

Universal Prekindergarten Coordinator Handbook

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Dear Universal Prekindergarten (UPK) Coordinator,

You are joining a state-wide group of roughly 75 or more UPK Coordinators who share a collective passion for early childhood education, who in collaboration with the Agency of Education, oversee 400 or more UPK pregualified prekindergarten education public. private and family childcare home programs. This handbook was developed by the Agency of Education - Early Education Team (AOE-EE), with input from UPK Coordinators and the Agency of Human Services Child Development Division (AHS-CDD), as a collection of UPK information and resources to support your onboarding as a new UPK Coordinator. The lens of this handbook is for administration of UPK. While some of the information is similar, it is recommended that you review the UPK Program Handbook, for program specific information. Experienced UPK Coordinators will also benefit from this handbook by refreshing their knowledge of UPK compliance requirements and legislative mandates that have changed over the past few years. One important change is the implementation of the UPK Accountability and Continuous Improvement System known as ACIS. ACIS is a joint monitoring, collaboration, and oversite by the AOE-EE, and the AHS-CDD to ensure compliance by all public, private, and family childcare home programs. As part of the UPK system, UPK Coordinators also monitor partnering programs for compliance with Act 166 requirements (both AOE and AHS-CDD) as this is part of your partnership agreements. UPK education is ever evolving based upon data collections for continuous improvement of Vermont's early childhood education. This handbook will be updated as needed based upon policy changes and/or revisions as detailed in Act 166.

The AOE EE team is here to support your work as a UPK Coordinator so please contact us if you have questions.

Thank you for the work you do supporting children and families.

The AOE Early Education Team



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Mission Statement

What defines Vermont **Universal Prekindergarten Education (UPK)** is the implementation of high-quality, effective instruction by licensed educators who use evidence-based practices within intentionally designed early learning environments. Early educators align curriculum with the Vermont Early Learning Standards while adapting experiences to support the full participation of each and every child to realize their full potential and promote positive outcomes.

Vermont Early Childhood Guiding Principles

We believe that each and every child...

- Learns within the context of secure and authentic relationships, play, and interactions within their environments.
- Deserves equitable access to experiences that acknowledge and build on their uniqueness.
- Deserves opportunities to deeply learn and develop to their full potential through joyful interactions in safe, accepting environments.

For each and every family, we will...

- Respect and support them as experts, partners, and decision makers in the learning and development of their children.
- Pledge to be open, genuine, reflective, and respectful listeners and communication partners.
- Build caring communities that accept differences and foster a sense of belonging.

For each and every child and their family, we will...

- Promote understanding of the importance of inclusive and effective early childhood experiences.
- Build equitable access to opportunities, support, and services.
- Acknowledge and address biases in ourselves and others and the importance of differences such as race, class, gender, family structure, ability, and sexual orientation.
- Advance policies, procedures, programs, and practices that honor and are supportive of each family's culture, strengths, structure, expertise, and preferences.
- Provide options, flexibility, and continuity within each community by working collaboratively within and across agencies, programs, and funding sources.
- Expand the number of early childhood professionals who are well prepared and reflect the diversity of the community.
- Draw upon evidence and research for practices that are responsive and appropriate to the child's culture(s), language(s), abilities, developmental level, identities, and needs.



Reference: Vermont Guiding Principles

Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs

Regardless of your role in the early childhood field – leader, educator, faculty member, family member – this new resource is one that you need to both read and share. It underscores that:

"All young children with disabilities should have access to high-quality inclusive early childhood programs that provide individualized and appropriate support so they can fully participate alongside their peers without disabilities, meet high expectations, and achieve their full potential. The responsibility to ensure that young children with disabilities and their families are included in high-quality early childhood programs is shared by federal, State, and local governments, early childhood systems, early childhood programs and providers, local educational agencies (LEAs), and schools. This November 2023 publication highlights the foundation for inclusion in early childhood programs as well as recommendations for state and local action. Resources to support inclusion are also included".

