



Date: April 6, 2023
To: Chair Wood and members of the House Committee on Human Services
CC: Representative Jessica Brumsted, Legislative representative on the State Advisory Council
From: Dr. Morgan Crossman, Executive Director, Building Bright Futures
Re: H. 208: An act relating to Child Care and Early Childhood Education

Building Bright Future’s Role in Vermont’s Early Childhood System

Building Bright Futures (BBF) is Vermont’s early childhood public-private partnership charged under Title 33, Chapter 46 and the federal Head Start Act to serve as Vermont’s Early Childhood State Advisory Council, the mechanism used to advise the Governor and legislature on the status of children in the prenatal period through age eight and their families. State statute charges BBF with maintaining and monitoring the vision and strategic plan for Vermont’s Early Childhood System. The Building Bright Futures State Advisory Council (SAC) does not directly support or oppose any specific proposal or bill. Instead, our role is to convene and elevate the voices of families and early childhood stakeholders; monitor the system by identifying and providing high-quality up-to-date data to inform policy and decision-making.

CONSIDERATIONS & IMPLICATIONS FOR ROLES AND RESPONSIBILITIES CREATED FOR BUILDING BRIGHT FUTURES

6 Roles Created for Building Bright Futures in H.208

- H. 208 Section 4, Public Prekindergarten Education Program, subsection (e) Rules, pg 12-16:** Consultation with the Secretary of Education to jointly develop/update rules
- H. 208 Section 11, Rulemaking, subsection (a), pg 23-24:** Consultation with the Department for Children and Families to amend rules
- H. 208 Section 11, Rulemaking, subsection (b), pg 24:** Consultation with the Agency of Education to amend rules
- H. 208 Section 70, Child Care Financial Assistance Program; Eligibility, subsection (6)(A), pg 101:** Consultation with the Department for Children and Families to adopt rules
- H. 208 Section 72, Payment to Providers, subsection (a), pg 102-103:** Consultation with the Commissioner of the Department for Children and Families to establish a payment schedule
- H. 208 Section 81, Building Bright Futures; Technical Assistance, pg 108:** Consultation with, and technical assistance for, the Agency of Education and the Department for Children and families focused on transitioning from the current system to the newly proposed system

Consultation on Rulemaking: Building Bright Futures does not have rule-making authority. It is not an appropriate role for BBF to consult around rulemaking and we recommend that the language within the rulemaking sections that requires consultation with BBF be removed. However, as aligned with our state statute, the SAC Network (the State Advisory Council, 7 Vermont Early Childhood Action Plan Committees, and 12 Regional Councils), could support the public comment period as a public private partnership to maximize stakeholder engagement as part of the rulemaking process as



necessary. As with all information-gathering and convening efforts, the SAC Network commits to consulting and collaborating with partners who have specific expertise related to each subsection.

Consultation with Agencies on Governance and Administration Transitions

BBF is being asked to support complex system transitions and provide technical assistance to the administration. While we do not endorse or oppose any component of legislation, we encourage the committee to review the findings of [Vermont’s Child Care and Early Childhood Education Systems Analysis](#), specifically the value of a unified comprehensive early childhood system.

Based on testimony from national experts heard in the Senate Committee on Health and Welfare, the Systems Analysis report, and State Advisory Council Recommendations, the following areas are critical to supporting successful change management related to early childhood systems transformation:

- Develop a formal transition plan for changes related to Vermont’s early childhood system
- Defining and measuring success in process and outcomes using a continuous quality improvement framework
- **Ensuring accountability through monitoring any and all transitions over time and reporting back to the Legislature**
- **Prioritizing and maximizing cross-sector stakeholder engagement (during rulemaking and other potential changes)**

The latter two components (bolded) are appropriate roles for Building Bright Futures to play and are aligned with our role in statute to monitor the system, hold partners accountable, and elevate voices through strong stakeholder engagement.

