

## Early Education in Vermont - Legislative Action

My name is Sandra Cameron and I have been in the field of early education in Vermont for 23 years. I hold two Master's degrees, in Early Childhood Education and Occupational Therapy, and I hold a license as an early childhood special educator and school administrator. When Act 166 of 2014 passed, I was the Director of Early Education at the Barre Supervisory Union (now BUUSD). During my career, I have also taught courses at both the undergraduate and graduate level. I share this with you to demonstrate my depth and breadth of knowledge in this area.

Shortly after the passage of an incredibly complex bill requiring all Vermont SDs to provide universal preK for all three and four year olds through a mixed delivery model (Act 166 of 2014), a group of supervisory unions (Winooski Valley Superintendents Association - 12 SUs at that time) acquired a grant and redeployed me to develop and implement the requirements. This regional approach required a high-level systems-approach that included the adaptation of everything we knew about how to deliver high-quality early education in Vermont. This involved developing processes and procedures that did not yet exist, adapting student information systems for data tracking, developing communication tools and strategies with families, communities, and providers, coordinating the collection of child outcome data and analyzing it to address the needs of individual children as well as the needs of teachers, adjusting budgets and creating contracts, ensuring the alignment of preK curriculum with kindergarten curriculum through the Vermont Early Learning Standards, and on and on and on. We literally built the system from the ground up because that's what the talented people in the public school systems do - we adapt.

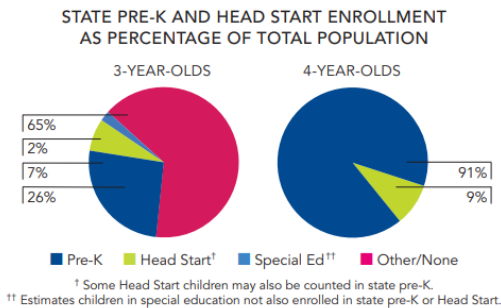
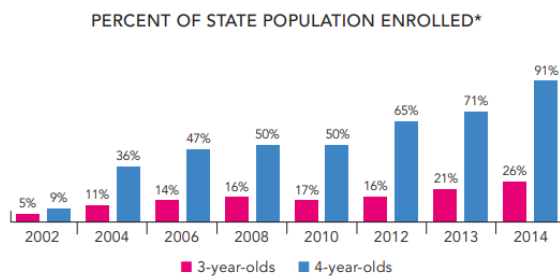
The passage of Act 166 did not require licensed early educators to figure out what criteria and strategies will lead to the best child outcomes because that has been researched for years and is outlined in NAEYC's book titled "[Developmentally Appropriate Practice - 4th edition](#)." Further, the [National Institute of Early Education Research \(NIEER\)](#) has experts who conduct ongoing research and publish their findings in a manner that is easy to access and easy to understand. In addition, there have been multiple studies required by the Vermont legislature over the past several years. **The information we need to improve the quality, capacity, and financial sustainability of and early education approach that will improve outcomes for children is already available.**

The primary focus of this document is on the sections of S.56 (sections 1-11), though it's my understanding that the committee is now considering an amendment that would not address the quality of early education across the state and instead would delay action to require another study committee. As you've heard from other witnesses, childcare and early education

are inextricably linked. Moving forward with systems changes under one agency (AHS) without simultaneously moving forward with systems changes under another agency (AOE) will continue Vermont on a path of inequity, confusion, and impasse. Several committees have heard from numerous witnesses about the potential effect of S.56 on them, or on their business. We need to focus on the potential effect on children and child outcomes because the quality of education delivered to our youngest students is of the utmost importance and because the early care and education system is incredibly complex. What follows is a brief review of history and visual representation of the system with regard to capacity and quality.

