

Vermont Early Childhood Alliance Legislative Round Up

Dear Alliance Supporters,

The 2014 Legislative Session began with a renewed focus on early childhood issues. On the national stage, President Obama highlighted the importance of Prekindergarten in his State of the Union speech. Vermont was awarded a Race to the Top Grant (RTT) by the US Dept. of Education, which will fund much needed systems support for early childhood efforts.

The Race to the Top grant provides timely funding to address three Alliance priorities. The grant expands access to both Strengthening Families Grants and to training and workforce development programs. It also funds annual bonus payments to child care programs based on the number of STARS each program maintains. Race to the Top will provide funding for these initiatives for four years, after which sustainable funding will need to be identified to maintain these investments.

In Vermont, Governor Shumlin and his administration continued to stress the importance of early childhood initiatives. The administration published “Vermont’s Early Childhood Framework” and continued to develop and refine the Early Childhood Action Plan, following upon an extensive public input process.

The Alliance began the session with a comprehensive priority legislative agenda including:

- Passage of H.270, the Prekindergarten bill,
- Increased investment in the Child Care Financial Assistance Program (CCFAP),
- Greater investments into the STARS program,
- Expansion of the accessibility of strengthening family grants, and
- Increased access to training and workforce development programs.

Over the course of the 2014 legislative session, the Alliance and our partners advocated on behalf of legislation to accomplish these priorities that will benefit children and families in Vermont. The session ended on May 10th with several important successes. Below, please find our summary of the session as it relates to the Alliance’s agenda and other issues that will directly impact Vermont’s early childhood community.

H.270: Publicly Funded Prekindergarten – Success

H.270, An Act Relating to Expanding Publicly Funded Prekindergarten, was introduced last year in the House, which passed the bill toward the end of the 2013 session. H.270 subsequently passed through the Senate Education and Finance Committees before finishing the 2013 session in the Senate Appropriations Committee.

The Senate Appropriations committee took up the bill very early in the 2014 session, but delayed action on it until very near the end of the session, as they included the issues in their comprehensive assessment of all education spending. The Committee eventually passed the bill, but added an amendment that would have delayed H.270 from going into

effect until education funding fell below a certain threshold. In Vermont, that would likely not happen in the foreseeable future. As a result, the amendment, if included in the final version of the bill, would have made it unlikely the bill's provisions would ever be put into place.

Thankfully, the full Senate removed the amendment on the Senate floor and passed H.270 without it. The House then agreed to the Senate's other minor modifications, and the final version of the bill as passed will apply to students enrolling in the fall of 2015.

This enormous success relied on the consistent engagement of Alliance members in contacting their Senators to support this bill. Together, we have helped to ensure access to publicly funded high quality prekindergarten education for all of Vermont's children.

The provisions of H.270 as it passed state that:

- All school districts will be required to either provide or pay for at least 10 hours/week of prekindergarten education for 35 weeks/year for all three-, four-, and eligible five-year-old children whose parents or guardians choose to enroll their child in a prequalified program.
- Prequalified programs can be either private or school-based.
- PreK programs need to meet certain requirements to be prequalified including: (1) employing a licensed teacher, and (2) having a high rating in the VT STARS program or national accreditation.
- Parents or guardians choose the prequalified program for their children.
- A consistent state-wide tuition rate will be established for preK education, allowing for regional adjustments, if necessary.

Next steps: H. 270 calls for rule-making by the Agency of Education and Agency of Human Services to calculate the state-wide rate for prekindergarten, to determine whether a district can begin or expand a school-based program, and to further flesh out regulations regarding prequalified programs. The Alliance will keep you informed once these efforts begin.

Increased Investment in Child Care Programs in the Vermont State Budget –Success

The Fiscal Year 2015 budget (H.885) includes additional funds for the Child Care Financial Assistance Program (CCFAP). Specifically, the budget allocates \$360,000 to bring the Child Care Financial Assistance (CCFAP) eligibility guidelines up to the 2014 Federal Poverty Level (FPL). It also adds \$812,448 to the Vermont STep Ahead Recognition System (STARS) to meet the existing obligations to pay bonuses for new STARS programs and those who have increased their STARS level.

Supplemental Child Care Grants

In addition, language was added to the budget upon the request of the Senate Appropriations Committee to create Supplemental Child Care Grants. The new section (E.

318; 33 V.S.A. § 3504) gives the Commissioner of the Department for Children and Families (DCF) discretion to provide additional financial help to child care programs that meet very specific criteria. This does not establish a new grant program, nor is any money specifically allocated for the purposes stated in this section. The provision only permits the Commissioner to create a supplemental grant in extreme cases and where the childcare program meets the following criteria:

- Provides full-time child care year round,
- Serves infants and toddlers,
- Is located in a high poverty area without access to public transportation as determined by the Commissioner,
- Maintains a 5 STARS rating,
- Maintains a caseload in which 80% of enrollees receive a 100% child care financial assistance, and,
- Receives childcare financial assistance payments as its primary source of program revenue.

Ensuring Children's Safety and Well-Being – Discussions On-going

The early childhood community and Vermont in general were stunned by the tragic death of Dezirae Sheldon. Her death, and other cases that have come to light since, have been an additional catalyst for all of us to look more closely at how the State protects children and whether there are ways to improve the protection of children who are abused or neglected by their families.

Senate Panel on Child Protection

The Senate response to the Sheldon case was to establish a Senate Panel on Child Protection to examine our current laws and systems, specifically the work of the Family Services Division of DCF and the court process used when DCF acts on allegations of abuse and neglect.