Potential Fiscal Implications: More information is needed to clarify the scope of work required by BBF to determine the resources required. Depending on the role BBF is asked to play, it will be necessary to include financial support for BBF staff time to support stakeholder engagement and ensuring accountability throughout the early childhood system during key transitions.

CONSIDERATIONS FOR DATA DRIVEN DECISION-MAKING

BBF is committed to using and producing the most up-to-date, high-quality data to inform decision-making and serves a critical role in Vermont, operating as a broker of data and information to guide policy decisions and strategy related to children, families, and the early childhood system. Significant work has been done to examine VT’s systems over the last 10 years. It is critical that decision-makers are reviewing and using the existing data on child care, prekindergarten education, early childhood systems, governance, financing, and national best practice to inform the path forward.

Act 45 Studies Commissioned

Vermont’s legislature commissioned instrumental studies in 2021 to examine the systems that currently govern child care and early childhood education as well as the cost to build a high quality system and financing mechanisms. It is important that Vermont uses these studies to inform decision-making.



Vermont’s Child Care and Early Childhood Education Systems Analysis [Foresight Law and Policy + Watershed Advisors]

The Legislature identified Building Bright Futures to oversee and facilitate the Systems Analysis required under H.171/Act 45. A rigorous process that included legislators and public and private experts was used to procure a team of national experts to execute the study. BBF convened an Advisory Committee of Vermont early childhood public and private experts and stakeholders to oversee and guide the project. This process included review of over 80 key data, reports, and early childhood documentation produced within the last 10 years. This rigorous process, led by national experts and supported by BBF, included and elevated the voices of families, educators, providers, leaders in state government: Interviews were conducted with over 100 early childhood stakeholders; BBF supported the contractor in hosting a series of at least 7 public focus groups to get feedback from key stakeholders across all corners of the state and to ensure maximum public participation; and a [survey focused on governance options](#) resulted in over 325 responses.

[The Final Report and Recommendations](#) were submitted to the legislature on July 1, 2022 as required by Act 45 and was [presented in a webinar on July 11, 2022](#).

Vermont Early Care and Education Financing Study [RAND]

The Vermont Early Care and Education Financing Study was driven by 2 key questions: 1) What are the projected costs of expanding Vermont's ECE benefit to more families, requiring commensurate pay for providers, and utilizing cost of care in the reimbursement of providers under the state's ECE subsidy program? 2) What are potential stable, long-term funding sources to finance an affordable, high-quality ECE system for children from birth to kindergarten entry, and how feasible are these sources?

RAND estimated the cost for high-quality ECE in Vermont using a mixed-delivery system. In addition, to understand the size of the funding gap that must be filled to expand subsidies to more families, RAND considered several designs for a sliding-scale subsidy schedule. RAND also identified a set of feasible and stable revenue streams that can be used alone or in combination to fill the funding gap and employ a series of economic models to estimate the net fiscal and economic impact of the effects of the increased subsidies and the identified revenue.

The [Vermont Early Care and Education Financing Study](#) was submitted to the legislature on January 17th, 2023 and was presented to select committees.

Vermont Quantitative Data Sources on Early Childhood Mixed Delivery Settings

It’s important to consider and understand all of the settings where young children are served, including child care programs, head start and early head start programs, pre-K programs - both those operating in private child care programs and public schools, and afterschool programs as we think about making changes to this complex system. The table below provides a high level snapshot of enrollment, capacity, and demand for child care, universal prekindergarten education, and afterschool that may be helpful to inform decision-making on early childhood systems related to H. 208. I’d encourage you to consider how changes in one or two areas impact the other parts of the system and any unintended consequences. Specifically related to equitable access, it is critical to consider and ensure that young children are served in high-quality settings, and that families have access to settings that meet their needs. It’s important to maintain a balance between quality and access, and not sacrifice one for the other.



Additional data, reports, publications, and resources on early childhood education can be found in the last section at the end of this document.