In 2014, Vermont passed Act 166, establishing universal access to publicly funded pre-K for all 3-, 4- and 5-year-olds who are not enrolled in Kindergarten. Act 166 allowed for some “early adopters” in school year 2014-15 and full implementation in school year 2015-16. Below are snapshots from the NIEER annual report showing Vermont’s total enrollment and quality rating at the time when VT passed Act 166 (a baseline). In **2014, approximately 26% of the total population of three-year-olds were enrolled in PreK with the large majority of four year olds (91%) enrolled. Vermont’s quality rating was 4 out of 10 (lacking the requirement of a teaching degree, specialized in ECE or ECSE, assistant teacher degree, as well as screening, meals, and monitoring across settings).**

# Vermont



## QUALITY STANDARDS CHECKLIST

POLICY	STATE PRE-K REQUIREMENT	BENCHMARK	DOES REQUIREMENT MEET BENCHMARK?
Early learning standards	Comprehensive	Comprehensive	<input checked="" type="checkbox"/>
Teacher degree	BA (public); Meets child care requirements (nonpublic) <sup>2</sup>	BA	<input type="checkbox"/>
Teacher specialized training	EC Educator, EC Special Educator, ECE (public); AA, CDA, or child care post-secondary certificate (nonpublic) <sup>2</sup>	Specializing in pre-K	<input type="checkbox"/>
Assistant teacher degree	AA (public); HSD + 30 hours or 3-credit course in CD (nonpublic) <sup>3</sup>	CDA or equivalent	<input type="checkbox"/>
Teacher in-service	9 credit hours/7 years (public);	At least 15 hours/year	<input checked="" type="checkbox"/>
Maximum class size		20 or lower	<input checked="" type="checkbox"/>
3-year-olds	20		
4-year-olds	20		
Staff-child ratio		1:10 or better	<input checked="" type="checkbox"/>
3-year-olds	1:10		
4-year-olds	1:10		
Screening/referral and support services	Determined locally; and support services <sup>4</sup>	Vision, hearing, health; and at least 1 support service	<input type="checkbox"/>
Meals	No meals required	At least 1/day	<input type="checkbox"/>
Monitoring	Other monitoring	Site visits	<input type="checkbox"/>

TOTAL BENCHMARKS MET

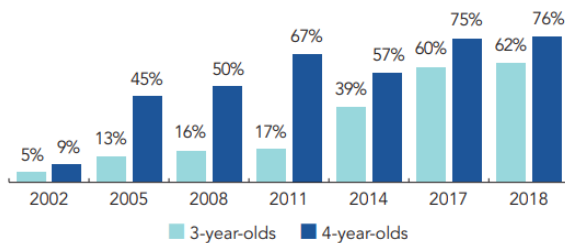
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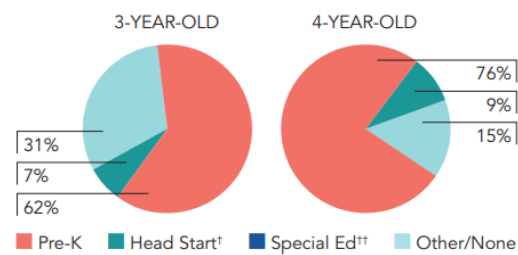
By 2018, capacity increased significantly and the **number of three year olds in publicly-funded early childhood programs (62%)** more closely matched the number of four year olds (76%); four years after the passage of Act 166. Vermont’s quality rating is at a 7 out of 10, still lacking critical elements such as the requirement of a teaching degree, assistant teacher degree, and staff professional development. *Note that NIEER has shifted from “monitoring (ie: site visits) to continuous quality improvement systems in their rating (structured classroom observations and use of data for program improvement).*

# Vermont

PERCENT OF STATE POPULATION ENROLLED



PERCENT OF POPULATION ENROLLED IN PUBLIC ECE



<sup>†</sup> Some Head Start children may also be counted in state pre-K.  
<sup>††</sup> Estimates children in special education not also enrolled in state pre-K or Head Start.

