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April 2, 2026

To: Hon. Matthew Birong, Chair
House Committee on Government Operations & Military Affairs

From: S. Lauren Hibbert, Deputy Secretary of State
Jennifer Colin, Director, Office of Professional Regulation

Re: S.206, An act relating to Licensure of Early Childhood Educators by
the Office of Professional Regulation

Dear Committee Members:

Thank you for the opportunity to testify in support of S.206, an act relating to licensure of Early Childhood Educators by the Office of Professional Regulation (OPR).

S.206 Overview

S.206 creates a new regulatory program recognizing individual Early Childhood Educators as a professional occupation. The individuals regulated are the primary educators who work with children ages 0-8, the period of early childhood. The bill creates a tiered, stackable licensure system for Early Childhood Educator I, II and III, a legacy license for Family Child Care Providers, and variance pathways for individuals working toward achieving the new qualifications. These are educators working in Family Child Care Homes and Center-Based Child Care and Preschool Programs that are regulated by the Child Development Division of Department for Children and Families. Appendix A shows the different licensure levels with an explanation of each.

Broadly, the bill increases qualification requirements for these educators, allows an 8-year transitional licensure bridge, provides a legacy pathway for current family child care home providers who do not want to transition to an ECE license, and provides a couple of variance pathways for lead teachers, both during and after the 8-year transition.

S.206 exempts trusted care providers, who are not regulated by the State. Trusted care providers are individuals who provide care for the children of one or two families, often in addition to their own children. The bill also exempts active AOE-licensed educators with endorsements in Early Childhood Education, Early Childhood Special Education and Elementary Education, as well as After School Program staff and staff from other settings that are exempt from CDD regulation (churches, hospitals, etc). Also, the bill does not cover roles other than primary educators, i.e. lead teachers and assistants. Trainees, Aides, and Substitutes would continue to be roles in these settings but not required to get licenses from OPR at this time.

OPR Sunrise Report

Prior to supporting this legislation, OPR conducted a Sunrise Review of this profession, which was requested by the early childhood educator workforce seeking licensure to gain professional recognition and accountability. In conducting the Sunrise Review, OPR engaged in significant research, met with stakeholders, members of the profession, state agencies, professional organizations, advocacy groups, conducted public hearings, and received public comment. OPR submitted its Sunrise [Report](#) to this body in January 2025.

At the conclusion of its sunrise work, OPR found that early education is not babysitting. Quality early education is skilled and complex work that includes providing supportive, responsive and consistent environments, intentional use of enriching activities, age-appropriate instruction and play, and curriculum developed by prepared educators who adhere to standards of practice established from within the profession. (See Appendix B for additional details and citations).

OPR determined that regulation of individual early educators is necessary to protect the public. Early childhood educators in child care homes and child care centers regulated by the CDD should be individually regulated through licensure to:

- + Ensure quality care and education of young children from ages 0 to 8 in Family Child Care Homes and Center-Based Child Care facilities;
- + Reduce harms of low-quality early child care;
- + Establish streamlined preparation pathways for early educators;
- + Establish clearly articulated, uniform standards of practice and ethics that align with the standards in public schools;
- + Require individual accountability to meet the established standards;
- + Close significant enforcement gaps in the current system;
- + Provide families with an easily accessible platform to know the qualifications and enforcement history of early educators who are educating their young children.

S.206 – Section by Section

Sec. 1, Early Childhood Educators: 3 V.S.A. § 122

Adds Early Childhood Educators to professions regulated by OPR

- S.206 creates a tiered, stackable licensure system for Early Childhood Educators I, II and III, as well as a legacy licenses for Family Child Care Providers and a transitional license for those working toward the qualifications.
- S.206 offers phased implementation, variances, flexible pathways, and other transitional measures to allow adequate time and ability for the current workforce to qualify. These bridging measures will be in place until 2036, i.e. 10 years from now.