Data Snapshot
(Additional context below)

Regulated Early Childhood Education Programs		
Enrollment	16,381	Dec. 2021
Lack of Access to High Quality Programs		Sept. 2022
Infants	76%	
Toddlers	54%	
Preschoolers	53%	
Child Care Financial Assistance	3,547	Sept. 2022
Head Start		
Head Start Enrollment	787 children ages 3 to 5	Sept. 2021 - Aug. 2022
Early Head Start Enrollment	536 children under 3	Sept. 2021 - Aug. 2022
Universal Prekindergarten Education		
Enrollment	7,541	Sept. 2021 - June 2022
Desired Capacity	8,472	Dec. 2022
School based	3,312 (39.1%)	
Private program	5,160 (60.9%)	
Afterschool		
Enrollment	19,092	2020
Estimated demand	26,148	2020

Regulated Early Childhood Education Programs

As of December 2021, there were 16,381 children enrolled in regulated early childhood education programs. The vast majority (85%) of children were enrolled in center-based child care programs, followed by registered family child care programs (13%), with less than 2% of children enrolled in licensed family child care programs. This includes children enrolled in private Universal Prekindergarten Education (UPK) programs Act 166 but does not include those enrolled in school-based UPK programs.

This supply of regulated child care is not meeting the need. As of 2022, of those likely to need care, 76% of infants do not have access to regulated programs that are deemed high-quality (4 or 5 star), while 54% of toddlers and 52% of preschoolers do not have access to high-quality programs.¹¹ According to Let’s Grow



Kids, to meet the estimated child care demand for working parents, the child care system in Vermont would need to add almost 9,000 new child care slots.¹¹

Data from the new Child Development Division Information System (CDDIS) show that there were 5,446 children whose families received support through the Child Care Financial Assistance Program (CCFAP) as of September 30, 2022, with 3,547 children (65%) being under the age of 5.

Head Start

Head Start and Early Head Start (HS/EHS) are comprehensive early education programs for children from low-income and vulnerable families from birth to age 5. In addition to helping children prepare for kindergarten and beyond, HS/EHS help facilitate critical health services, like immunizations and vision, dental, and hearing screenings, in addition to providing other wraparound support services for families. From September 2021 to August 2022, Vermont Head Start served 787 children from age 3 to 5.

Universal Prekindergarten Education

Act 166 offers Universal Prekindergarten Education (UPK) to all 3- and 4-year-olds, and to 5-year-olds not enrolled in Kindergarten, for up to 10 hours a week of publicly-funded pre-K for 35 weeks of the academic year. Vermont's mixed-delivery system means that these hours can be used in school-based programs or in prequalified prekindergarten center-based child care and family child care programs. UPK enrollment dropped from 8,841 in SY 2020 to 6,904 during SY 2021, but has since rebounded to 7,541, although it is not back to pre-pandemic levels.

Afterschool

In 2020, there were 19,092 children in afterschool programs in Vermont. However over 26,148, or 39%, of Vermont's children would participate in an afterschool program if one were available to them.

Preliminary Themes Resulting from Stakeholder Feedback on S.56/H. 208 Captured in February 2023

In preparation for this testimony and based on BBF's role to monitor and advise, **BBF put together multiple opportunities for stakeholder feedback on S.56/H.208 and legislative priorities including a feedback form, data capture within meetings, and held a legislative priorities discussion with the State Advisory Council's this past Monday, February 13, 2023 ([link to the recorded meeting](#))**, during which stakeholders were able to verbally and anonymously provide feedback through jamboards about what they were most excited about in this legislation, and identify questions and considerations for policy. Across all mechanisms, BBF received almost 200 responses in under 1 week. Of note, although a robust network of stakeholders have provided their perspectives, the feedback may not necessarily be representative of all stakeholders.

