that the studies, CCFAP expansion, and workforce supports expansion are underway. It is possible that a current Vermont Early Childhood Action Plan committee of BBF could serve in this role – we defer to BBF on the best structure. We would recommend including language in the bill to direct BBF to establish this structure, enumerating specific duties and a formal, consultative role with AHS and DCF, and listing members. We also recommend expanding the membership list to include members from the business community. Additionally, we recommend inserting language to clarify that the composition of the committee should reflect the growing diversity of our state and our young children. Suggested language:

Council members should reflect the growing diversity of Vermont's children and families and include individuals who identify as Black, Indigenous, Latinx, Asian, Pacific Islander, or other persons of color.