

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2013

Bill Number: H. 270 Name of Bill: An act relating to providing access to publicly funded prekindergarten education

Agency/ Dept: Education Author of Bill Review: Jill Remick, Brad James, Manuela Fonseca

Date of Bill Review: 4-8-13 Status of Bill: (check one):

☒ X Upon Introduction (Passed 1st Committee) ☐ As passed by 1st body ☐ As passed by both bodies
☐ Fiscal

Recommended Position:

☐ Support ☐ Oppose ☐ Remain Neutral ☒ X Support with modifications identified in #8 below

Analysis of Bill

Summary of bill and issue it addresses. This bill proposes to provide access to at least ten hours per week of high-quality, publicly funded prekindergarten education for 35 weeks annually to any “prekindergarten child” whom the parent or guardian wishes to enroll in an available, prequalified program. Prequalified prekindergarten programs include private early education and care programs and programs operated by public schools.

1. Is there a need for this bill? *Please explain why or why not.*

Some school districts currently do not offer a pre-K education program. This bill ensures parents in all districts have access to quality pre-K education. In addition, private early education and care providers will have the guarantee that if they meet the quality standards, they will be assured of receiving a specific tuition amount for pre-K rather than needing to negotiate with each school district with which they partner. Families will also have more predictability and say in the options they want for their children.

2. What are likely to be the fiscal and programmatic implications of this bill for this Department?

Monitoring of qualified private providers and public school operated programs will require time and staff through AOE and AHS (DCF). That monitoring will likely have a cost. Other implementation requirements, such as establishing statewide tuition rates, analyzing child progress reports, providing technical assistance, and collaborating across agencies. Additionally, AOE would need to have staff and data to determine if school districts could establish or expand school-operated pre-K programs.

**Agency of Education Responsibilities for Prekindergarten Education
IF H. 270 v.5.1 is Passed**

Work on POLICY & PROCEDURES:

- Lead on drafting new Prekindergarten Education rules in accordance with statute
- Develop protocol for determining “prequalified” providers, both private early education and care providers as well as public school prekindergarten (pre-K) programs
- Develop procedures for prequalified pre-K providers to follow regarding attendance, notifications, maintenance of status, etc.
- Establish a process for calculating a statewide tuition rate and any regional adjustments as needed
- Develop a framework along with criteria for a regional plan needed prior to a district being allowed to expand capacity

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- Design a system for monitoring pre-K programs
- Clarify what the new appeal process will entail

DATA:

- Gather data on the number of pre-K children (i.e., 3's, 4's, and 5's not attending kindergarten) residing in each district
- Regional data on available enrollment by prequalified pre-K provider
- Verify teachers' licensing status
- Analyze child progress results at various levels (state, district, program)
- Track children longitudinally to measure effects of quality pre-K on subsequent assessments (e.g., Kindergarten Readiness, state assessments)
- Create and manage a database on pre-K providers and programs

FINANCE:

- Calculate statewide tuition rate and regional adjustments on an annual basis, and disseminate information
- Provide guidance to business managers on how to report pre-K costs by funding sources
- Determine districts' actual enrollments for pre-K and determine difference from districts' estimated enrollments for the purpose of calculating ADM

IMPLEMENTATION:

- Conduct monitoring of pre-K programs jointly with DCF/CDD
- Provide technical assistance to districts, families, and providers via phone, email, in-person
- Provide training and support to early educators on Teaching Strategies GOLD which is the state approved measure used to track child progress

Additional New Responsibilities/Concerns

- An expanded appeals process with potentially more appeals to be considered by AOE staff
- Develop a system for regional adjustments to tuition...we have not done anything like this regionally
- Language is unclear regarding how arrangements would be made for LEAs to provide licensed teacher time to providers without licensed teachers
- Language is unclear about LEA support to help programs become qualified
- Local BBF Councils may not have capacity at all sites to provide assistance for developing regional plans to increase programs/providers
- TA to individualize instruction could take a great deal of time
- Revision of Quality Standards to increase program quality is a new and potentially time consuming task
- Secretary determination if programs/providers are delivering religious education is new work
- This would require 2-3 new staff at AOE as well as an undetermined number at AHS

3. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?

This could fiscally impact AHS (DCF) due to monitoring and other requirements (refer to above), although they are supportive.

4. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it? (for example, public, municipalities, organizations, business, regulated entities, etc)

The overall cost to the Education Fund will increase, putting pressure on the base homestead education tax rate. The overall spending for pre-K could double within the next few years. School budgets would increase since districts would be

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required to include anticipated costs for tuition payments for resident three-five year olds, as well as costs for its school-operated program (if one exists), administration, quality improvements, transition planning, etc.

5. Other Stakeholders:

School districts, parents

6.1 Who else is likely to support the proposal and why?

Parents of pre-K children, allowing access in some districts currently not offering pre-K programs, offering pre-K only to four-year-olds, or with limited capacity plus the portability of accessing out-of-district pre-K programs.

6.2 Who else is likely to oppose the proposal and why?

Taxpayers when they see increased school budgets and groups who do not want to see new costs to the Education Fund.

6. Rationale for recommendation: *Justify recommendation stated above.*

There is evidence that quality pre-K programs have benefits to children as they enter school. Vermont prides itself on equitable opportunities for all. Currently, children's opportunity for pre-K and the type of options afforded them is dependent on which district they reside in.

7. Specific modifications that would be needed to recommend support of this bill: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

- Specify a timeframe for when families must notify the district that they would like their child to enroll in a prequalified pre-K program. That date should be no later than 20 days after the start of school when the school census is conducted. (p.5, Lines 1-3 and p.8)
- Language on page 5, lines 19-21 is confusing and needs to be clarified.
- Language on page 6, line 20 and page 7, lines 1-2 are confusing. It appears to state that districts must pay tuition as well provide whatever a non-qualified partner needs in order to meet the quality standards. This would be unreasonable.
- Required financial reporting (p. 9, lines 8-12) exceeds what districts now need to do.

Secretary/Commissioner has reviewed this document: _____yes____ **Date:** __4/8/13__