

MEMORANDUM

TO: PK Stakeholders – Building Bright Futures, Let’s Grow Kids, Early Childhood Alliance, Hunger Free VT, Permanent Fund, VT Birth to Five, House and Senate Education Committees, Vermont State Board of Education, Vermont Superintendents Association, VT-NEA, Vermont School Board Association, Vermont Principals’ Association, Vermont Council of Special Education Administrators, VT Business Roundtable, Vermont Association of School Business Officers

FROM: Al Gobeille, Secretary, AHS and Rebecca Holcombe, Ed.D., Secretary, AOE

SUBJECT: Act 166

DATE: June 8, 2017

Thank you for your interest in caring for our youngest Vermonters. On behalf of the two Agencies that provide the state foundation for early care and education in Vermont, we testified together in the legislature to ask that they not move forward on changes to Act 166 this session, despite challenges discovered during implementation that need to be addressed. Instead, we asked the legislature to give the two Agencies time to work together to think through the state systems that support our early care and learning initiatives and come back next session with recommendations for a sensible policy that achieves our stated goals.

Together, we offered the following comments to the legislature during the session:

1. We made very clear that we both feel urgency related to a fix to the requirements for fingerprinting in the current session. We worked for months to arrive at language that would reduce the burden on educators in both private providers and school systems.
2. We both acknowledge that Act 166 has flaws that must be addressed to ensure it is effective, equitable and affordable over the long haul. This is not necessarily a function of will but of complexity: the complexity of the bill, the complexity of navigating two sets of federal and state statutes and regulations, the complexity of navigating effects-- both intended and unintended-- on the supporting agencies, and the challenges of implementing a one-size-fits-all model over diverse regions.
3. That said, this complexity makes it difficult to get clarity on efficient and effective remedies, and our Agencies are concerned that when changes are made, we need to get them right to prevent harm and provide minimal disruption first and foremost to children, as well as to parents, providers and schools.

4. Both Agencies agree, based on the level of concern that has been expressed about the current law, as well as challenges in implementation, that we need time to put together a comprehensive remedy that addresses structural flaws with Act 166 that we could not fully appreciate until we had to grapple with the complexity.

5. The Administration will work to develop a proposed alternative bill that will be shared with the committee members for discussion in advance of the next session.

6. Our guiding decision criteria for proposed remedies will be:

- Ensuring we prioritize expanding access and hours for children and, by extension, working parents (growing the economy)
- Minimizing transaction costs at every level, to make sure we get the greatest value per dollar for direct service to children (affordability)
- Allowing for some regional flexibility to expand equity and access in the most affordable way possible (affordability)
- Ensure the service model provides equity of access (protecting the vulnerable)

7. The coherence of any remedy we suggest will come from a belief that while early learning may take place in different settings, what ensures consistency in opportunity across sites is adhering to the Vermont Early Learning Standards.

Over the summer, our Agencies will invite and listen to stakeholder input and work together to formulate some sensible policy recommendations. While we are aware that no policy recommendation will give every interest exactly what it wants, we are confident we can arrive at a solution that serves the state's goals, including growing the economy, ensuring affordability and protecting our vulnerable children. Our commitment to you is that your input will be heard, evaluated and then our recommendations will be driven by the guiding decision criteria above. Our final recommendations will promote the state's obligation to ensure affordability, economic development and targeted protection of our most vulnerable populations.