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Sarah Copeland Hanzas, Secretary of State
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April 21, 2026

To: Hon. Theresa Wood, Chair
House Committee on Human Services

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).

For over a decade, Vermont has studied the mixed delivery early education system serving our children ages 0-5 and made strides to increase the quality of and access to early education. For example, we've learned through studies commissioned by Act 58 (2015) and Act 45 (2021), as well as reports from the Child Development Division of DCF and Building Bright Futures that:

- + all foundations for a child's learning start in infancy;
- + the brain's architecture is being formed through millions of neural connections happening every second in a young child's brain;
- + over 90% of brain development occurs by age 5;
- + at 18 months of age, disparities in vocabulary begin to appear for children not exposed to high-quality care;
- + high-quality care and education for infants, toddlers and young children lay the groundwork for them to have healthy lives with strong foundations in language, reasoning, math, and emotional regulation.

In other words, we've learned in the last decade that supporting Vermont's youngest citizens from cradle to career does not start with 5 year olds or even 3 year olds. That critical support starts with high-quality care and education in infancy.

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.

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. The transition measures and variances will ensure there is a pathway for every educator in the current workforce. The tables in Appendix A show current roles and minimum qualifications, the different licensure levels in S.206, and the qualifications, variances, and transitional pathways with an explanation of each.

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 programs or settings that are exempt from CDD regulation. 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 obtain 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.

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.

Detailed Findings Regarding Risk of Harm to Young Children

Early education is not babysitting. 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

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.*

relationships built over time.⁴ The long-term positive impacts of 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 provide 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

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.

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.*

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 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 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 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

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/>.

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>.

disciplined for violating conduct or practice standards, through an individual licensee look up on our website.

- 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.

Gaps in the Current System: Lack of Transparency and Individual Accountability

Outside of the director of a facility or a sole provider, the current system is not designed to help families identify individual educators who supervise other staff members or provide care at centers or child care homes. Nor does the Bright Futures Information System (BFIS) provide transparency about early educators’ training and qualifications. Additionally, while the CDD does maintain an internal list of prohibited persons who have engaged in conduct that disqualifies them from working in a state-regulated child care facility, that list is not publicly available. And the process that leads to a provider being placed on that list is not publicly accessible. BFIS does not provide access to the prohibited provider list or identify individuals who engaged in conduct that resulted in facility/child care home violations. To be clear, this is not a shortcoming of the system itself or CDD/DCF. The public-facing information system is appropriately focused on the regulated program and not the individual staff members.

BFIS's opaque system with respect to individual qualifications and conduct starkly contrasts with OPR's well-established and transparent systems. OPR's website has an individual licensee look up for all of its professions, where the public can either download a roster of all professionals with a particular credential or look up individual practitioners to determine their credential type and, thus, their qualifications. OPR also has a complaint-driven enforcement process which authorizes discipline against a professional's credential for unprofessional conduct as defined in 3 V.S.A. § 129a and profession-specific conduct in Title 26. The disciplinary process involves a public Specification of Charges filed against the individual that includes alleged facts and violations. The charges are adjudicated at a public hearing overseen by an Administrative Law Officer. If a licensee is found in violation, sanctions range from warnings and reprimands to conditions imposed on the individual's practice, and, in the most serious cases, suspension or revocation of the credential.

In emergency cases, where the State demonstrates there is an immediate threat to the health and welfare of the public, an individual's license can be temporarily suspended during an investigation. Disciplinary orders are public and can be easily located at no charge through a simple internet search or on OPR's website.¹⁴ OPR's disciplinary process offers transparency for families, the public, potential employers of licensees under its regulation, or sister states. This is a much-needed public protection feature not available in the current system for early child care educators. If this existed, families would be able to make informed decisions about the child care they choose. If they had concerns about the care provided, the family would be able to make a complaint about a specific provider, that conduct would be investigated, and, if warranted, the provider would be publicly disciplined. Furthermore, other states would be able to search for early child care educators in OPR's system to locate disciplinary histories when making their own determinations about who is eligible to work in their early education settings.

Sunrise Review Principal Finding: Licensure is the appropriate form of regulation.

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 least restrictive form of regulation necessary to protect the public, as opposed to certification (voluntary with qualifications) or registration (mandatory without qualifications).

¹⁴ <https://sos.vermont.gov/opr/complaints-conduct-discipline/>

OPR determined that individual licensure of early childhood educators is necessary to protect the public and:

- + 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.

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, greater professional support, 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. Workforce Retention

OPR has heard concerns about workforce retention, particularly since the child care sector has not been able to meet the demand for slots in many years. As those concerns have been explored in various committees, creative thinking by the workforce,

legislators, and stakeholders have resulted in the transitional licenses and variances in the current iteration of S.206. These essential bridge measures will ensure workforce retention by giving alternative routes and long runways during the transition time, which is between now and 2036, i.e. 10 years from now.