Sec. 2, Chapter 111. Early Childhood Educators in Programs Regulated by the Child Development Division: 26 V.S.A. §§ 6211-6213

These provisions create the Vermont Board of Early Childhood Educators and identify procedures, powers, and duties of the board.

- The Board make-up includes two board seats from each of the ECE I, II, and III license groups, two public members, and one board seat for the legacy Family Child Care Provider license group, which will not be offered to new applicants after January 1, 2029.
- This is the first time OPR has created a Board in years. The reason is that ECE will be among the largest regulatory programs at OPR, with 5,000-6,000 participants with various license types, educational requirements, and professional standards. Also, it is anticipated to have robust enforcement activity. For Board professions, Boards made up of licensees from the profession make the final decisions in adjudicated disciplinary cases and determine what sanctions, if any, are appropriate.

Sec. 3, Subchapter 1. General Provisions: 26 V.S.A. §§ 6201-6202, 6221-6226

These provisions provide the primary structure of the regulatory program.

- § 6201 Defines important terms, including “Early childhood educator,” “Family child care provider,” “guidance,” and “supervision,” as well as Early Childhood Educator I, II, and III, which are used in the chapter.

Tiered Structure Established through Definitions:

Early Childhood Educator (ECE) I – Assistant Teacher, Supervised by ECE II/III

Early Childhood Educator (ECE) II – Lead Teacher, Supervises ECE I, Guided by ECE III

Early Childhood Educator (ECE) III – Lead Teacher, Supervises ECE I, Guides ECE II

Family Child Care Provider - Legacy pathway only for current practitioners working in Family Child Care Homes actively licensed or registered with the CDD and in good standing. No additional qualification required. This added transitional measure was created to ensure the new regulatory program retains current workforce.

- § 6202 Includes standard prohibitions for a regulated profession against use of the title unless licensed; and here, also unless exempted, including AOE licensed educators with the specified endorsements.
 - § 6203 Exemptions - **New Program Does Not Regulate:**
 - Active AOE-licensed Educators with an Early Childhood Education endorsement, an Early Childhood Special Education Endorsement, or an Elementary Education Endorsement;
 - After School Program Staff;
 - Individuals who work solely in public school; or
 - Individuals whose child care homes or programs are exempt from CDD regulation, such as child care homes for two families or less or care provided in connection with religious services or hospital establishments for recreational or therapeutic purposes.
 - Specifies that the OPR ECE regulation does not change requirements of Universal Pre-Kindergarten established in Title 16 in the AOE statutes.
 - § 6211 (already covered) Creates the Board.
 - § 6221 Establishes the qualifications for each license type
- All credentials require 18 years of age, a high school diploma/GED, plus experience as set forth in the administrative rules, which will include all added details about the regulatory program, as in other OPR professions. For the licenses that require college credits, individuals qualify based on credits awarded through prior learning assessments of experience in the field.
- Early Childhood Educator (ECE) I – Assistant Teacher
 - Approved credential or certificate program with 120 hours of training;
 - Early Childhood Educator (ECE) II – Lead Teacher
 - Associate’s degree in early childhood education or related field; or
 - Associate’s degree in unrelated field plus 21 college credits in early education;
 - Early Childhood Educator (ECE) III – Lead Teacher
 - Bachelor’s degree in early childhood education or related field; or
 - Bachelor’s degree in unrelated field plus 21 college credits in early education; and
 - Family Child Care Provider
 - Legacy pathway only for registered/licensed Family Child Care Home in good standing. No additional qualification required.
 - (d) Allows the rules to require that applicants pass a national examination specified in the rules. At this time, there is no national examination; however, since professionalization of the workforce is a national movement, it is possible that there will be a national examination developed as regulation of this profession is implemented in more states.

