

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred House
3 Bill No. 472 entitled “An act relating to professions and occupations regulated
4 by the Office of Professional Regulation” respectfully reports that it has
5 considered the same and recommends that the Senate propose to the House that
6 the bill be amended by striking out Sec. 14, effective dates, and its reader
7 assistance heading in their entirety and inserting in lieu thereof the following:

8 * * * Licensure of Early Childhood Educators Serving in Programs Regulated
9 by the Child Development Division * * *

10 Sec. 14. 3 V.S.A. § 122 is amended to read:

11 § 122. OFFICE OF PROFESSIONAL REGULATION

12 The Office of Professional Regulation is created within the Office of the
13 Secretary of State. The Office shall have a director who shall be qualified by
14 education and professional experience to perform the duties of the position.
15 The Director of the Office of Professional Regulation shall be a classified
16 position with the Office of the Secretary of State. The following boards or
17 professions are attached to the Office of Professional Regulation:

18 (1) Board of Architects

19 * * *

20 (53) Peer Recovery Support Specialists

21 (54) Early Childhood Educators

1 Sec. 15. 26 V.S.A. chapter 111 is added to read:

2 CHAPTER 111. EARLY CHILDHOOD EDUCATORS EMPLOYED IN
3 PROGRAMS REGULATED BY THE CHILD DEVELOPMENT DIVISION
4 § 6211. CREATION OF BOARD

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

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

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

20 (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. 16. 26 V.S.A. chapter 111 is amended to read:

2 CHAPTER 111. EARLY CHILDHOOD EDUCATORS EMPLOYED IN
3 PROGRAMS REGULATED BY THE CHILD DEVELOPMENT DIVISION

4 Subchapter 1. General Provisions

5 § 6201. DEFINITIONS

6 As used in this chapter:

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

8 (2) “Early childhood educator” means an individual licensed under this
9 chapter to provide early childhood education pursuant to section 6202 of this
10 chapter in a program regulated by the Child Development Division.

11 (3) “Family child care provider” means an individual approved to
12 operate a family child care home regulated by the Child Development Division
13 at the time of application and who is responsible for providing
14 developmentally appropriate care, education, protection, and supervision for
15 children from birth through eight years of age at the family child care home.

16 (4) “Guidance” means direct or indirect consultative support in which an
17 Early Childhood Educator III provides feedback to an Early Childhood
18 Educator II.

19 (5) “Supervision” means on-site, direct oversight in which an Early
20 Childhood Educator II or III observes the practice of an Early Childhood

1 Educator I and provides feedback, support, and direction to an Early Childhood
2 Educator I.

3 § 6202. SCOPE OF PRACTICE

4 (a)(1) An early childhood educator licensed pursuant to this chapter shall
5 provide care and educational instruction to children from birth through eight
6 years of age in a variety of programs regulated by the Child Development
7 Division, including:

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

11 (B) establishing and maintaining a safe, caring, inclusive, and healthy
12 learning environment;

13 (C) observing, documenting, and assessing children’s learning and
14 development;

15 (D) developing reciprocal, culturally responsive relationships with
16 families and communities; and

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

18 (2) An early childhood educator licensed pursuant to this chapter does
19 not include exempt teachers licensed under 16 V.S.A. chapter 51 by the
20 Agency of Education with an early childhood endorsement, early childhood

1 special education endorsement, or elementary education endorsement as
2 provided in section 6204 of this chapter.

3 (b) An early childhood educator licensed pursuant to this chapter shall have
4 the following responsibilities as determined by license type:

5 (1) Early Childhood Educator I shall be authorized to be on an early
6 childhood education team in a family child care home as defined in 33 V.S.A.
7 § 3511 or a center-based child care and preschool program as defined by the
8 Department for Children and Families in rule for children from birth through
9 eight years of age. Early Childhood Educator I shall serve under the
10 supervision of an Early Childhood Educator II or III or a teacher who is
11 exempt from this chapter and licensed under 16 V.S.A. chapter 51 by the
12 Agency of Education with an early childhood education endorsement or early
13 childhood special education endorsement.