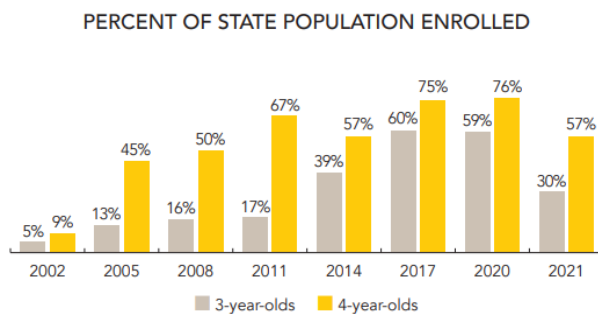
## QUALITY STANDARDS CHECKLIST

POLICY	VT PRE-K REQUIREMENT	BENCHMARK	REQUIREMENT MEETS BENCHMARK?
Early learning & development standards	Comprehensive, aligned, supported, culturally sensitive	Comprehensive, aligned, supported, culturally sensitive	<input checked="" type="checkbox"/>
Curriculum supports	Approval process & supports	Approval process & supports	<input checked="" type="checkbox"/>
Teacher degree	BA (public); BA for lead teacher, AA for classroom teacher (nonpublic)	BA	<input type="checkbox"/>
Teacher specialized training	ECE, CD, ECE SpEd (public); Elem. Ed., CD (nonpublic)	Specializing in pre-K	<input checked="" type="checkbox"/>
Assistant teacher degree	HSD	CDA or equivalent	<input type="checkbox"/>
Staff professional development	9 credit hours/7 years (public teachers); 15 hours/year (assistants & nonpublic teachers); PD plans; Coaching (some teachers)	For teachers & assistants: At least 15 hours/year; individual PD plans; coaching	<input type="checkbox"/>
Maximum class size	20 (3- & 4-year-olds)	20 or lower	<input checked="" type="checkbox"/>
Staff-child ratio	1:10 (3- & 4-year-olds)	1:10 or better	<input checked="" type="checkbox"/>
Screening & referral	Vision, hearing, health & more	Vision, hearing & health screenings; & referral	<input checked="" type="checkbox"/>
Continuous quality improvement system	Structured classroom observations; Data used for program improvement	Structured classroom observations; data used for program improvement	<input checked="" type="checkbox"/>

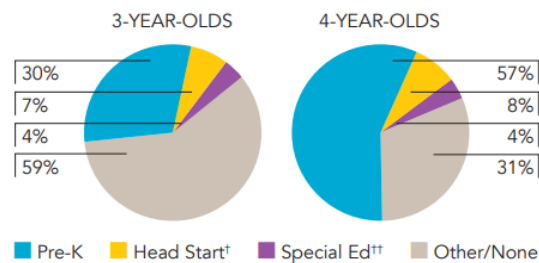
For more information about the benchmarks, see the Executive Summary and Roadmap to State Profile Pages.

The most recent report card from **2021 shows a decrease in enrollment overall (affected by Covid-19), especially among three year olds (30%), which is very similar to enrollment in 2014 (26%). The quality rating remains at 7 out of 10 because Vermont has not addressed critical elements that we've known to be missing since the inception of universal prekindergarten in 2014 (the requirement of a teaching degree, assistant teacher degree, and staff professional development).** With the 2021 decrease in enrollment of three-year-old children back to the 2014 level, school districts continued to meet the requirements of IDEA for students with special needs, just as they did prior to Act 166.

# Vermont



PERCENT OF POPULATION ENROLLED IN PUBLIC ECE



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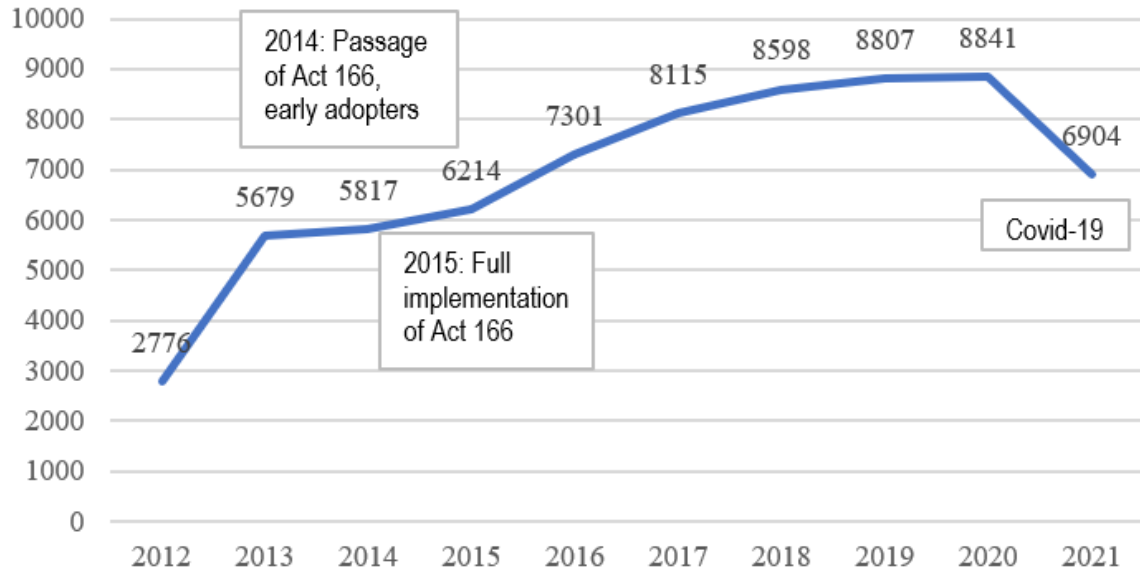
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Teacher specialized training	ECE, CD, Elem. Ed. with ECE, ECE SpEd (public); ECE, CD, ECE SpEd (nonpublic)	Specializing in pre-K	<input checked="" type="checkbox"/>
Assistant teacher degree	HSD	CDA or equivalent	<input type="checkbox"/>
Staff professional development	9 credit hours/7 years (public teachers); 15 hours/year (assistants & nonpublic teachers); PD plans	For teachers & assistants: At least 15 hours/year; individual PD plans; coaching	<input type="checkbox"/>
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Continuous quality improvement system	Structured classroom observations; Data used for program improvement	Structured classroom observations; data used for program improvement	<input checked="" type="checkbox"/>

