



Date: February 17, 2023
To: Chair Lyons and members of the Senate Committee on Health and Welfare
CC: Katie McLinn, Legislative Counsel
From: Dr. Morgan Crossman, Executive Director, Building Bright Futures
Re: S.56: An act relating to Child Care and Early Childhood Education, Clarification of BBF's Role

During testimony to the Senate Committee on Health and Welfare on February 15, 2023, questions were posed about BBF's role. Below is clarification on the role of Building Bright Futures in relation to rule-making and supporting transitions.

Consultation with Agencies on Rule-Making

- S.56 Section 4, Public Prekindergarten Education Program, subsection (e) Rules, pg 10-14:** Consultation with the Secretary of Education to jointly develop/update rules
- S.56 Section 11, Rulemaking, subsection (a), pg 21-22:** Consultation with the Department for Children and Families to amend rules
- S.56 Section 11, Rulemaking, subsection (b), pg 22:** Consultation with the Agency of Education to amend rules
- S.56 Section 70, Child Care Financial Assistance Program; Eligibility, subsection (6)(A), pg 98-99:** Consultation with the Department for Children and Families to adopt rules
- S.56 Section 72, Payment to Providers, subsection (a), pg 100-101:** Consultation with the Commissioner of the Department for Children and Families to establish a payment schedule

BBF's Role: 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 and instead, additional clarity can be included in the section on supporting transitions. Alternatively, aligned with our state statute, the SAC Network could be charged with informing rulemaking and supporting the public comment period.

BBF has a successful background of: supporting accountability, providing technical assistance, promoting data driven decision-making, and supporting stakeholder engagement for public and private partners in Vermont's early childhood system. A critical part of the rulemaking process is convening diverse, statewide, stakeholder engagement and outreach to ensure maximum public participation. The SAC Network (the State Advisory Council, 7 Vermont Early Childhood Action Plan Committees, and 12 Regional Councils) can be used as a mechanism by which comments and feedback are utilized to inform rulemaking and support the required public comment period 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

- S.56 Section 80, Building Bright Futures; Technical Assistance, pg 105-106:** 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



BBF’s Role:

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, and 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, supporting governance and systems transitions is an appropriate role for BBF and our team is well positioned to support this work.

In order for BBF to be successful in supporting this series of complex transitions, this legislation must include more concrete language about the role and responsibilities. Based on the Child Care and Early Childhood Education Systems Analysis and recent recommendations from both national experts and the State Advisory Council, a formal transition plan is required. **The language or similar language found in the 2023 State Advisory Council’s Policy Recommendations related to the responsibilities related to supporting any governance transition could be utilized in the bill:**

- Developing a concrete transition plan with accountability and metrics (process and success) prioritizing cross-sector stakeholder engagement
- Monitoring any and all transitions over time and reporting annually to the Legislature
- Defining and measuring success in process and outcomes using a continuous quality improvement framework
- Ensuring alignment with the vision articulated in the Vermont Early Childhood Action Plan

FISCAL IMPLICATIONS FOR NEW ROLES AND RESPONSIBILITIES CREATED FOR BUILDING BRIGHT FUTURES

S.56 Section and Subsection creating new responsibilities for BBF	Fiscal Implications
S.56 Section 4, Public Prekindergarten Education Program, subsection (e) Rules, pg 10-14: Consultation with the Secretary of Education to jointly develop/update rules	For all sections that require BBF to expand its role to support the Administration in developing, updating, or adopting new rules, financial resources may be necessary depending on the scope. Once the role of BBF is finalized, we can respond with the financial resources required.
S.56 Section 11, Rulemaking, subsection (a), pg 21-22: Consultation with the Department for Children and Families to amend rules	
S.56 Section 11, Rulemaking, subsection (b), pg 22: Consultation with the Agency of Education to amend rules	



S.56 Section 70, Child Care Financial Assistance Program; Eligibility, subsection (6)(A), pg 98-99: Consultation with the Department for Children and Families to adopt rules	
S.56 Section 72, Payment to Providers, subsection (a), pg 100-101: Consultation with the Commissioner of the Department for Children and Families to establish a payment schedule	
S.56 Section 80, Building Bright Futures; Technical Assistance, pg 105-106: 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	In order for BBF to be successful in supporting this series of complex transitions, this legislation must include more concrete language about the role and responsibilities. If the role will be to support the development and monitor the execution of a transition plan, this scope of work will require financial resources annually throughout the transition period. It will include financial support for BBF staff time to oversee all aspects of the transition plan and monitoring as well as potentially procuring national consultants with specific expertise in development transition plans for complex early childhood systems.

Our team continues to be available to discuss the role of BBF with regard to S. 56 and the broader Vermont early childhood system.

Sincerely,

Morgan K. Crossman, Ph.D., M.A.

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