

## **FORESIGHT LAW + POLICY, PLLC**

800 Maine Avenue, S.W. Suite 200

Washington, D.C. 20024

Ph. (202) 499-6996 | [www.FLPAdvisors.com](http://www.FLPAdvisors.com)

### **Testimony of Elliot Regenstein Senate Committee on Health and Welfare February 10, 2023**

- A couple of years ago the legislature charged Building Bright Futures with a Systems Analysis, and a fiscal analysis – recognizing a real need for systems change, and a belief that the state’s current way of doing business could be improved. We at Foresight were honored to be chosen to lead the Systems Analysis component of the work, in collaboration with Nasha Patel of Watershed Advisors, who unfortunately couldn’t join by video this morning.
- During the development of the Systems Analysis were deeply grateful to the Vermont EC community for engaging with us as deeply as it did. You can see in Appendix A to our report a listing of the dozens of people we talked to, including members of an Advisory Committee who regularly engaged with us to offer direction and support. I want to note that Chair Lyons and Senator Hardy are both on that list, and we really appreciated their participation.
- So we heard a lot, and I want to start by saying that the bill you’re currently considering reflects a number of values that are deeply held in the early childhood community. Those include a need for expanded access to child care, expanded access to pre-k, and elevated leadership in state government for early childhood. Those values shine through in this legislation, and I think that’s important to say because it’s useful to clarify where any disagreement is about values, and where disagreement is about the mechanics of implementing those values. So from a values standpoint, I think this legislation does a lot to reflect the views of the Vermont early childhood community.
- There is one core value we heard, though, that I think is not reflected here, and that’s a strong desire from the community to have a unified early childhood system – and elevated leadership that’s really looking at the entire early childhood system. Reasonable people can disagree about how to execute that, but that’s a core value – and one that this legislation does not really embody.
- That’s important, because it relates to the state’s ability to execute on the values that this legislation does embody. Specifically, think about the dramatic changes this bill calls for in expanding access to both child care and pre-k. Again, without getting into the details, it’s great to expand access to child care and pre-k, and it’s exciting to see the energy behind that.
- But the kind of service expansion that the system needs – and that’s contemplated here – is complicated. It involves an endless series of decisions and judgments about personnel, and space, and quality, and access, being made at the state level and at the local level, in a highly dynamic environment where all of the agencies and providers involved are impacting each other on an ongoing basis. If decisions about child care and pre-k are being administered separately, the state runs a very high risk of having implementations that compete with each other, rather than creating a single coherent system.

- My understanding was that the reason the legislature wanted a systems analysis in the first place was that it wanted greater coherence. To rapidly accelerate policy change without providing for that coherence could make the expansion very challenging for providers and families.
- I would also note that moving to a primarily school-based pre-k is contrary to the national trend. By my count, of the 44 states with a state pre-k program, 41 of them include private providers – 29 as potential primary service providers, and 12 as subcontractors. Mixed delivery systems are generally seen as more responsive to the needs of families, and in our work on the systems analysis the importance of the mixed delivery system was a consistent theme. Moreover, some states have focused on delivering 3- and 4-year-old services together, based on their understanding of the research on best practices in child development.
- I don't want these disagreements to obscure what are some very important positives in this legislation. I commend the sponsors of the bill for their willingness to "go big," and to support the kind of investments the early childhood field sorely needs. That's incredibly exciting, both in Vermont and in national context.
- So I hope the conversation the legislature has can focus on shared values first, and then work on the mechanics once the values are agreed to. The value of making major investments in early childhood is already in this bill, and that's a tremendous place to start.
- The value of a unified system isn't in this bill yet. It was in the committee's charge that launched the Systems Analysis, and it's in the Systems Analysis recommendations. If that value is one that the Committee still holds, I have no doubt that legislation can be crafted that integrates that value with the ones already embedded in this bill.
- In the Systems Analysis we proposed a strategy for addressing that value, and people may disagree with the mechanics of our suggestions – just as they may disagree with the mechanics of this bill, even in places where they agree with its values. But there are clearly some values that are widely shared, which is a great starting point. And once the Committee determines which values it wants to see reflected in major legislation, it is eminently possible to develop mechanics for service expansion and state oversight that will allow Vermont to be successful in meeting the needs of children and families.
- Again, I'm grateful for the opportunity to have been a part of this process, and I'm happy to answer any questions the Committee has.