For more information about the benchmarks, see the Executive Summary and Roadmap to State Profile Pages.

The decline in preK enrollment as reported by NIEER (above) is consistent with data from the VT AOE Dashboard (retrieved 2/17/23):

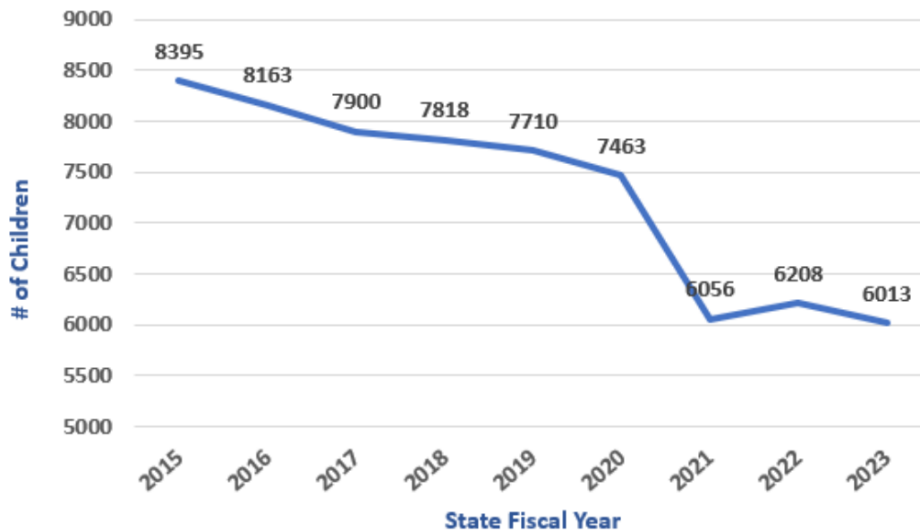
### Publicly-funded PreKindergarten Enrollment 2012-2021



Source: VT AOE Dashboard

On February 7, 2023, DCF-CDD Deputy Commissioner Miranda Gray, testified in Senate Health and Welfare that the number of CCFAP recipients has declined over the past few years as well. These data points are consistent and signal an opportunity for change at a time when fewer families will be affected.

### Average Number of Children Receiving CCFAP by SFY



Addressing **capacity has been the primary focus since the inception of Act 166 and we have seen the effect of a focus on capacity. Because quality has not been the focus, we have not seen proportionate changes in Vermont's NIEER rating.** Therefore, thousands of children have moved through the current early care and education system without the assurance of the three critical criteria related to quality instruction. As outlined in the [testimony to the Senate Health and Welfare Committee by Lori Connors-Tadros from the National Institute of Early Education Research \(2/10/23\)](#):

“High-Quality pre-K has Many Benefits:

- Increased readiness for kindergarten
- Reduced grade retention through elementary school
- Reduced identification for special needs
- Long-term benefits on:
  - Mental health (improved)
  - Incarceration rates (reduced)
  - Educational attainment and Socioeconomic status”