14 (2) Early Childhood Educator II, in addition to the responsibilities and
15 authorities of an Early Childhood Educator I, shall be authorized to be in a lead
16 educator role in a family child care home as defined in 33 V.S.A. § 3511 or a
17 center-based child care and preschool program as defined by the Department
18 for Children and Families in rule for children from birth through eight years of
19 age, providing supervision to individuals licensed as an Early Childhood
20 Educator I and receiving guidance from individuals licensed as an Early
21 Childhood Educator III.

1 (3) Early Childhood Educator III, in addition to the responsibilities and
2 authorities of an Early Childhood Educator I and II, shall be authorized to be a
3 lead educator role in a family child care home as defined in 33 V.S.A. § 3511
4 or a center-based child care and preschool program as defined by the
5 Department for Children and Families in rule for children from birth through
6 eight years of age, providing supervision to individuals licensed as an Early
7 Childhood Educator I and guidance to individuals licensed as an Early
8 Childhood Educator II.

9 (4) A Family Child Care Provider shall be authorized to be a lead
10 educator role in a family child care home as defined in 33 V.S.A. § 3511 for
11 children from birth through eight years of age.

12 (c) An early childhood educator licensed pursuant to this chapter may serve
13 in a supporting role only, and not as a lead educator, in the provision of
14 prekindergarten services provided in accordance with 16 V.S.A. § 829.

15 § 6203. PROHIBITIONS

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

19 (b) An individual shall not use in connection with the individual's name
20 any letters, words, or insignia indicating that the individual is an early

1 childhood educator unless the individual is licensed under this chapter or
2 exempt from this chapter pursuant to section 6204 of this chapter.

3 § 6204. EXEMPTIONS

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

6 (1) a teacher actively licensed under 16 V.S.A. chapter 51 by the
7 Agency of Education with an early childhood education endorsement, an early
8 childhood special education endorsement, or an elementary education
9 endorsement;

10 (2) an individual who provides care in an afterschool child care program
11 that is regulated by the Child Development Division or any other child care
12 program that is exempt from regulation by the Child Development Division;
13 and

14 (3) an individual who provides consultation services in this State,
15 performs research, or participates in or instructs regular or continuing
16 education courses, provided the individual does not otherwise practice in this
17 State.

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

Subchapter 2. Board of Early Childhood Educators

§ 6211. CREATION OF BOARD

* * *

Subchapter 3. Licensure Requirements

§ 6221. QUALIFICATIONS

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

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

(2) Early Childhood Educator II shall have completed an approved associate's degree program in early childhood education or a related field:

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

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

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

4 (4) A Family Child Care Provider shall currently operate a family child
5 care home as defined in 33 V.S.A. § 3511 that is regulated and in good
6 standing with the Child Development Division as of January 1, 2028. The
7 Board shall not accept Family Child Care Provider applications after January
8 1, 2028.

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

11 § 6222. LICENSE RENEWAL

12 (a) Licenses shall be renewed every two years upon application and
13 payment of the required fee. Failure to comply with the provisions of this
14 section shall result in suspension of all privileges granted by the license
15 beginning on the expiration date of the license. A license that has lapsed shall
16 be reinstated upon payment of the biennial renewal fee and the late renewal
17 penalty pursuant to 3 V.S.A. § 127, except a Family Child Care Provider
18 license shall not be renewed after a lapse of two or more years.

19 (b) The Board may adopt rules necessary for the protection of the public to
20 assure the Board that an applicant whose license has lapsed for more than five
21 years is professionally qualified before reinstatement may occur. Conditions

1 imposed under this subsection shall be in addition to the requirements of
2 subsection (a) of this section.

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

8 § 6223. FEES

9 Applicants and persons regulated under this chapter shall pay the following
10 fees:

11 (1) Early Childhood Educator I:

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

13 (B) Biennial renewal, \$225.00.

14 (2) Early Childhood Educator II:

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

16 (B) Biennial renewal, \$250.00.

17 (3) Early Childhood Educator III:

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

19 (B) Biennial renewal, \$275.00.

20 (4) Family Child Care Provider:

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

1 (B) Biennial renewal, \$250.00.