- § 6222 Contains standard renewal provisions for all OPR-regulated professions.
 - (c) Allows the Board to require, through rules, continuing education required for renewals, but not to exceed 24 hours (clock hours, not college credits).
- § 6223 Establishes licensing fees for each credential, which are based on scope and independence of practice.
 - The fees are based on our estimate of the funding necessary to regulate the program based on the anticipated number of licensees, the cost to run similar boards, the inclusion of multiple license types with different educational requirements, and expected enforcement activity.
- § 6224 This section defines unprofessional conduct for this profession.
 - References OPR’s unprofessional conduct statute in Title 3, which identifies prohibited conduct that applies to all OPR professions.
 - Establishes the standards and competencies for Early Childhood Educators published by the National Association for the Education of Young Children or NAEYC as the standard for this profession. These are the same standards used in public schools.
- § 6225 Contains variances and transitional measures that give a long runway for the workforce to complete the work to meet increased qualifications and to allow for reduced qualifications for a limited period of time.
 - (a)(1-2) Transitional licenses are available for ECE II and III for up to 8 years from the start of the program in 2028 (until 2036) to meet the increased qualifications. These transitional licenses allow those who are currently lead and assistant teachers to stay in their positions for 10 years from now while taking online courses or doing prior learning assessments to gain college credit for their experience in the field.
 - Transitional licenses are not available for ECE I because the qualifications of 120 clock hours of training are significantly lower than obtaining an Associate’s or Bachelor’s degree. With the 10 year runway, we do not anticipate a workforce shortage for this credential, which can be attained by trainees or aides in high school tech programs who are working in child care settings. Students in tech programs are graduating from high school with the qualifications for ECE I.
 - (b) Grants licensure at the ECE II, lead teacher level based on reduced qualifications during the 8-year transitional period.
 - Rather than needing a full Associate’s degree, applicants with 21 college credits in the core early education knowledge areas (which will be identified in rule) will meet the educational requirement.
 - This educational requirement may be satisfied by a prior learning assessment of experience in the field by an approved, accredited higher learning institution.

- These pathways were created based on feedback from the current workforce that they wanted the options of: (1) an experiential pathway to be a lead teacher; and (2) having been in the workforce for years, folks did not want the requirements of general education credits that are included in an Associate’s Degree.
- § 6226 Requires a written disclosure by licensees to current and prospective families. OPR plans to develop a disclosure form licensees can use to meet this requirement. The disclosure must show:
 - (1)-(2) All credentials OPR offers in the field, OPR’s regulatory authority over educators in programs regulated by the CDD, and how to make complaints to OPR about a licensee;
 - (3) AOE’s regulatory authority over universal pre-k teachers and how to make a complaint to AOE; and
 - (4) CDD’s authority over regulated programs and how to make a complaint to CDD.

Sec. 4, Variances (as amended)

- Adds (c), a new transitional ECEII credential for family child care providers who do not meet the ECEII requirements to enter the workforce in the family child care provider role with a certificate from an approved credential program in early childhood education requiring 120 hours of training and instruction.
- After issuance, this transitional credential can be renewed only twice, which results in a 6-year window for the licensee to attain the required education for the full ECE II license, i.e. an Associate’s Degree.

Sec. 4a Repeal; Variances

- Eliminates in 10 years, 2036, the transitional measures intended to bridge the current workforce into the increased qualifications.
- Leaves in effect the permanent transitional ECE II license pathway (added in Sec. 4 above) for a provider operating a family child care home.

Sec. 5, Report; Early Childhood Educator License

- Requires OPR to report back on the program after 3 years, which will include the initial 2-year licensure cycle, plus the first year of the first renewal. This timing will allow initial assessment of impacts on workforce, successes and any shortfalls of the program, and resources required.

Sec. 6, Appropriation; Positions

Because OPR is a special fund agency that operates on licensing fees from its professions rather than general fund appropriations, it will require appropriations for new positions that are required to implement the program in its first two years (before licenses are issued and fees are obtained beginning in 2028/FY29).