Reference: Statement of Inclusion

Equity Statement

Advancing equity in early childhood education requires an understanding of this broader societal context, biases, and how historical and current inequities have shaped the profession. The biases referred to here are based on race, class, culture, gender, sexual orientation, ability and disability, language, national origin, indigenous heritage, religion, and other identities. To ensure equity and high-quality inclusive learning environments, leadership teams must:

- Provide high-quality early education programs that build on each child's unique individual and family strengths, cultural background, language(s), abilities, and experiences.
- Eliminate differences in educational outcomes as a result of who children are, where they live, and what resources their families have.

Educators who are aware of their implicit and explicit biases as they relate to their teaching can better provide learning experiences that are aligned with children's cultural and familial norms. Public and private PreK programs can further promote equitable outcomes for young children by:

- 1. confronting and dispelling implicit and explicit biases
- 2. improving advocacy for young children and families who are often subject to biases, and
- 3. informing changes in policies, practices, and systems through advocacy.



Early Multi-Tiered System of Support (Early MTSS)

Vermont's Early MTSS is a balanced framework with a two-prong approach designed to support children from birth through age 8. The Early MTSS framework promotes building the capacity of public and private programs to ensure the implementation of evidence-based practices to fidelity. Early MTSS research supports promotion, prevention, and intervention through the implementation of high-quality and inclusive practices that reduce challenging behaviors and exclusionary discipline resulting in positive outcomes for each and every child. Embedded within the Early MTSS framework are social and emotional learning, early literacy and language development, mathematics, creative arts and expression, science, and social studies. Implementing Early MTSS practices ensures equitable access for children to participate across all learning environments. For more information, please see the Resources section at the end of this handbook.

History - Act 166

Act 166 of 2014 Universal Prekindergarten (UPK) provides access to <u>publicly-funded</u> prekindergarten education for Vermont children. All prequalified prekindergarten education programs, including Head Start, public school and private programs, must meet specific requirements to operate in Vermont. The State Board of Education adopted administrative rules to guide Act 166 implementation by the Agency of Education (AOE) and the Agency of Human Services - Child Development Division (CDD). It is important to note that UPK education is not required by the State of Vermont, and UPK participation by schools, private programs and families is voluntary.

UPK Administrative Rule Series 2600 - Prekindergarten Education

The administrative rules to establish and maintain compliance as a prequalified prekindergarten education program are found in the Vermont State Board of Education Rule Series 2600 — Prekindergarten Education. This handbook references the administrative rules throughout. We recommend that you print off or save a copy of the administrative rules to your desktop because this document is central to your work as an UPK Coordinator. It is recommended that UPK Coordinators review the UPK Program Handbook for prequalified prekindergarten education program requirements. The UPK Coordinator Handbook includes similar content as the UPK Program Handbook but with an administrative lens.

UPK Program Assurances of 11 Requirements

To achieve UPK prequalification approved status, public and private programs affirm assurances that their program meets Act 166 requirements 1-11 by providing evidence through the application process. Approved UPK programs are required to submit a UPK Prequalified Program Change Form if the information reported on an original application has changed. Change forms should be submitted for director and licensed educator changes, including educator license renewal dates. The Agency of Education will use it to verify and update the program's information.



If an approved UPK program receives a new child care license number, for example, change of location or new ownership, the program must reapply for UPK approval status by submitting a new application. With a change in childcare license number, the AOE and CDD need to verify compliance with UPK requirements to assure high-quality prekindergarten education programs. To be consistent, and equitable in the UPK application process for all programs, UPK prequalification status begins with the start date of approval, and not the date of the application submission. It is recommended that UPK Coordinators ask programs for their UPK prequalification certificate, which has the start date for UPK prequalification, for UPK tuition payments to be paid accordingly.

When a change in UPK prequalification status occurs during the school year this impacts UPK prequalification status, partnership agreements and UPK tuition payments. The change in childcare license number, and UPK prequalification status, effectively renders the previous partnership agreement (contract) null and void, and a new partnership agreement will need to be issued when the program is approved.

Requirement 1. Child Care Regulations

The public or private program is currently a licensed or registered child care program or home, as applicable, by the Department for Children and Families' Child Development Division. CDD issues separate licenses for each program location and has a Licensing team to support all schools and program in acquiring initial licenses or making changes to the license and assigned personnel. For more information, please see the Child Care Licensing Regulations or contact the Licensing Regulations or contact the Licensor on Duty at 1-800-649-2642 (option 3) or ahs.dcfcddchildcarelicensing@vermont.gov.