Further, Lori Connors-Tadros provided reflections on the Implications of S.56:

- There is no research that definitively says one setting is "better" (for children, or families) than another.
- Vermont's program is good in that it **serves almost 60% of 4 year old's and 30% of 3 year old's, which is more than many states.**
- But it **does not meet the quality standards that are shown in the research to improve outcomes for young children, especially vulnerable children. It might be a better investment to increase quality standards.**
- We find **better quality in school-based programs, except in states that have high standards for both settings and invest sufficiently in supporting community-based providers to meet quality.**

With regard to S.56, the national expert on Early Education suggested that the bill would need to address the following criteria:

- Ensure that child care and Head Start sectors can provide high quality ECE
- Time to plan to build the capacity, to engage and inform parents, and to put in place a robust monitoring system and continuous quality improvement (through the AOE), **or you won't get the results for children that you want.**

As I presented in [testimony to the House Education Committee in 2020](#), the National Institute for Early Education Research analysis evaluated the extent to which each state-funded preschool program satisfied 15 “essential elements” found to characterize high-quality public preschool programs. The 15 elements were organized into three sections (see the following graphic).

The first section is the “enabling environment - Political will including support from political leadership and, more rarely, judicial mandates

- **A compelling vision and strong leadership from early learning leaders**

The second section, “rigorous, articulated early learning policies,” has eight elements, most of which were relatively straightforward to judge.

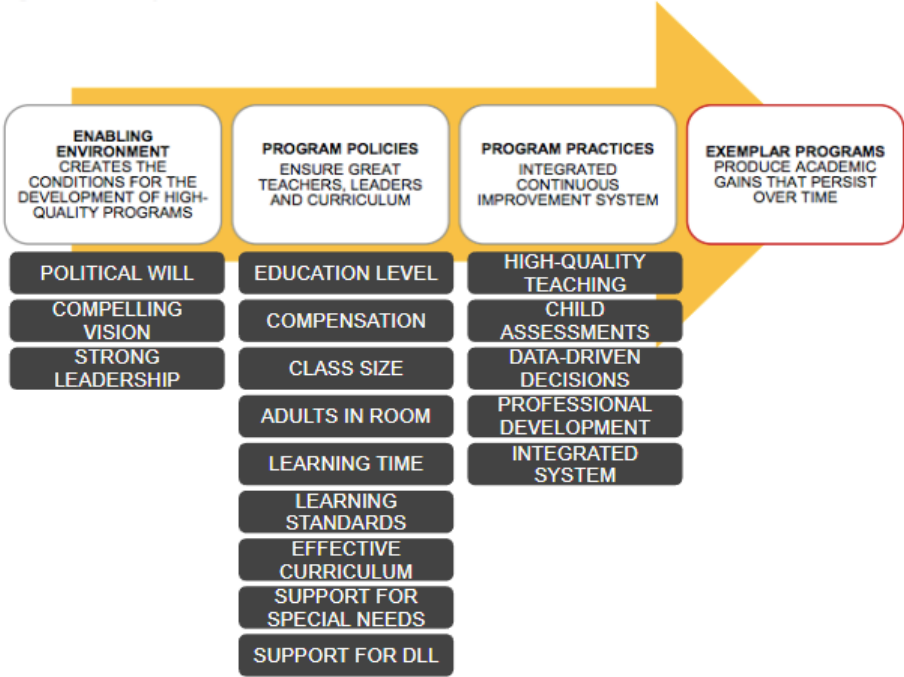
- **Well-educated (BA degree, ECE license) and well-compensated teachers (K-12 pay parity)**
- **Class size maximum of 22 children**
- **Two (or more) adult teaching staff in each classroom; maximum teacher to student ratio of 1:11**
- **At least a full school day is provided to ensure adequate dosage**
- **Appropriate early learning standards for preschoolers**
- **Effective curriculum that has systemic support**
- **Strong supports for education of children with special needs in inclusive settings**
- **Strong supports for dual language learners**

The third section is “strong program practices,” containing five elements.