For FY27, OPR needs the authority to hire two new positions, a staff attorney and an Executive Officer for the Board, to help establish the Board, conduct rulemaking, engage with the workforce and other stakeholders, work closely with the Child Development Division and the Northern Lights at CCV program to build a framework for OPR to share or take over the current tracking of individual qualifications, and to implement the program.

OPR also wants to forecast that for FY28, we expect to request at least one additional position, a licensing administrator, who will review and process all licensure applications and interface with licensees to assist with the application process.

Once licensing fees start to come in at the beginning of FY29, OPR does not anticipate requiring any further appropriations for positions. The licensing fees will pay for the staff required to run the program, just as in all of its other professions.

Additional Benefits of Licensing Early Educators in Non-Public Settings

- Return on investment of \$4-\$13 for every dollar spent on quality early education
- Increased school readiness for children, higher graduation rates, higher educational/professional achievement, better physical and mental health
- Reduces rates of law enforcement involvement and chronic disease
- Potential future license portability to other states – this is a national, workforce-led movement (Vermont would be the first to regulate through individual licensure)
- Increased pay and benefits for the workforce resulting in greater workforce stability and attracting professionals who want a career
- Improved workforce health, reduced burnout, healthier professional environments
- Increased access to early childhood education, benefiting families, the business community and the government
- Transparency for consumers and program providers to see individual qualifications and disciplinary history through a publicly accessible system, providing greater choice and confidence to families
- Protection of the Act 76 investments into the early education system by assuring quality care and education delivered by a prepared and accountable workforce of primary educators

Concerns Expressed about S.206

1. License titles use “Educator”

AOE testified about their concerns with the use of “Educator” in the title. State and federal law may reference the term “educator” to mean AOE-licensed educator. AOE claims that having “educator” in the title of the OPR-regulated license could cause confusion.

The S.206 uses the licensure title of “educator” intentionally to convey:

- Increased professional preparation, education, and training;
- adherence to the same professional standards used in public school;
- professionalizing of the workforce, as requested by the workforce;
- accountability for high quality and protection of the public investments of Act 76;
- Identity of these licensed professionals as Educators.

Maintaining “educator” in the license titles in S.206 will recognize the professional preparation of these early educators. It will also ensure continuity with the national movement to professionalize the workforce. It is also important to note that the National Education Association (NEA) supports this legislation and has been a driving member of the Commission on Professional Excellence in Early Childhood Education. S.206 language ensures practice settings are crystal clear and resolves any potential confusion.

2. ECE III Credential

We heard last year from the Vermont school administrators’ associations concerns that the ECE III designation duplicates AOE licensure with early education endorsement. OPR disagrees.

AOE does not have the authority or the capacity to take on licensure of the group of individuals this bill professionalizes. AOE licenses educators for public schools PreK-Grade 12. The licensure structure proposed in S.206 is intended for educators in CDD-regulated private settings and programs. These educators do not want to teach in public schools and do not get the benefits of teacher retirement, union representation and collective bargaining, pay steps, summers off and the like.

ECE III is a designation the workforce is asking for in Vermont and nationally because many practitioners with bachelor’s degrees in early education fields are devoting their careers to education in private settings and not the public education system. Throughout OPR’s year-long process learning about this field and engaging with the workforce, OPR reported that these practitioners want to be licensed, they want accountability, and they want to be licensed at OPR and not AOE.

OPR and AOE can work together on solutions to eliminate confusion. S.206 includes a disclosure requirement for licensees to inform families, in writing, of the different license types, who regulates them, and where to make complaints.

OPR will also have a hard stop in the ECE license applications at the beginning of forms that ask the question: “do you want to teach in public school or in a universal pre-k program.” If the answer is “yes,” the applicant will be prevented from continuing and given a message that they need to go to AOE for licensure.

OPR will work collaboratively with other state partners to address any other needs for clarity.