Requirement 2. STARS

The public or private program receives and maintains at least one of the following quality program recognition standards:

- National Association Education of Young Children accreditation, or
- 4 or 5 STARS in Vermont's STARS system, or
- 3 STARS and an approved one-year plan to reach 4 STARS.

STARS is Vermont's Quality Recognition and Improvement System for child care, preschool, and afterschool programs. On July 1, 2023, CDD launched a revised STARS model that focuses more closely on positive outcomes for children, engagement of families, and continuous quality improvement. For more information, please visit the STARS website or contact the STARS team at the CDD at STARS@vermont.gov or 1-800-649-2642 option 8.

Requirement 3. Vermont Early Learning Standards (VELS)

The public or private program's curricula are aligned with the Vermont Early Learning Standards (Birth to Grade 3). **UPK Administrative Rule 2602. Definitions (8) Prekindergarten Education**. Prekindergarten education means services designed for prekindergarten children with developmentally appropriate early learning and



developmental experiences based on VELS. Vermont Early Learning Standards (VELS) include the following developmental domains

- Developing Self: Approaches to Learning, Social-Emotional Development, Growing, Moving, and Being Healthy (11 possible goals)
- Communication and Expression: Language Development, Literacy Development, Creative Arts and Expression (10 possible goals)
- Learning about the World: Mathematics, Science, Social Studies (13 possible goals)

Requirement 4. Early Childhood Educator/Early Childhood Special Educator

The public or private program staff meets the required professional qualifications (requirement based on the provider type – District operated program; Private, center-based PreK program; Family Child Care Home program). AOE licensed educator online database for currently licensed educator credentials. Please see the Staff Qualifications section for more information.

Requirement 5. Adhere to All Applicable Federal and State Laws

UPK prequalified programs must adhere to all federal and state laws including, but not limited to, Part B of Individual Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, Rule 4500 Restraint, and Seclusion, the American Disability Act (ADA), and Title VII of the Civil Rights Act of 1964 and, for children receiving Early Childhood Special Education services who are enrolled in the prekindergarten program, allow access to service providers. The AOE Early Childhood Special Education webpage contains important links and resources. <u>AOE Early Childhood Special Education</u>.

Requirement 6. Minimum 10 Hours of UPK Education Instruction

Rule 2603. Access to Prekindergarten Education a minimum of 10 hours per week for 35 weeks during the academic year. Each prekindergarten child whose parent or guardian enrolls the child at the child's district of residence is entitled to no less than hours per week for 35 weeks annually of publicly funded prekindergarten education at an available prequalified prekindergarten education program operated by a public school or private program.

Requirement 7. Assessment (Teaching Strategies GOLD - TSG)

TSG is the Vermont UPK assessment and child developmental progress monitoring tool. Act 166 requires:

 Rule 2606 (d) conducts child development assessments of each child enrolled using the approved assessment tool approved by the AOE at least two times a year (December 15th and June 15th) and reports results of those assessments to the AOE.



 Rule 2606 (h) completes reports for enrollment, attendance, child assessment, costs of prekindergarten education, finances, and other areas as required by state law and the AOE.

Requirement 8. Family Conferences

Provide parents or guardians with a report of the child's developmental progress at least twice per year and offer parents two opportunities per year to meet with a teacher.

Requirement 9. Family Involvement/Engagement

Provide opportunities for effective parental involvement and participation. UPK Administrative Rule 2602. Definitions (3) Effective Parental Participation. Effective parental participation in a prekindergarten education program means the opportunity for

parents and guardians to be actively involved in the program, and may include involvement in program development, policy work, program evaluation, curriculum development, and helping in the class.

Requirement 10. Onsite Monitoring Permit

On-site monitoring visits announced and unannounced, by representatives from AOE, Department of Children and Families (DCF), CDD, and the School District.

Requirement 11. Accountability and Continuous Improvement System (ACIS) Monitoring

Participate in the state-approved prekindergarten education monitoring system, described in Section 2612 of the Vermont State Board of Education Rules Series 2600 Prekindergarten Education.