- **High-quality teaching**
- **Professional development (PD) to improve individual teacher performance**
- **Child assessments that are appropriate and used to inform instruction**
- **Data-driven decision-making and independent evaluation**
- **Integrated systems of standards, curriculum, assessment, PD, and evaluation**



# NIEER'S ESSENTIAL ELEMENTS



# NIEER'S ESSENTIAL ELEMENTS

Enabling Environment		Rigorous, Articulated Early Learning Policies								Strong Program Practices				
Political Will	Strong Leaders	BA + comp	Class size	Two Adults	Hours/ Dosage	EL Standards	Effective Curriculum	Special Ed	DLL support	HQ Teaching	PD	Child Assessments	Data Driven	Integrated System
●	○	○	●	●	—	●	—	●	—	○	—	○	—	—

Key: ● Fully Met    ○ Partially Met    — Not Met    ND Not determined

Vermont's policies on early education have remained unchanged since 2014. **If improving student outcomes is a priority, then it is imperative to ensure the essential elements of high-quality public prekindergarten programs.** Consider the following definition of "High-Quality, Effective Prekindergarten Education" from the Agency of Education:

"What defines Vermont Universal Prekindergarten Education 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 successful outcomes."

However, Vermont's SBE Rules addressing the implementation of Act 166 (Rule Series 2600) is inconsistent with this definition:

- In a public school, **each classroom must have a licensed teacher**: SBE Rules 2605(1) "Teachers in each prekindergarten classroom in a district-operated prekindergarten education programs shall hold a valid Vermont educator license with an endorsement in either early childhood education or early childhood special education;" Many districts provide more than 10 hours per week of instruction with a licensed educator.
- In a private center, a licensed teacher must be present for 10 hours per week, regardless of the number of classrooms in the center (there is no requirement that the licensed teacher is providing instruction, only that they are present: **Ten hours that the licensed teacher is present shall coincide with the hours of prekindergarten education paid for by tuition from districts.** The [2019 AOE Memo](#) states "**Best practice for high quality prekindergarten instruction, though not required, would be the licensed educator leading instruction, facilitating lessons, and engaging with students in the student's classroom(s) for their prekindergarten education hours.**"
- In a home program, a provider may be a licensed teacher, or SBE Rule 2605(3) allows them to receive, "regular, hands-on active training and supervision from a teacher who holds a valid Vermont educator license with an endorsement in either early childhood education or early childhood special education **at least three hours per week**, during each of the 35 weeks per year in which prekindergarten education is paid for by tuition from districts, and is covered by the contract terms discussed above. The operator shall maintain appropriate written documentation of the supervision on location."

While Early Learning Standards in Vermont (VELS) for children aged birth through grade 3 outline exactly what to teach, **access to an early educator whose expertise is assured through an educator license has remained inequitable.** Ensuring the alignment of developmentally appropriate, play-based curriculum that addresses these important early

learning standards across a learning continuum is foundational of the child’s educational journey.

The Rules Governing the Licensing of Educators and the Preparation of Educational Professionals (Rule Series 5100) articulates the standards required by licensed Early Childhood Educators (ECE). Of particular interest to this committee is the section that ensures that a **licensed Early Childhood Educator has demonstrated the following standards related to literacy:**

#### 5.2 Performance Standards

- 5.2.1 Understands content knowledge and resources in academic disciplines: language and **literacy**; the arts – music, creative movement, dance, drama, visual arts; mathematics; science, physical activity, physical education, health and safety; and social studies.
- 5.2.2 Uses own knowledge, appropriate early learning standards, and other resources to design, implement, and evaluate developmentally meaningful and challenging curriculum for each child.
- 5.2.3 Understands the importance of individualizing **literacy** instruction to address the needs and strengths of all learners and strategies for modifying **literacy** instruction to support individual needs.

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- 5.2.4 Understands the basic components and the unique needs of delivering high-quality **literacy** and numeracy instruction to English Language Learners.
  - 5.2.5 Understands the progression of student skills defined by the Vermont Early Learning Standards (which include the appropriate Common Core State Standards and Next Generation Science Standards) and competence in teaching them.