S.206 does not apply to trusted care givers (2 or fewer families in addition to provider's own), trainees, aides, temporary substitutes, after school program staff, unregulated settings, etc.

S.206 Early Childhood Educator (ECE) Transition & Credential Pathways

CDD Child Care Setting	Role	S.206	Variance Pathways	Final Requirements
<p>Registered Home Care</p> <ul style="list-style-type: none"> GED 45hr fundamentals 9hr orientation <p>Licensed Home Care</p> <ul style="list-style-type: none"> GED 12 ECE college credits 9hr orientation 	Home-Based Care Providers	ECE II	<p>Legacy FCCH</p> <p>Until 2029 → After 2029 → ECE II</p> <p>Transition Period: 2028-2036</p> <p>During this window ECE II will only require 21 core ECE credits</p>	<p>ECE II</p> <p>A permanent 6-year window for new home-based providers to obtain ECE II requirements</p>
<p>Home & Center Assistants</p> <ul style="list-style-type: none"> GED 45hr fundamentals 9hr orientation 	Assistants	ECE I	No variance pathway: enter as aide/trainee	<p>ECE I</p> <ul style="list-style-type: none"> GED 120hr training in areas identified in rule Experience identified in rule
<p>Center-Based Teacher Associates</p> <ul style="list-style-type: none"> VTECE Apprenticeship, or 21 ECE college credits 12 months experience 9hr orientation 	Lead Teachers	ECE II	<p>Transition Period: 2028-2036</p> <p>During this window ECE II will only require 21 core ECE credits</p>	<p>ECE II</p> <ul style="list-style-type: none"> A.D. in ECE, or A.D. & 21 core ECE credits Experience identified in rule
<p>Center-Based Teachers</p> <ul style="list-style-type: none"> B.A. in ECE, or B.A. & 30 ECE college credits 12 months experience 9hr orientation 	Lead Teachers & Program Directors	ECE III	<p>Transition Period: 2028-2036</p> <p>Teachers and directors will have eight years to obtain ECE III requirements</p>	<p>ECE III</p> <ul style="list-style-type: none"> B.A. in ECE, or B.A. & 21 core ECE credits Experience identified in rule

Protecting Vermont's Investment: Ensuring High-Quality Early Childhood Educators

Phase One

ACT 76 INVESTMENTS



More parents enter
the workforce



Higher lifetime
earnings



Better long-term
health outcomes



Lower demand for
special education



Lower demand for
social assistance



Lower rates of crime
and incarceration

LONG-TERM SAVINGS

High Return on Investment

\$1

Spent on
High-Quality ECE



\$4-13

Saved
Over Time

Phase Two

S.206 PROFESSIONAL REGULATION

Ensuring Competency



License Levels
(ECE I, II, III)

Required Qualifications

- 120 training hours
- Core competencies
- A.D/B.A. degrees

Remove Bad Actors



Enforcement Actions

- Investigate Complaints
- File Charges
- Impose Sanctions
- License Revocation



Qualified
Professionals



Individual
Accountability



Safe
Children

PUBLIC PROTECTION

Self-funded Regulatory Program

Program funded by license fees. ✨

Appendix B to OPR Testimony re: S.206
OPR'S SUNRISE ASSESSMENT OF EARLY CHILDHOOD
EDUCATORS IN GREATER DETAIL

May, 2024: Sunrise Review Application submitted to OPR by the Vermont Association for the Education of Young Children (VTAEYC)

OPR Sunrise Review Process

Upon receiving the Application filed by VTAEYC, OPR engaged in the following efforts as part of its thorough review of the proposed regulatory program for Early Childhood Educators working in non-public settings:

- Engaged in significant research;
- Engaged with stakeholders in numerous meetings and communications, including VTAEYC, AOE, Let's Grow Kids, DCF and its Child Development Division, Building Bright Futures, CCV, Northern Lights at CCV, NAEYC;
- Accepted public comments to the Agency's public comments email address (sos.opr.comments@vermont.gov) through October 2, 2024, which yielded 30 written comments;
- Noticed two public hearings to over 1,000 FCCH's and CBCCPP's in the Building Bright Futures Database, stakeholder organizations DCF/CDD, NAEYC, BBF, Head Start, National Commission on Professional Excellence in Early Childhood Education, and AOE (AOE also included the public hearing information in a newsletter to their licensees);
- Conducted two hybrid public hearings (four hours total) where over 100 stakeholders and interested parties attended in person, via phone, or online; and
- Reviewed and considered the written comments and oral testimony from stakeholders and interested parties.