AOE Important UPK Program Application and Reporting Chart

The chart below highlights important timelines as a reminder for UPK programs of Act 166 procedures and reporting requirements. UPK Coordinators may be engaged in additional school-based reporting requirements for their respective school districts (i.e. ADM for UPK enrollment). Please see the section on school district reporting.

Program Requirement	Program Action	Compliance Review
UPK prequalified program renewal application.	Every three years expiring on June 30th, XXXX.	Online application reviewed and approved by AOE and CDD.
New UPK application submission	Required when a program changes child care license number.	Online application reviewed and approved by AOE and CDD.



Program Requirement	Program Action	Compliance Review
Submit a UPK Program Change Form.	Each time there is a change in a program (program closures or voluntary withdrawal from UPK, director changes, loss of licensed ECE/ECSE, STARS changes etc.).	Reviewed by AOE Early Childhood Education Team.
ACIS Desk Monitoring Reporting	Tri-annually for programs who are not renewing and/or not being monitored through ACIS.	Reviewed by AOE Early Childhood Education Team.
Teaching Strategies GOLD	Two check point report out on each child's progress - December 15th and June 15th.	Reviewed by AOE Early Childhood Education Team.
ACIS Suspension and Expulsion Report Forms	Each time a public or private program suspends or expels a child. Public schools report out annually to AOE through the Data Dashboard - Exclusionary Discipline.	Submit forms to partnering school districts and AOE Early Childhood Education Team/AOE Data Team reports out.
Average Daily Membership (ADM) Attendance/ Invoicing	School districts set payments and invoicing schedules per partnership agreement.	School districts local decision with their Business Office.
UPK Tuition Rate	Annually	Set by the AOE.
Partnership Agreements	Annually	Local UPK Coordinators with private UPK programs.

List of UPK Prequalified Programs

When a program is prequalified, a UPK approval letter and certificate is issued with status start and renewal dates. Start dates informs partnering school districts (UPK Coordinators) when the program may receive UPK tuition payments. The AOE will add the program name, town, and UPK approval renewal date to the List of Prequalified Prekindergarten Providers List. This list is updated on a monthly basis as applications are processed. CDD will add a program's UPK approval status, start and renewal dates to the program's profile in Bright Futures Information Systems. It is recommended upon receiving a partnership request, that UPK Coordinators ask the program for a copy of their UPK prequalified certificate and check the AOE List of Prequalified Providers List. Please contact Wendy Scott, UPK State Coordinator, if you have questions about a program's status Wendy.Scott@vermont.gov.



Act 166 Administrative Rule 2612. Monitoring

- (1) The Agency of Education and the Child Development Division shall jointly monitor and evaluate all public and private prekindergarten education programs to promote optimal outcomes for children and to collect data to inform future decisions. The state-approved system for monitoring prekindergarten programs shall include, but not be limited to collecting and evaluating information and data regarding:
 - The programmatic details, including the number of enrolled children, the number of public and private prekindergarten education programs operated, and the public financial investment made.
 - The quality of the public and private prekindergarten education programs and efforts to ensure continuous quality improvements through mentoring, training, technical assistance, and otherwise.
 - The outcomes for children enrolled in public and private prekindergarten education programs, including school readiness and proficiency in numeracy and literacy.
 - The effects, if any, on equality of opportunities between private and public programs regarding socioeconomic stratification, equality of access, staff qualifications, quality of the program, and other relevant variables.

Act 166 Monitoring Requirement

Act 166 mandates that the state UPK monitoring system be established and implemented to ensure all prequalified UPK public, private, and family childcare home providers maintain compliance with the law. Accountability and Continuous Improvement System (ACIS) is a joint agency (AOE/AHS) oversight, a tiered monitoring system based upon the eleven UPK compliance requirements. ACIS is a balanced data-informed approach to promoting high-quality and equitable access to prekindergarten education for each child by focusing on continuous program improvements. Monitoring of UPK requirements is based on data that come from a variety of sources including:

- Bright Futures Information System (BFIS)
- Vermont STep Ahead Recognition System (STARS)
- Childcare Licensing Violations
- Teaching Strategies (TS) GOLD Checkpoints Data
- Data from the application for recognition as a qualified Prekindergarten Program
- Desk Monitoring Assurances (3-year cycle; not renewal years)
- Reporting by school districts, parents, and other community stakeholders
- Reported suspension and expulsions
- Reported loss of licensed educator
- ACIS Collaboration with CDD