Twelve primary themes arose within this initial information gathering about S.56/H. 208 which shows the complexity of the systems change we, as a state, are trying to accomplish. We have provided the raw data captured in a separate document for your careful consideration. We have also done some preliminary qualitative analysis to capture and summarize themes outlined below. The numbers indicate the total number of responses by theme, alongside a brief description of the type of feedback captured within the theme.



- 28 - Financial/other impacts on private programs: financial impact on private providers; concerns about the true cost of care for infants and toddlers; current business model is built on private programs serving children ages 0-6 and by removing 4-year olds, it destabilizes private programs.
- 27 - Concerns about removing mixed-delivery from UPK: concerns around options and choice for families; concerns about moving away from national best practice and providing high quality services in a range of settings for prekindergarten aged children
- 23 - Capacity/Infrastructure of Public Schools: Questions about school capacity to serve 4-year-olds in a safe, developmentally appropriate way; physical infrastructure including playgrounds and outdoor space needs and classrooms; transportation; start-up costs; implementation timeline; quality assurance.
- 23 - Quality/Developmentally Appropriate Practices: implications for current quality standards: STARS and VELs; school settings need to be made developmentally appropriate; loss of play-based learning; NAEYC accreditation process concerns
- 15 - CCFAP: Excitement and support for increasing eligibility; positive feedback around progress; questions and clarifications around cost of care and eligibility (income, citizenship, benefits cliffs); cost burden for families not qualifying for CCFAP
- 12 - PreK: excitement about expanding access for 4 year-olds; concerns about 3 year-olds no longer having access; Head Start model not represented in proposal; best practices not reflected (3 and 4-year olds grouped together)
- 12 - Special Education: Placement for those on IEPs; concern about 3-year olds not having access to inclusive settings in which they could be educated alongside their typically developing peers in the least restrictive environments required by the Individuals with Disabilities Education Act (IDEA)
- 12 - Workforce: concerns that schools won't be able to manage with the current workforce; concerns about the roles, requirements, and definitions would change significantly; challenges with recruiting and retaining workforce in private settings; challenges with recruitment by setting and based on age ranges.
- 8 - Afterschool and Out-of-School time care: concern that families need more care than a typical school day offers; there isn't enough workforce/capacity/slots for existing kids who need it; transportation concerns.
- 7 - Governance: excited about the restructuring and questions about where CCFAP, licensing, and afterschool fit
- 6 - Equity: Populations gaining access to CCFAP; excitement for noncitizen programming; concerns around further inequities being created (geographic disparities)
- 16 - Miscellaneous: Suggested resources/witnesses; questions about the bill and process within the legislature; concerns about moving away from national best practices and questions about lessons learned from other states

ADDITIONAL DATA, PUBLICATIONS, REPORTS, AND RESOURCES

Early Childhood Education Data

[Enrollment Dashboard](#) from the Vermont Agency of Education.

Includes preschool enrollment data from school years 2004 to 2022



[The number of children enrolled in Universal Prekindergarten Education](#) from Vermont's Early Childhood Resource, Data, and Policy Center (vermontkidsdata.org)

[Licensed and desired capacity of Universal Prekindergarten Education programs by program type](#) (school-based, private program) from Vermont's Early Childhood Resource, Data, and Policy Center (vermontkidsdata.org)

[Stalled at the Start Report: February 2022](#) and [2020](#)

Includes desired capacity for preschoolers (3 and 4 year olds) and the number of children likely to need care 72.8%

[Ready for Kindergarten! Survey: R4K!S Data](#) from the Vermont Agency of Education (School Years 2016-2022)

Ready for Kindergarten! Survey (R4K!S) is a readiness assessment of children entering kindergarten and includes disaggregation by attendance in a UPK program

[Vermont Early Childhood Action Plan Data Dashboard](#) from Vermont's Early Childhood Resource, Data, and Policy Center (vermontkidsdata.org)

Publications, Reports, and Public Meetings

[The Early Learning and Development's February Meeting on Pre-K.](#)

In February, the Early Learning and Development Committee Meeting held a discussion with Prek coordinators and partners about potential impacts of the bill (S. 56/H. 208) during their February meeting.