January, 2025: OPR Report Submitted to Legislature

Report Link: [Early Childhood Education Sunrise Review Assessment](#)

Sunrise Review Criteria

Vermont law requires OPR to assess through statutory criteria whether occupational regulation of a profession is necessary to protect the public. This process is called a "Sunrise Review." The criteria are found in Chapter 57 of Title 26. In this review, professional regulation is appropriate if:

- Unregulated practice clearly poses harm or endangers the public health, safety or welfare;
- The public can reasonably be expected to benefit from an assurance of initial and continuing professional ability; and
- The public cannot be effectively protected by other means.

26 V.S.A. § 3105(a). If, based on those factors, regulation is appropriate, then the analysis proceeds to consider **the least restrictive form necessary to protect the public** – either registration, certification, or licensure. See 26 V.S.A. §§ 3105(b), 3107. Sunrise reviews can be triggered by a directive from the legislature or by petition filed by an individual or professional organization.

Background – Child Care Crisis in Vermont

It is worth noting that early childhood care and education in Vermont has been extensively studied by the State in the last decade because of the declining child care workforce and lack of access to affordable, quality early child care for Vermont families. This lack of access has negatively impacted all Vermonters in some way. Young children do not have access to quality early programs that support their growth and development. Many Vermont families do not have access to full-time care that is needed so that both parents can participate in the workforce. Businesses struggle to hire enough workers because parents without access to full-time child care must stay home and out of the workforce some or all of the time. Vermont taxpayers shoulder the burden of young families being deterred from relocating to the State due to the lack of access to quality child care. The government bears the burden of having fewer taxpayers. We all bear the burden of paying for the State’s necessary infrastructure, costs which increase for working families as the State’s high population of baby boomers move into retirement.

In the first ten or so pages of OPR’s sunrise review, the Report briefly surveys four bills passed by the General Assembly aimed at improving access and quality to early care and education since 2014. These include Acts 166, 58, 45, and most recently Act 76 (2023), Vermont’s historic legislation creating sustainable public funding of expanded subsidies for families and financial supports for the early child care workforce through a payroll tax. The report also highlights findings and studies commissioned by the State to explore quality, workforce, and funding issues relating to early child care. Importantly, the Rand Corporation’s Vermont Early Care and Education Financing Study, which laid the groundwork for Act 76, projected costs of achieving a high-quality ECE system with increased wages for a well-compensated workforce assuming increased qualifications at the Early Childhood Educator I, II, and III levels, as proposed in S.206. We will not be reviewing the State’s decade of work on this subject matter in our testimony today; however, I would encourage you to read those ten pages, as OPR’s recommendations and S.206 are consistent with the legislation and reporting that so many legislators, state agencies, professional organizations, and stakeholders have worked on for a decade to achieve access for all Vermont families to quality early childhood education.

Principal Findings

1. Regulation of early childhood educators in non-public settings, with clearly articulated qualifications and standards, will positively impact the health, growth, and development of Vermont’s infants, toddlers, and young children.
2. There is a public protection need to ensure the profession is qualified to care for and educate our youngest and most vulnerable population and to create individual accountability for meeting standards of practice and conduct standards.
3. Licensure (mandatory with qualifications) is the appropriate form of regulation as opposed to certification (voluntary with qualifications) or registration (mandatory without qualifications).

