

1 S.119

2 Introduced by Senators Clarkson and White

3 Referred to Committee on

4 Date:

5 Subject: Human services; professional regulation; early childhood education;

6 early childhood educators; licensure

7 Statement of purpose of bill as introduced: This bill proposes to require the

8 licensure of early childhood educators.

9 An act relating to the licensure of early childhood educators

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 3 V.S.A. § 122 is amended to read:

12 § 122. OFFICE OF PROFESSIONAL REGULATION

13 The Office of Professional Regulation is created within the Office of the
14 Secretary of State. The Office shall have a director who shall be qualified by
15 education and professional experience to perform the duties of the position.

16 The Director of the Office of Professional Regulation shall be a classified
17 position with the Office of the Secretary of State. The following boards or
18 professions are attached to the Office of Professional Regulation:

19 (1) Board of Architects

20 * * *

1 (53) Peer Recovery Support Specialists

2 (54) Early Childhood Educators

3 Sec. 2. 26 V.S.A. chapter 111 is added to read:

4 CHAPTER 111. EARLY CHILDHOOD EDUCATORS

5 § 6211. CREATION OF BOARD

6 (a) The Vermont Board of Early Childhood Educators is created.

7 (b) The Board shall consist of nine members appointed for five-year terms
8 by the Governor pursuant to 3 V.S.A. §§ 129b and 2004 as follows: three
9 public members and two each of individuals licensed as an Early Childhood
10 Educator I, Early Childhood Educator II, and Early Childhood Educator III
11 pursuant to this chapter. All members shall be Vermont residents. The
12 members who are early childhood educators shall have been in active practice
13 in Vermont for not less than the preceding three years and shall be in active
14 practice during their incumbency. The public members shall be persons who
15 have no financial interest personally or through a spouse, parent, child, or
16 sibling in the activities regulated under this chapter, other than as consumers or
17 possible consumers of its services. Appointments shall be made without
18 regard to political affiliation and on the basis of integrity and demonstrated
19 ability.

20 (c) Vacancies shall be filled in the same manner as initial appointments.

21 (d) Board members shall not serve more than two consecutive terms.

1 § 6212. BOARD PROCEDURES

2 (a) Annually, the Board shall meet to elect a chair, vice chair, and a
3 secretary.

4 (b) Meetings shall be warned and conducted in accordance with 1 V.S.A.
5 chapter 5.

6 (c) A majority of the members of the Board shall constitute a quorum.

7 (d) All business may be transacted by a majority vote of the members
8 present and voting, unless otherwise provided by statute.

9 § 6213. POWERS AND DUTIES OF THE BOARD

10 (a) The Board shall:

11 (1) adopt rules, pursuant to 3 V.S.A. chapter 25, that are necessary for
12 the performance of its duties in accordance with this chapter, including
13 activities that must be completed by an applicant in order to fulfill the
14 educational and experiential requirements established by this chapter;

15 (2) provide general information to applicants for licensure as early
16 childhood educators;

17 (3) explain appeal procedures to licensees and applicants and complaint
18 procedures to the public; and

19 (4) use the administrative and legal services provided by the Office of
20 Professional Regulation under 3 V.S.A. chapter 5.

21 (b) The Board may conduct hearings as provided in 3 V.S.A. chapter 5.

1 Sec. 3. 26 V.S.A. chapter 111 is amended to read:

2 CHAPTER 111. EARLY CHILDHOOD EDUCATORS

3 Subchapter 1. General Provisions

4 § 6201. DEFINITIONS

5 As used in this chapter:

6 (1) “Board” means the Vermont Board of Early Childhood Educators.

7 (2) “Early childhood educator” means an individual licensed to provide
8 early childhood education pursuant to section 6202 of this section.

9 (3) “Guidance” means direct or indirect consultative support in which an
10 Early Childhood Educator III provides feedback to an Early Childhood
11 Educator II.

12 (4) “Supervision” means on-site, direct oversight in which an Early
13 Childhood Educator II or III observes the practice of an Early Childhood
14 Educator I and provides feedback, support, and direction to an Early Childhood
15 Educator I.

16 § 6202. SCOPE OF PRACTICE

17 (a)(1) An early childhood educator licensed pursuant to this chapter shall
18 provide care and educational instruction to children from birth through eight
19 years of age in a variety of settings, including:

1 (A) planning and implementing intentional, developmentally
2 appropriate learning experiences that promote the social-emotional, physical,
3 language, and cognitive development and health of each child served;

4 (B) establishing and maintaining a safe, caring, inclusive, and healthy
5 learning environment;

6 (C) observing, documenting, and assessing children's learning and
7 development;

8 (D) developing reciprocal, culturally responsive relationships with
9 families and communities; and

10 (E) engaging in reflective practice and continuous learning.