[A Researcher-Practitioner Partnership: Vermont's Universal Prekindergarten System.](#) Actionable Evidence Initiative Case Study, September 2021

This case study highlights a researcher-practitioner partnership aimed at informing state policy decisions through actionable research evidence based on a collaborative research process. The primary goal of the partnership is to inform Vermont policymakers as they deliberate on Act 166, the state's universal prekindergarten (preK) legislation.

Building Bright Futures [Testimony to the Task Force on the Implementation of the Pupil Weighting Factors Report](#) August 2021 ([Pupil Weighting Factors Report](#))

Testimony with regard to BBF's role in supporting the success of children, families and the early childhood service system including a brief overview of BBF's role and infrastructure, and an outline of BBF's role in providing evidence and data to inform policy specifically around Universal Prekindergarten Education (UPK).

[Characteristics of Approved Universal Prekindergarten Programs in Vermont in 2018/19](#) - Education Development Center, January 2021



This study examined the characteristics of approved preK programs overall, public school and private programs separately, and programs in local education agencies with different population sizes and poverty levels.

[Enrollment rates of children in universal prekindergarten programs in Vermont in 2016/17](#) - Education Development Center, January 2020

This study describes the characteristics of children enrolled in universal preK programs in 2016/17, which was the first year of full implementation of universal preK in Vermont

Building Bright Futures' Information Gathering Effort on Universal Prekindergarten Education [Testimony on the findings of Building Bright Futures' information gathering effort on Universal Prekindergarten \(UPK\)](#) January 2020 | [BBF's Universal Prekindergarten \(UPK\) Webinar](#) February 2020

The purpose of this information gathering effort was to utilize BBF's statewide and regional networks to ask those directly impacted by Act 166 to identify perceptions of success, where and why it's been successful and to share best practices, also outline persistent barriers to successful UPK administration and implementation.

[Prekindergarten Education Study: Final Report](#) - Vermont Agency of Education, July 2019

The purpose of the PreK study, as dictated by Act 11, section E.500.7, is to provide Vermont with information regarding how to more effectively and efficiently provide PreK education.

Early Childhood System Overviews

[The State of Vermont's Children: 2022 Year in Review](#) | [2021 Year in Review](#) Building Bright Futures, January 2023

The State of Vermont's Children provides Vermont's policy makers, educators, caregivers, health practitioners, business leaders, and community members with an objective, data-driven assessment of the well-being of young children and families in Vermont and highlights the annual recommendations from Vermont's Early Childhood State Advisory Council Network.

[Vermont's 2020 Early Childhood Needs Assessment](#) Building Bright Futures, 2020

Vermont's early childhood stakeholders partnered to design the 2020 Needs Assessment, collect data, and thoughtfully analyze the ways in which Vermont's early childhood programs, professionals, and structures contribute to the Vermont Early Childhood Framework vision to realize the promise of every Vermont child, across all levels of the system.

Regulations and Guidance

[Act 166 of 2014](#)

[Universal Prekindergarten: Act 166 website](#) from the Vermont Agency of Education

Includes an overview of Act 166, a definition of UPK, reports, and recent guidance and news.



[Statewide Rate for Pre-K Tuition](#) and [Determination of the Statewide Rate for Pre-K Tuition](#)

[Vermont Early Learning Standards \(VELS\)](#)

The Vermont Early Learning Standards (VELS) help inform families about the development and capabilities of children from birth through grade 3 and guide educators in the development and selection of program-wide curriculum and educational strategies for children from birth through grade 3. These standards are central to the shared vision of what we want for young children in Vermont and highlight the importance of high quality early childhood experiences as the foundation for school success and lifelong learning. Plainly said, early experiences matter.