Detailed Findings Regarding Risk of Harm to Young Children

Quality early childhood education beginning at birth goes “beyond basic health and safety requirements to provide warm, responsive relationships with educators, stimulating and developmentally appropriate curricula, and ongoing training for educators. These features... enhance children’s cognitive and social-emotional development.”¹ Quality early education is skilled, complex work that requires “a sensitive and responsive caregiving relationship between educator and child” on a consistent basis.² Quality early education includes supportive environments, age-appropriate instruction, intentional use of enriching play and activities, and use of curricula by prepared educators who adhere to quality practices, standards and regulations established from within the profession. Practitioners need to be prepared through education, training and professional development to provide appropriate education, responsive care and curriculum-based support that facilitates children’s early learning. These professional skills for early care educators help children make gains in cognitive and academic areas, such as literacy, language, mathematics, social skills, self-regulation, and behavior.³ Furthermore, infants and toddlers who have continuity of care in early care and education programs, i.e. the same care provider throughout the day or weeks or from year to year, demonstrate better long-range socio-emotional development and self-confidence derived from consistent, trusting, strong, nurturing relationships built over time.⁴ The long-term positive impacts of

¹ Davis Schoch, A., Simons Gerson, C., Halle, T., & Bredeson, M. (2023). Children’s learning and development benefits from high-quality early care and education: A summary of the evidence. OPRE Report #2023-226. Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services. Retrieved from: <https://www.acf.hhs.gov/sites/default/files/documents/opre/%232023-226%20Benefits%20from%20ECE%20Highlight%20508.pdf>.

² *Id.*

³ *Id.*

⁴ National Scientific Council on the Developing Child (2020). *Connecting the Brain to the Rest of the Body: Early Childhood Development and Lifelong Health Are Deeply Intertwined Working Paper No. 15*. Retrieved from www.developingchild.harvard.edu.

children participating in high-quality early childhood education include better physical health, increased higher education, higher earnings, and lower involvement in crime.⁵

Just as quality early care and education provides strong, lifelong foundations for learning, physical and mental health, emotional stability, and behavior, low-quality child care provided by unprepared and/or minimally trained individuals has lasting impacts on children into adulthood. In such environments, children are more likely to have *adverse early experiences*, which create a weak developmental foundation that compromises a child's brain architecture, resulting in enduring impacts.⁶ When the brain is developing rapidly during early years of life, it is "highly sensitive to the disruptive effects of elevated stress activation, which releases a flood of hormones, immune responses, and neurotransmitters..."⁷ Infants and young children persistently exposed to stressors like unstable or unsupportive environments, inadequate care, and adverse experiences, have an overactive fight or flight response, which leads to the sympathetic nervous system consistently sending stress signals back to the brain, which signals other developing systems in the body.⁸ Excessive stress feedback on a prolonged basis leads the body to adapt its systems to manage threats as part of stress response.⁹ This adaptation impacts "not just the developing brain, but also many other physiological systems, including cardiovascular function, immune responsiveness, and metabolic regulation."¹⁰ Such suboptimal development in growing babies and young children results in increased lifelong risk for stress-associated illness and disease, such as diabetes, immune disorders, cardiovascular disease, mental health problems,¹¹ and addiction. Furthermore, children who do not have access to quality early education have a 25% higher rate of dropping out of school.¹² This statistic is particularly important in Vermont, where high school graduations rates have declined in the last decade. Vermont used to graduate 90% or

⁵ Davis Schoch, A., Simons Gerson, C., Halle, T., & Bredeson, M. (2023). Children's learning and development benefits from high-quality early care and education: A summary of the evidence. OPRE Report #2023-226. Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services. Retrieved from: <https://www.acf.hhs.gov/sites/default/files/documents/opre/%232023-226%20Benefits%20from%20ECE%20Highlight%20508.pdf>.

⁶ Harvard University Center on the Developing Child. Retrieved from: <https://developingchild.harvard.edu/key-concept/brain-architecture/>.

