



TO: House Human Services Committee

FROM: Sue Ceglowski and Sandra Cameron, Vermont School Boards Association
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RE: DR 26-0802 - Provision of Publicly Funded Prekindergarten Education

DATE: March 25, 2026

On behalf of the Vermont School Boards Association (VSBA), the Vermont Principals Association (VPA), and the Vermont Superintendents Association (VSA), thank you for the opportunity to testify on draft bill 26-0802, an act related to the provision of publicly funded prekindergarten education. Our understanding is that the Committee is working on this legislation with the expectation that it will be considered for inclusion in whatever comprehensive legislation is ultimately taken up by the House in order to respond to the implementation requirements of Act 73 of 2025.

It is clear that there is a commitment to a mixed delivery system, respect for the work of public schools and the private providers, and a desire to improve access and quality for children and families and sufficient, equitable resources for the providers - public and private.

The nature and pace of education-related policy matters before the General Assembly is expansive. While several committees are deliberating on statewide education transformation focusing on cost containment through consolidation, there is other activity in the building that could affect public education policy and cost. Our associations are actively engaged in discussions regarding two dozen bills, several of which would increase education costs if implemented. So, while some committees are working to articulate strategies for cost containment, others are working to add more spending.

Last year, Act 73 was passed as a sweeping education transformation initiative, yet there remains significant uncertainty about its path to implementation and the re-organization of

public education. The General Assembly exhibits variability of thinking and related proposals, and there is uncertainty around education funding.

In the context of lack of stability and opposing perspectives, education leaders are being challenged to weigh in on policy matters other than at a high level. This is a time of great uncertainty and we cannot predict what is going to happen. There are numerous intricacies of a very complex Universal Prekindergarten (UPK) system within a much larger public education system and we hope to support the committee's understanding of some of those intricacies. In this spirit, we will focus on key areas:

- 1) Equity**
- 2) Enrollment & Capacity**
- 3) Funding and Cost Considerations**
- 4) Federal Requirements of the Local Education Agency (LEA)**
- 5) Implementation**

We recognize the Committee's intention to improve the prekindergarten system and applaud the focus on quality, equity and cost effectiveness. PK represents 2 grade bands in a 15 grade band system (PK3-grade 12). We are greatly appreciative that you acknowledge the importance of early childhood educators who are licensed by the Agency of Education. Our commitment to improving Vermont's UPK system is unwavering.

Here is a link to the [final report to the legislature by the Prekindergarten Education Implementation Committee](#) (2024), which was created to assist the State in improving and expanding accessible, affordable, and high-quality prekindergarten education for all four-year-old children on a full-day basis on or before July 1, 2026. The eighteen member committee met monthly from July, 2023 through November, 2024 and included a representative from each of our three associations. The report concluded by stating, "*the Committee agreed on the importance of maintaining the prekindergarten for 3-year-olds and expanding prekindergarten for 4-year-olds, while acknowledging the need for more data and cost analysis to recommend an implementation plan. Additionally, the Committee acknowledged that changes to prekindergarten must be considered in the context of the Commission on the Future of Public Education's policy recommendations.*"

We offer the following specific feedback on DR 26-0802:

- **Equity:**
 - We agree that UPK does not now and never has addressed equity. We agree that the responsibility of providing access to PK belongs to school districts. That stated, we want to note that while the responsibility belongs to districts, districts have no ability to direct or oversee the operations of private providers. That responsibility falls to state regulators, with public and private providers

operating under different rules, regulations and conditions. One example is that school districts typically operate with higher levels of liability protections than do private providers and could find themselves accountable for actions of private providers despite the fact that they have no authority related to the operations of those providers. Due to difficulty accessing and paying for adequate levels of liability insurance for private providers, the minimum requirements were decreased, adding increased risk for SDs through a chain of liability.

- **Enrollment/Capacity:**

- We support the inclusion of three-year-olds in prekindergarten and we understand that there may need to be a difference in the PK hours for three year olds in order to contain costs.
- We understand that the current rule allows families to access UPK funding if they choose prekindergarten (PK) enrollment, when their child is age-eligible for kindergarten. We support the wording in draft 3.1—“five years of age but not yet eligible for kindergarten”—with the following requirement. There should be a rule allowing a child to stay in PK if their IEP team (including the family) decides it’s the least restrictive environment. Otherwise, children who are five should go to kindergarten, where they can get full-day, full-year (and sometimes summer) learning. Some children attend kindergarten for two years to help them transition smoothly into first grade. These decisions should be made with the full education team.
- We are concerned about the ability of the school district to “ensure capacity” in a mixed delivery model when the stability of private programs cannot be ensured. As an example, imagine a district with 100 PK students - 50 served in public schools and 50 in private programs. Imagine a situation where a large center suddenly closes mid-year. How will the provision of prekindergarten be ensured for those students for the rest of that school year?

- **Funding and Cost Considerations:**

- We appreciate that the committee is focused on equitable access and opportunity statewide and is seeking more information on cost implications from JFO. We recommend that the Committee review [JFO's Report on Early Learning and Care System \(2025\)](#), summarizing the Child Care Contribution (CCC), composed of a payroll tax. This report states that “[i]n fiscal year 2025, \$80.4 million in revenue was deposited into the Child Care Contribution Special Fund, representing 11 months of collections. The January 2026 Consensus Revenue Forecast estimates that the payroll tax will raise \$88.6 million in fiscal year 2026 and \$92.2 million in fiscal year 2027.” JFO may be able to advise the General Assembly on use of CCC revenue to support the mixed delivery system.