11 (2) An early childhood educator pursuant to this chapter does not
12 include exempt teachers licensed under 16 V.S.A. chapter 51 by the Agency of
13 Education with an early childhood endorsement, as provided in section 6204 of
14 this chapter.

15 (b) An early childhood educator licensed shall have the following
16 responsibilities as determined by license type:

17 (1) Early Childhood Educator I shall be authorized to serve on an early
18 childhood education team for children birth through eight years of age in any
19 setting under the supervision of an Early Childhood Educator II or III or
20 teacher licensed under 16 V.S.A. chapter 51 by the Agency of Education with
21 an early childhood education endorsement.

1 (2) Early Childhood Educator II, in addition to the responsibilities and
2 authorities of an Early Childhood Educator I, shall be authorized to:

3 (A) in a nonpublic education setting for children from birth through
4 five years of age, serve in a lead educator role in a family child care home as
5 defined in 33 V.S.A. § 3511 or a center-based child care and preschool
6 program as defined by the Department for Children and Families in rule,
7 providing supervision to individuals licensed as an Early Childhood Educator I
8 and receiving guidance from individuals licensed as an Early Childhood
9 Educator III; or

10 (B) in a public education setting for children in prekindergarten
11 through grade three, serve in a support role.

12 (3) Early Childhood Educator III, in addition to the responsibilities and
13 authorities of an Early Childhood Educator I and II, shall be authorized to:

14 (A) in a nonpublic education setting for children from birth through
15 eight years of age, serve in a lead educator role in a family child care home as
16 defined in 33 V.S.A. § 3511 or a center-based child care and preschool
17 program as defined by the Department for Children and Families in rule,
18 providing supervision to individuals licensed as an Early Childhood Educator I
19 and guidance to individuals licensed as an Early Childhood Educator II; or

20 (B) in a public education setting for children in prekindergarten
21 through grade three, serve in a support role.

1 (c) An early childhood educator licensed pursuant to this chapter shall
2 serve in a supporting role in the provision of prekindergarten services provided
3 in accordance with 16 V.S.A. § 829.

4 § 6203. PROHIBITIONS

5 (a) An individual shall not hold themselves out as an early childhood
6 educator in this State unless the individual is licensed under this chapter or
7 exempt from this chapter pursuant to section 6204 of this chapter.

8 (b) An individual shall not use in connection with the individual's name
9 any letters, words, or insignia indicating that the individual is an early
10 childhood educator unless the individual is licensed under this chapter or
11 exempt from this chapter pursuant to section 6204 of this chapter.

12 § 6204. EXEMPTIONS

13 (a) The provisions of this chapter shall not apply to the following persons
14 acting within the scope of their respective professional practices:

15 (1) a teacher licensed under 16 V.S.A. chapter 51 by the Agency of
16 Education with an early childhood education endorsement; and

17 (2) an individual who provides consultation services in this State,
18 performs research, or participates in or instructs regular or continuing
19 education courses, provided the individual does not otherwise practice in this
20 State.

1 (b) This chapter shall not be construed to limit or restrict in any manner the
2 right of a practitioner of another profession or occupation from carrying on in
3 the usual manner any of the functions incidental to that profession or
4 occupation.

5 Subchapter 2. Board of Early Childhood Educators

6 * * *

7 Subchapter 3. Licensure Requirements

8 § 6221. QUALIFICATIONS

9 (a) To qualify for licensure as an early childhood educator in this State, an
10 applicant shall have attained the age of majority and shall have a high school
11 diploma or successful completion of a General Education Development (GED)
12 test or an equivalent credential. An applicant shall have additional education
13 and experience in accordance with this subsection for each of the following
14 license types:

15 (1) Early Childhood Educator I shall have completed an approved
16 certificate or credential program in early childhood education requiring a
17 minimum of 120 hours and field experience.

18 (2) Early Childhood Educator II shall have completed an approved
19 associate's degree program in early childhood education:

20 (A) requiring a minimum of 60 college credits and field experience;
21 and

1 (B) offering college credit based upon an assessment of the
2 individual's competencies acquired through experience working in the
3 profession.

4 (3) Early Childhood Educator III shall have completed an approved
5 bachelor's degree program in early childhood education requiring a minimum
6 of 120 college credits and field experience.

7 (b) In addition to the requirements of subsection (a) of this section,
8 applicants shall pass any examination that may be required by rule.