⁷ National Scientific Council on the Developing Child (2020). *Connecting the Brain to the Rest of the Body: Early Childhood Development and Lifelong Health Are Deeply Intertwined Working Paper No. 15*. Retrieved from www.developingchild.harvard.edu.

⁸ *Id.*

⁹ *Id.*

¹⁰ Harvard University Center on the Developing Child (June 2020). In Brief: Connecting the Brain to the Rest of the Body. Retrieved from: <https://developingchild.harvard.edu/resources/inbrief/inbrief-connecting-the-brain-to-the-rest-of-the-body/>.

¹¹ *Id.*

¹² Cox, I. & Gallego, I. Lost Potential: The Hidden Cost of Barriers to Early Childhood Education. (April 2024). Retrieved from <https://www.piqe.org/lost-potential-the-hidden-cost-of-barriers-to-early-childhood-education/>.

more of its high school students. That number dropped to 83% in 2022-2023.¹³ Sustained access to quality early education with a stable workforce will improve developmental and health outcomes for children and reduce poor short- and long-term outcomes.

Two Types of Recognizable Public Harm

OPR has determined there are two types of recognizable public harm caused by the unregulated practice of early childhood education that warrant professional regulation at the individual level: (1) physical and emotional abuse, maltreatment, and neglect of children; and (2) poor educational, developmental, and health outcomes for children caused by low-quality care and lack of access to high-quality early education.

1) Young children ages 0-8 are Vermont's most vulnerable population. They may be subject to physical abuse, emotional abuse, maltreatment, and/or neglect by staff at regulated child care facilities or homes.

Recent examples:

- Rutland childcare facility that was shut down in October 2025 after CDD determined physical abuse of children occurred, as well as staff cursing and making threats of harm to the children;
- Hyde Park childcare facility that was also closed in October 2025 after CDD determined maltreatment of children, including covering the faces of sleeping infants.
- In 2023, a Barre Town child care facility was shut down after CDD found many violations, including that young children were shaken, that an infant was tossed onto a changing table hitting the baby's head, pinching a baby's nose to make it drink out of a bottle, denying infants sleep time, cursing at children, and waiting significant time before attending to crying infants. **News reports of the abuse noted that the perpetrator, the director of the infant room at the facility, had been in child care for two decades.**

Individual regulation through OPR will:

- Allow the removal of individual bad actors from the marketplace through a well-established disciplinary process that includes investigation, prosecution and adjudication;
- Permit the families and the public to know the education and training of regulated individuals, as well as when regulated individuals have been disciplined for violating conduct or practice standards, through an individual licensee look up on our website.

¹³ Vermont Agency of Education (August 30, 2024). Vermont State Education Profile. Retrieved from <https://education.vermont.gov/sites/aoe/files/documents/edu-listen-and-learn-state-education-profile-report-2024.pdf>.

2) A lack of provider competency in early childhood education standards results in lower quality child care outcomes that impact young children into adulthood.

- Studies have shown that young children who do not have access to high-quality early education have a 25% higher rate of dropping out of school and not graduating high school.
- Special needs and early indicators of learning disabilities are not assessed in low-quality child care environments because providers do not have adequate education and training, which means the children go without early interventions that reduce the long term impacts.
- Infants, toddlers and young children who do not have access to high-quality early education have higher rates of law enforcement involvement, mental health issues, and addiction.

Individual regulation through OPR will:

- Ensure education and training based on the science of brain development;
- Establish the National Association of the Education of Young Children (NAEYC) standards of practice as the standards across all early education settings;
- Require competency in observing, documenting, and assessing children's learning and development; and
- Require competency in curriculum development and implementation so that children receive high-quality education that promotes cognitive, linguistic, social, and emotional growth, which means the skills young children gain in literacy, mathematics, self-regulation, and behavior makes them more prepared to enter public schools.