2 § 6224. UNPROFESSIONAL CONDUCT

3 As used in this chapter, unprofessional conduct means:

4 (1) conduct prohibited by this section, by 3 V.S.A. § 129a, or by other
5 statutes relating to early childhood education, whether that conduct is by a
6 licensee, an applicant, or an individual who later becomes an applicant;

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

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

13 § 6225. VARIANCES; TRANSITIONAL LICENSURE

14 (a) The Board shall issue a transitional Early Childhood Educator II and III
15 license to a teacher or director operating a registered or licensed family child
16 care home as defined in 33 V.S.A. § 3511 or licensed center-based child care
17 and preschool program as defined by the Department for Children and Families
18 in rule and who does not meet the educational and experiential licensure
19 requirements in this chapter. Transitional licenses shall be valid for a two-year
20 period and shall be renewed by the Board for an otherwise qualified applicant
21 for an additional two-year period with satisfactory supporting documentation

1 of the individual's ongoing work to obtain the required educational and
2 experiential qualifications for licensure under this chapter.

3 (b) At the conclusion of three two-year transitional licensure periods, the
4 Board, at its discretion, may issue one final two-year transitional license for an
5 otherwise qualified applicant if the licensee can demonstrate extenuating
6 circumstances for not having attained the educational and experiential
7 requirements in this chapter and ongoing work to attain these requirements.

8 § 6226. DISCLOSURE BY LICENSEES

9 An early childhood educator licensed pursuant to this chapter shall post and
10 provide to current and prospective families the following:

11 (1) all available license types regulated by the Office of Professional
12 Regulation pursuant to this chapter;

13 (2) a description of the Office of Professional Regulation's regulatory
14 authority over licensees in programs regulated by the Child Development
15 Division and how to make complaints;

16 (3) a description of the Agency of Education's regulatory authority over
17 teachers providing prekindergarten services pursuant to 16 V.S.A. § 829 and
18 how to make complaints; and

19 (4) a description of the Child Development Division's regulatory
20 authority over regulated child care programs and how to make complaints.

21 Sec. 17. REPEAL; TRANSITIONAL LICENSE

1 26 V.S.A. § 6225 (variances; transitional licensure) is repealed on July 1,
2 2035.

3 Sec. 18. OFFICE OF PROFESSIONAL REGULATION; LICENSURE OF
4 EARLY CHILDHOOD EDUCATORS SERVING IN PROGRAMS
5 REGULATED BY THE CHILD DEVELOPMENT DIVISION;
6 APPROPRIATION

7 (a)(1) The establishment of the following two new permanent positions is
8 authorized in the Office of Professional Regulation in fiscal year 2026:

9 (A) one full-time, classified executive officer for the Vermont Board
10 of Early Childhood Educators; and

11 (B) one full-time, exempt staff attorney.

12 (2) In fiscal year 2026, the amount of \$262,000.00 is appropriated from
13 the General Fund to the Office of Professional Regulation to be used for the
14 licensure of early childhood educators in accordance with this act.

15 (b)(1) The establishment of the following three new permanent positions is
16 authorized in the Office of Professional Regulation in fiscal year 2027:

17 (A) one full-time, classified licensing staff;

18 (B) one full-time, classified enforcement staff; and

19 (C) one full-time, classified administrative staff.

20 (2) In fiscal year 2027, the amount of \$628,867.00 is appropriated from
21 the General Fund to the Office of Professional Regulation to be used for the

licensure of early childhood educators in accordance with this act.

(c) In fiscal year 2027, \$1,400,000.00 shall be distributed from the Child
Care Financial Assistance Program to the Office of Professional Regulation for
the first licensure and licensure renewal fees for early childhood educators
serving in programs regulated by the Child Development Division pursuant to
26 V.S.A. chapter 111.

* * * Effective Dates * * *

Sec. 19. EFFECTIVE DATES

This act shall take effect on July 1, 2025, except that Sec. 3 (fees; peer
support providers), Sec. 16 (early childhood educators) and Sec. 17 (repeal;
transitional license) shall take effect on July 1, 2027.

(Committee vote: _____)

Senator _____

FOR THE COMMITTEE