OPR also has a report back to the legislature in 2031, the year after the first license renewal, to provide licensure and enforcement information with the opportunity to course correct if needed regarding transitional pathways.

2. 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. AOE also asserted that S.206’s use of “educator” may jeopardize licensure mobility for Vermont AOE licensed educators.

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 Act 76 public investments;
- 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.

Furthermore, the definition of “Educator” under the Interstate Agreement for Educator Licensure is broad:

“Educator” is categorized as a teacher, administrator or support professional who may be required by the Member Jurisdiction to hold a license. A Member Jurisdiction may recognize additional categories of licensure (e.g. Career and Technical educators) not addressed by this Interstate Agreement.¹⁵

¹⁵ NASDTEC Interstate Agreement for Educator Licensure, 2025-2030. Retrieved from: https://cdn.ymaws.com/www.nasdttec.net/resource/collection/0C62155D-3B17-4FFE-92EC-492E5AF67BA1/2025-2030_NASDTEC_Interstate_Agreement_Board_Accepted_2024-10-18.pdf at p.3.

The Interstate Agreement separately defines “teacher” as “a person whose primary responsibility is to instruct students or as otherwise defined by the Member Jurisdiction.”¹⁶

3. 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.

¹⁶ See *id.* at p.4.

Appendix A

S.206 Early Childhood Educators
Settings, Roles, Transitions, Pathways

CDD Regulated Setting/Program	Role	S.206 License	S.206 Qualifications *Includes Prior Learning Assessments by approved educational programs for college credits	S.206 Variance/Transitional Pathways
Registered Family Child Care Home Licensed Family Child Care Home	Family Child Care Provider	ECE II or Legacy FCCP	<ul style="list-style-type: none"> • High school grad/GED • 18 yrs old • Associate’s Degree in ECE or related field OR in unrelated field +21 core credits • Experience identified in rule 	+ Family Child Care Provider license until 1/1/29 with no addtl qualifications + ECE II – Conditional license After 1/1/29, enter with ECE I qualifications & get 6 years to obtain Associate’s Degree (permanent pathway)
Family Child Care Homes Center Based Child Care & Preschool Program	Assistant	ECE I	<ul style="list-style-type: none"> • High school grad/GED • 18 yrs old • 120 hours training/education in rule • Experience identified in rule 	No variance/transitional pathways; Preparation pathways in rules may include CTE program, facility trainee/aide, after school program staff, etc.
Family Child Care Home Center-Based Child Care & Preschool Program	Lead Teacher	ECE II	<ul style="list-style-type: none"> • High school grad/GED • 18 yrs old • Associate’s Degree in ECE or related field OR in unrelated field +21 core credits • Experience identified in rule 	+ 2028-2036 ECE II (variance pathway) 21 College credits in Core ECE Areas (available via Prior Learning Assmnt) + 2028-2036 ECE II – Transitional (for current teachers) up to 8 years to earn Associate’s Degree
Family Child Care Home Center-Based Child Care & Preschool Program	Lead Teacher	ECE III	<ul style="list-style-type: none"> • High school grad/GED • 18 yrs old • Bachelor’s Degree in ECE or related field Or unrelated field + 21 core credits • Experience identified in rule 	+ 2028-2036 ECE II – Transitional (for current teachers) up to 8 years to earn Bachelor’s Degree

Appendix A

**CDD Regulated Settings/Programs
Current Roles and Minimum Qualifications**

CDD Regulated Setting	Current Role	Current Minimum Qualifications *CDD has other requirements for some or all staff, including a 9-hour orientation training, first aid/CPR, and criminal background checks	Transition to S.206 License
Registered Family Child Care Home	Family Child Care Provider	<ul style="list-style-type: none"> • High school grad/GED • 18 yrs old • 45-hour Fundamentals for Early Childhood Professionals' Training Series ("Fundamentals") within 12 months of initial registration of the home 	ECE II or Family Child Care Provider (Legacy pathway)
Licensed Family Child Care Home	Family Child Care Provider	<ul style="list-style-type: none"> • High school grad/GED • 18 yrs old • 12 college credits in Core Knowledge Areas • 1 year experience 	ECE II or Family Child Care Provider (Legacy pathway)
Family Child Care Home	Family Child Care Assistant	<ul style="list-style-type: none"> • High school grad/GED • 18 yrs old • 45-hour Fundamentals Series within 12 months of initial employment 	ECE I
Center Based Child Care & Preschool Program	Teacher Assistant	<ul style="list-style-type: none"> • High school grad/GED • 18 yrs old • 45-hour Fundamentals Series • 12 months' experience 	ECE I
Center-Based Child Care & Preschool Program	Teacher Associate	<ul style="list-style-type: none"> • High school grad/GED • 20 yrs old • 21 college credits with early childhood focus • 12 months' experience 	ECE II
Center-Based Child Care & Preschool Program	Teacher	<ul style="list-style-type: none"> • High school grad/GED • 20 yrs old • Bachelor's Degree in ECE or related field • 12 months' experience 	ECE III