- There is an interest in achieving parity in the amount of funding per student provided to public schools and private providers. Draft 4.1 adds new language stating that “A licensed private provider shall employ or contract for the services of at least one teacher who is licensed and endorsed in early childhood education or in early childhood special education under chapter 51 of this title.” There is a bill, S.206, that aims to create 3 tiers of credentials licensed by the Secretary of State, Office of Professional Regulation, not the Agency of Education. We want to confirm that the language in draft 4.1, page 4 requires a teacher to be licensed and endorsed as an ECE or ECSE by the Agency of Education.
- A future foundation formula with additional weights for specific students should apply to all students PK-grade 12. The PK Implementation Committee reviewed information regarding pupil weights and was unanimous in their belief that the pupil weight for a full-school-day, full-school-year prekindergarten education student would be at least 1.0. Research and proposals on pupil weights to date have excluded PK.
- The proposal of categorical aid to fund PK has been discussed and Secretary Saunders has cautioned around increased spending. We want to provide more context.
 - Currently, funding to support UPK is embedded within the complex PK-grade 12 educational funding system. Prekindergarten students are weighted at .46 FTE; that is to say: a PK student is counted in the districts Average Daily Membership (ADM) at a prorated amount (less than half of K-12 students). Our superintendent colleagues note that public education programs are built and expanded in order to meet community needs, but because of the discrepancy in pupil weight as compared to the rest of the K-12 delivery system, it is often at significant expense to the district. Unfortunately, in times of economic instability, these programs are amongst those that are cut when communities can't pass budgets. In places where there are childcare deserts, this is particularly acute.
 - Any changes now or in FY27 will affect the overall PK-grade 12 system because budgets have already been approved and passed. Any unfunded mandate will require school systems to cut staffing and programs within the full PK-grade 12 system. Draft 4.1 proposes that *“Tuition paid under this section shall be at a statewide rate, which may be adjusted regionally, that is established annually through a process jointly developed and implemented by the Agencies of Education and of Human Services.”* PK tuition should be subject to an analysis that includes all aspects of the PK-grade 12 public education system and any changes to PK tuition should be made in advance of school district budgeting processes.

- The cost of education is directly correlated with student:staff ratios. Conversations about the higher cost of educating students in small classes are happening for grades K-12. PK should be included in these deliberations. In order for the mixed delivery model to be cost-effective and sustainable, there may need to be requirements around minimum group size.
 - Assigning districts (or whatever new governance configurations may be) with new duties and obligations for ensuring access and capacity to serve all PK children constitutes a new mandate. An assignment of this type would add unpredictable and, in all likelihood, expansive new requirements on the public education system.
 - Administrative costs could be offset by eliminating the dual agency regulation of public PK.
 - Regarding PK Coordinators, school systems assign their staff based on needs and resources. Sometimes, the administrator serving as the PK Coordinator has another administrative role in order to be most cost-effective.
- **Federal Requirements of Local Education Agencies**
 - Child Find and Special Education are federal requirements of the LEA, which is the school district. They are responsible for identifying and serving young children who may have a disability. LEAs are responsible for evaluations and any additional support and services that students need and are entitled to (ie: special education and related services).
 - McKinney Vento Homelessness Education is the responsibility of the LEA.
 - English Learner requirements (assessments, accommodations, and supports) are the responsibility of the LEA.
 - A categorical aid program should consider all requirements of LEAs, including federal requirements and the staff qualification requirements of each setting. *Note: State Board of Education Rule 2605 Staff Qualifications.*
 - ***(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;***
 - ***(2) private prequalified prekindergarten education program operated in a licensed Center Based Program shall employ, or contract for the services of, at least one teacher who holds a valid Vermont educator license with an endorsement in either early childhood education or early childhood special education. Ten***

hours that the licensed teacher is present shall coincide with the hours of prekindergarten education paid for by tuition from districts;

- ***(3) The operator of each registered or licensed Family Child Care Home approved as a prequalified prekindergarten education program shall ensure that one of the several requirements is met.***

- **Implementation:**

- Implementation will require support. Implementation of Act 166 (2014) included two effective provisions:
 - 1) first year pilot program for districts that were better prepared to implement the transition on a shorter timeline, and
 - 2) full count of anticipated PK students in year 1. Districts analyzed and submitted their best estimate of the number of PK students who would access UPK. This was included in the fall census count and reconciliation was done later in the school year. This decreased the financial burden on districts by eliminating the two-year averaging practice during the first year of required implementation.
- As the General Assembly works toward education transformation, it will be important to consider and align implementation timelines. The 2025 JFO report referenced earlier, notes that “[b]efore making further changes to the early care and learning system, the General Assembly might want to consider how the system fits into its larger education transformation goals and the overall impacts on children and families. As with other components of the education system that do not neatly fit into the system already... there are legitimate reasons why early care and learning has significant outstanding policy considerations. There are ongoing debates concerning which fund source is most appropriate for these services... Significant changes could end up reducing coverage, increasing capital costs, or causing other unintended consequences.”

In conclusion, we support efforts to improve the UPK system in ways that address equity, quality, and sustainability through an implementation process that considers the full landscape of educational transformation and the necessary timeline for these changes to take place. The effects of these changes should be monitored over time. School districts will be better positioned to pivot when the multi-layered regulatory oversight is simplified and when the education funding system provides districts with the resources they need to move forward.