Questions have been raised about whether more resources are needed, whether DCF and court responses are consistent across the State, whether changes should be made to confidentiality laws, and what can be learned from other states.

Panel members were Senators Sears (Bennington), Ayer (Addison), Mullin (Rutland), French (Rutland), Flory (Rutland), Cummings (Washington), and Kitchel (Caledonia). Unable to complete its work this session, members of the panel sought authorization to continue to look at Vermont's child protection system.

In response, Section C. 109 was added to the budget bill, H. 885. The Committee on Child Protection will continue the investigation, and will be comprised of seven Senate members (the expectation is that the Panel members will be appointed) and two House members (Chair or designee from Committee on Judiciary and Committee on Human Services). The

Committee intends to issue for the 2015 legislative session a report that may include suggestions to change laws or systems.

Next Steps: The Panel has tentatively scheduled public hearings on June 3rd, 5th, and 10th to be held in different parts of the state. These hearings are an important opportunity for Alliance supporters to offer feedback about the child protection system and suggestions for what can be done to improve it. The dates are subject to change and the Alliance will provide details as they are available.

Office of the Child Advocate

One of the ways that the Alliance advocated for children in state custody or otherwise accessing services through the Agency of Human Services is through support of H.73, a bill that proposed the creation of an Office of Child Advocate. H. 73 was introduced in 2013 but not acted upon in this biennium.

The proposed Child Advocate could act on behalf of a child or family to resolve complaints regarding services or assistance provided through the Agency of Human Services. The Office of Child Advocate would monitor and analyze child welfare issues and make appropriate recommendations to the Governor and to the Legislature.

Stakeholders are considering a model similar to the Long-Term Care Ombudsman where staff is state funded, but independently housed in a non-profit and has the ability through law and subpoena power to obtain information regarding individual or systemic issues. The Office of Child Advocate is one tool that can be used to help children involved in the child protection system. In the coming legislative session, the Alliance will consider supporting renewed efforts to create this position.

Supporting Family Economic Security – Success

Reach UP Bill Extends Child Care Subsidy

Last year, major changes were made to the Reach Up system. Over the past summer, the Reach Up Work Group met and developed a list of recommendations for additional changes. H. 790 was introduced this year to address some of these proposed changes to Reach Up, especially ones that would help families facing the “benefits cliff”.

This “cliff” is the sudden loss of benefits to families that takes place just as adults begin or resume entry into the workforce. The proposal was to create a more gradual reduction in benefits, and thus prevent families from finding themselves in an economically worse place when they are working.

The House and Senate passed bills that created different solutions to deal with the benefits cliff. At the end of the session, the legislature agreed to a compromise version of H. 790 that had the following components:

- One additional year of Reach Ahead eligibility. The second year has a nominal cash benefit of \$5, but importantly provides a second (additional) year of 100% child care financial assistance, effective July 1, 2015.
- Income disregard increase from \$200 plus 25% of earnings to \$250 plus 25% of earnings.
- Reach Ahead reduction in the first six months of \$50, the rationale for which is that this reduction is offset by the extended eligibility for childcare financial assistance.
- The enhanced child care financial assistance is paid for through case load savings.
- Direction to DCF to explore the feasibility of starting a SNAP transitional program that would draw down funds for recipients transitioning off Reach Up and free up money for an increase to the earned income disregard.

Work Force Training – Partial Success

S.220, An Act Relating to Furthering Economic Development, passed at the end of the session with language establishing a Workforce Investment Board. The Alliance advocated to include a designee from the Early Childhood Community as a statutory member of the Board. Although this designation did not pass in statute, the chairs of the Senate and House Economic Development Committees, Senator Mullin and Representative Botzow, agreed to write a joint letter to the Governor recommending that one of his appointees be selected from the early childhood community.

The Alliance will follow up on this recommendation and continue to advocate for early childhood representation on the newly formed Workforce Investment Board.

Child Care Providers Unionization – Bill Passage

After several years of effort, legislation allowing childcare providers to form a collective bargaining unit successfully passed through the legislature. This right only applies to home providers who accept childcare financial assistance payments (or who are willing to accept them).

Next Step: The first step toward forming a bargaining unit will be an upcoming vote that will decide whether providers will indeed organize. All home programs will be eligible to vote.

Minimum Wage Increase – Partial Success

In the midst of efforts to establish a standard of paid sick time for all workers in the state, the legislature was prompted by the Governor and President Obama to turn their attention to a minimum wage increase. The Governor originally proposed an increase to \$10.10 over three years.

The House passed a bill that proposed to move the minimum wage to \$10.10 on January 1, 2015. The Senate amended the bill to move the minimum wage to \$10.50 more slowly over the course of four years. With only a day to spare before the end of the session, the House concurred with the Senate amendment.

The rate of increase will be as follows:

- January 1, 2015: \$9.15
- January 1, 2016: \$9.60
- January 1, 2017: \$10.00
- January 1, 2018: \$10.50
- January 1, 2019 and on January 1 of each year thereafter: a 5% increase or matching the Consumer Price Index, U.S. City Average, whichever is smaller.

Thank you for your involvement with our efforts!

Your work on behalf of Vermont's young children is invaluable. Your communications and conversations with legislators significantly influenced positive outcomes for our young children and their families this year, as in the past. Thank you for your support and engagement.

For further details, please visit www.vermontearlychildhoodalliance.org. For real-time opportunities to get involved, join the Alliance's e-network, like us on Facebook, and follow us on Twitter.