Quality rating systems are in effect in many states, some even name their QRIS “Stars.” The language in the bill removes “STARS” and would instead require public schools (only) to become accredited by NAEYC. Some public preK programs already have this designation, especially if they are a Head Start collaborative program, but for others, this will require an entirely new set of regulations, duplicative of many regulations that are already required in public schools. Would the QRIS requirements on private programs that serve to provide public education on behalf of a SD. The bill removes the “STARS” program and replaces it with NAEYC accreditation. We recommend inquiring with the bill sponsors about their intentions here and if

they intended for public schools to be required to shift to yet another QRIS system to ensure high quality, developmentally appropriate ECE programs. Public schools are already dually-regulated by childcare licensing and various requirements of all public schools. Further, there is overlap between many of the health and safety requirements of schools (in general) and health and safety requirements of childcare licensing.

A quick note about students who need additional services: School Districts are required through “Child Find” to find, evaluate, and serve children (as of age 3) who are suspected of having a disability, regardless of whether or not they attend public schools. Prior to Act 166, this was done in creative ways and it certainly can be done again. In fact, under the current system children are being evaluated and services are being provided for children who are not enrolled in public preK. In many programs (private or public), three- and four-year-old children are in mixed age groups currently. Enrollment in public preK is not a requirement of child find. The bill allows districts to count three-year-old children receiving at least 10 hours per week of essential early education (EEE or ECSE). The bill doesn't allow for the count of three year olds who do not have disabilities, but who could provide important peer modeling to our youngest students.

Some three-year-olds who need additional support may greatly benefit from being in a group with four-year-olds (ie: speech delay). Three-year-olds who have significant developmental delays would benefit from attending a group setting with same-age peers due to the proximal zone of development. Regardless of the child’s ability, all children benefit from peer modeling within a group of children with varying strengths. Under Act 166, public school classrooms have become more densely populated with students with higher needs because continuity of care and services is embedded into the physical environment of the school. An increase of enrollment of four year olds may result in groups that are more representative of the general population.

Change is hard and we are human - some people will resist. However, we are now, and have always been, ready to adapt to changes because we see the potential for increasing access to equitable, high-quality early education while developing relationships with families when their child is very young, promoting smooth transitions to kindergarten for students with and without disabilities (especially important for kids with special needs), and aligning evidence-based curriculum and instruction across grade levels with support for ongoing professional development and universal design for learning. Over the past seven years, spaces in public schools have been transformed into early education learning spaces (indoors and outdoors) and you might recall that at the onset of the pandemic, schools were required to conform into childcare programs for essential workers, and they did this at the speed of light. We can and we will adapt.

Afterschool programming would support families who want to enroll their child in extended hours and this would be more feasible in the public school setting if the rules for three and four year old children aligned with those of five year olds in afterschool programs. S.56 calls for amendments to the DCF, licensing regulations for Afterschool Child Care Programs, so that could be resolved.

Early care and education is a complex and integrated system and any legislative action should be founded in research and should consider all moving parts. I strongly encourage this committee to support the provision of all-day, high quality early education programming for all four-year olds in public schools with licensed teachers with the following specific recommendations:

- A second **Deputy Secretary at the AOE, with expertise in early education** could advance Vermont in the areas of the essential elements necessary for rigorous, articulated early learning policies, leading to strong program practices, which will result in “exemplar programs,” producing academic gains that persist over time.
- **Require research-based, essential elements and quality standards (NIEER)** for all programs providing preK within a system that can ensure:
  - services for students who need additional support and English learners
  - access free meals
  - a homeless liaison
  - access to a school nurse (and sometimes dental services)
  - many other social support services
  - transportation, as a related service for students who have Individualized Education Plans (many school districts currently provide transportation for preschool-aged students)
- **Define the goals, then focus resources** on collecting and examining research that already exists rather than convening a study group that may not hold the expertise necessary to achieve those goals.
- **Implement a multi-year phase-in with a clear vision, goals and objective metrics of progress.**
  - Seize the opportunity to advance change for both childcare and prekindergarten while Vermont is experiencing lower enrollment in both CCFAP and publicly-funded prekindergarten.
  - As Rules are being amended (Sec. 11), address the issue of three and four year old children being under the same rules as five year old children so that districts are better able to consider the provision of extended day hours( afterschool).