9 § 6222. LICENSE RENEWAL

10 (a) Licenses shall be renewed every two years upon application and
11 payment of the required fee. Failure to comply with the provisions of this
12 section shall result in suspension of all privileges granted by the license
13 beginning on the expiration date of the license. A license that has lapsed shall
14 be reinstated upon payment of the biennial renewal fee and the late renewal
15 penalty pursuant to 3 V.S.A. § 127.

16 (b) The Board may adopt rules necessary for the protection of the public to
17 assure the Board that an applicant whose license has lapsed for more than five
18 years is professionally qualified before reinstatement may occur. Conditions
19 imposed under this subsection shall be in addition to the requirements of
20 subsection (a) of this section.

1 (c) In addition to the provisions of subsection (a) of this section, an
2 applicant for renewal shall have satisfactorily completed continuing education
3 as required by the Board. For purposes of this subsection, the Board may
4 require, by rule, not more than 24 hours of approved continuing education as a
5 condition of renewal.

6 § 6223. FEES

7 Applicants and persons regulated under this chapter shall pay the following
8 fees:

9 (1) Early Childhood Educator I:

10 (A) Application for initial license, \$125.00.

11 (B) Biennial renewal, \$225.00.

12 (2) Early Childhood Educator II:

13 (A) Application for initial license, \$175.00.

14 (B) Biennial renewal, \$250.00.

15 (3) Early Childhood Educator III:

16 (A) Application for initial license, \$225.00.

17 (B) Biennial renewal, \$275.00.

18 § 6224. UNPROFESSIONAL CONDUCT

19 As used in this chapter, unprofessional conduct means:

1 (1) conduct prohibited by this section, by 3 V.S.A. § 129a, or by other
2 statutes relating to early childhood education, whether or not that conduct is by
3 a licensee, an applicant, or an individual who later becomes an applicant;

4 (2) conduct that results in a licensee, applicant, or an individual who
5 later becomes an applicant being placed on the Child Protection Registry
6 pursuant to 33 V.S.A. chapter 49; or

7 (3) conduct that is not in accordance with the professional standards and
8 competencies for Early Childhood Educators published by the National
9 Association for the Education of Young Children.

10 § 6225. VARIANCES; TRANSITIONAL LICENSURE

11 (a) The Board shall issue a transitional Early Childhood Educator II and III
12 license to a teacher or director operating a registered or licensed family child
13 care home or licensed center-based child care and preschool program and who
14 does not meet the educational and experiential licensure requirements in this
15 chapter. Transitional licenses shall be valid for a two-year period and shall be
16 renewed by the Board for an additional two-year period with satisfactory
17 supporting documentation of the individual's ongoing work to obtain the
18 required educational and experiential qualifications for licensure under this
19 chapter.

20 (b) At the conclusion of two two-year transitional licensure periods, the
21 Board, at its discretion, may issue one final two-year transitional license if the

1 licensee can demonstrate extenuating circumstances for not having attained the
2 educational and experiential requirements in this chapter and ongoing work to
3 attain these requirements.

4 Sec. 4. REPEAL; TRANSITIONAL LICENSE

5 26 V.S.A. § 6225 (variances; transitional licensure) is repealed on July 1,
6 2033.

7 Sec. 5. 33 V.S.A. § 3511 is amended to read:

8 § 3511. DEFINITIONS

9 As used in this chapter:

10 * * *

11 (3) “Child care provider” means a ~~person~~ program licensed or registered
12 by the Department for Children and Families, or authorized by the Department,
13 to provide child care.

14 * * *

15 Sec. 6. OFFICE OF PROFESSIONAL REGULATION; LICENSURE OF

16 EARLY CHILDHOOD EDUCATORS; APPROPRIATION

17 (a) The establishment of the following five new permanent positions is
18 authorized in the Office of Professional Regulation in fiscal year 2027:

19 (1) one full-time, classified executive officer for the Vermont Board of
20 Early Childhood Educators;

21 (2) one full-time, classified licensing staff;

1 (3) one full-time, classified enforcement staff;

2 (4) one full-time, exempt general counsel; and

3 (5) one full-time, classified administrative staff.

4 (b) In fiscal year 2026, the amount of \$1,400,000.00 is appropriated from
5 the General Fund to the Office of Professional Regulation to be used for the
6 licensure of early childhood educators in accordance with this act.

7 Sec. 7. EFFECTIVE DATES

8 (a) This section, Sec. 1 (Office of Professional Regulation), Sec. 2
9 (Vermont Board of Early Childhood Educators), and Sec. 6 (Office of
10 Professional Regulation; licensure of early childhood educators; appropriation)
11 shall take effect on July 1, 2025.

12 (b) Sec. 3 (early childhood educators), Sec. 4 (repeal; transitional license),
13 and Sec. 5 (definitions) shall take effect on July 1, 2027.