- Allow “**early adopters,**” to begin the shift for the school year 2024-25 (FY25).
  - Several districts already provide all-day prekindergarten and are doing so through local budgets.
  - Vermont is in the process of school inventory and assessment, yet school capacity related to the proposed shift has been completed, so we cannot make assumptions about capacity limitations (indoors or outdoors). Many schools already run preK programs and others utilize ECO (Educating children outdoors, which is a nature based program) so they may not need to purchase additional playground equipment. We should assess statewide capacity while providing school districts with options:
    - school districts that have capacity and are ready to move forward immediately could do so;
    - school districts that do not yet have capacity would have another year to reconfigure their enrollment, staffing, and physical spaces
    - State Board of Education Rules (2600 Series) will need to be revised.
- **Guarantee access to students who need additional support.** Public schools (LEAs) will continue to provide free and appropriate public education (FAPE) to three-year-old and four-year old children with disabilities.
  - With regard to three-year olds: Schools can continue to provide inclusive educational programming to their youngest students with special needs through as outlined in the bill (Sec.6). An amendment to the current language in the bill could allow the district to also count peers without disabilities who are enrolled as peer models in essential early education programs.
  - With regard to four-year-olds: Act 166 resulted in an unintended imbalance of enrollment in public schools, where there tends to be higher enrollment of students eligible for free/reduced lunch and students who need additional support. Because access to wrap-around services is so essential to students in these communities, enrollment in many public programs is less representative of the general population. Enrolling all four-year-olds in public schools would address this imbalance.
  - Retain the language regarding the AOE to monitor school readiness and proficiency in numeracy and literacy while also adding language regarding social-emotional learning. The early development of language, literacy, and numeracy are well researched indicators of future school success.
- **Ensure efficiencies of scale simultaneously with adequate funding:**
  - Act 46 was passed as a cost containment measure, yet Act 166 resulted in

- many small private programs, where cost containment is most difficult.
- Assess the need for funding for public schools to make the shift from current classrooms with a mix of three- and four-year-olds to a higher number of four-year-olds.
  - A full ADM would support essential resources to expand programming. A temporary onramp during the shift to all-day programming, as was done with Act 166 (SDs estimated the census count, then confirmed the census count and reported to the AOE for reconciliation) would help to reduce the negative effect of the two-year averaging on ADM. The 2019 Pupil Weighting Study was silent on preK. Regulations require and best-practice is to have at least two adults in preK groups, so there should be an analysis of whether an equalized pupil (EP) of 1.0 is adequate for preK (currently, preK students are factored into the complex education funding formula at an equalized pupil count of .46FTE for 10 hours per week).
  - Head Start programs receive federal funding on top of CCFAP state funding and local school district tuition via Act 166. Any adjustments to funding in private programs should consider this additional funding stream so that 1) policy decisions reflect all potential funding (ie: federal) and 2) funding for preK students is equitable across various private settings.
  - Amend language in Sec. 5 regarding legal pupil, as has been discussed with regard to S.34.
  - Consider the various levels of credentials that staff in public schools hold when establishing a tiered professional compensation standard for employees of child care programs. If the goal is to have salaries that are comparable to licensed early childhood educators, then the credentials must also be comparable (ie: educator license, ongoing professional development). Salaries of childcare staff working in positions that are not licensed educators should be comparable to public school staff who are not licensed educators (ie: paraeducators). Otherwise, there will be a higher cost for services provided in private programs. There may also be a disincentive to pursue a degree if salaries of staff with and without a degree are aligned.

**Resources:**

Implementing 15 Essential Elements for High-Quality Pre-K: An Updated Scan of State Policies found at <http://nieer.org/wp-content/uploads/2018/10/Essential-Elements-FINAL-9.14.18.pdf>

Cameron, Sandra and Myers, Chelsea (January 23, 2020). Testimony to the House Committee on Education (retrieved 2/18/2023 from [W~Chelsea Myers~DR 20-0816, Draft 2.1, 1-21-2020 Act 166 Considerations - Joint Testimony~1-23-2020.pdf \(vermont.gov\)](#))

Connors-Tadros, Lori (February 10, 2023). National Institute on Early Education Research. Testimony to the Senate Committee on Health and Welfare (retrieved 2/17/23) from [Denver and Colorado Preschool Programs \(vermont.gov\)](#)

Vermont Agency of Education Dashboard (retrieved 2/17/2023 from [Vermont Education Dashboard | Agency of Education](#))

Vermont Agency of Education Universal Prekindergarten (retrieved 2/17/2023 from [Universal Prekindergarten: Act 166 | Agency of Education \(vermont.gov\)](#))