ACIS Collaboration With CDD

As part of the UPK system, UPK Coordinators play a crucial role in maintaining the quality and access to prekindergarten education. At the state level, the AOE and CDD approve UPK programs who meet the UPK prequalification requirements, and monitor UPK programs for compliance with Act 166. CDD monitors UPK prequalified programs for compliance with childcare licensing regulations and STARS rating system. AOE monitors compliance for UPK prequalified programs the licensed ECE/ECSE, suspension and expulsions, Early Childhood Special Education services, TSGOLD, VELS, and Act 166 administrative rules.

Reporting Violations to the AOE

Working in collaboration with CDD Child Care Licensing Team, the AOE Early Education team reviews child care licensing incident reports and/or monitoring data for compliance of UPK prequalified education programs. If non-compliance with UPK requirement is identified, the AOE ACIS Coordinator collects additional information to verify the compliance issue. While a program is being monitored, the program retains its UPK prequalified status and UPK tuition payments may continue as outlined in their partnership agreements. Compliance notification procedures include notifying the school district UPK Coordinator that the program being monitored is located. Monitoring notifications include loss of licensed early childhood educators, compliance monitoring, and revocation notifications.

As the AOE does not have a reporting system for UPK program violations, please contact Leslie Freedman, ACIS Monitoring and TSGOLD Coordinator.

Leslie.Freedman@vermont.gov. Per the ACIS monitoring system, revocation of program prequalification status is administrated by the AOE for non-compliance with Act 166. Revocation is a 45- day notification and corrective action timeline.

ACIS Four-Tiered System of Supports

ACIS Monitoring includes four tiers of potential actions as outlined below.

Desk Monitoring Assurance Reporting (Tier 1)

Desk Monitoring Assurances are reported by UPK prequalified education programs Assurance Surveys are reported tri-annually and/or if a violation is cited. Desk Monitoring collects, reviews, and sends a report to each UPK program.

ACIS Monitoring (Tiers 2-4)

In collaboration with AHS - CDD Child Care Licensing monitoring co-investigations may include on-site visits, in-person or virtual interviews, or other forms of communication (phone, email, letter). Once the investigation is complete the UPK ACIS Coordinator will email the outcomes of the investigation to the program director. The notification will contain information regarding:

A detailed description of the identified UPK violation(s)



- The monitoring determination
- A suggested corrective action based on UPK compliance
- Timeline for compliance
- Share notification with partnering school districts, families, and post visibly (sample parent letter in Index)

Monitoring outcomes may include a plan of action where the UPK program discusses how they will come back into compliance with UPK requirements, including childcare regulations. If a program is unable to comply with their plan of action ACIS monitoring revocation notification process will be initiated (45, 30, 15, and 5 days). Programs are instructed to send their revocation notifications to their partnering school districts, and the AOE team will also notify the UPK Coordinator of the district the program resides in. (See Partnership Agreements for more information on the impact on UPK tuition payments).

AOE Early Childhood Special Education (ECSE)

Early Childhood Special Education (ECSE) supports children ages 3 up to 6 years. ECSE is administered through local school districts to ensure access and participation in early childhood programs for each child who is determined eligible for services by the Local Education Agency (LEA). ECSE enables young children with disabilities to be full participants in everyday routines and activities across a variety of settings (in their homes with their families, in childcare, preschool or school programs, and the community) throughout the early childhood years.

Important - Referrals for evaluation of special education services are required by law, to be made through the local school district's early childhood special education team in collaboration with families. UPK programs that have concerns about a child's development should have a conversation with the child's family to gain permission to contact the local school district's office of special education.

The Individuals with Disabilities Education Act (IDEA) requires that all public schools locate, identify, and evaluate (at no cost to the parent) all students suspected of having a disability from birth through age 21 who reside in the LEA. Under IDEA Part B 619 (ages 3 through 5), screening may be conducted as part of child find activities in order to determine whether the child should be referred for further evaluation and may be in need of special education and related services. Parents will receive a copy of the Part B Procedural Safeguards at the time of a child's initial referral for special education evaluation under Part B of IDEA or when the parents request a special education evaluation of their child.

There can be some confusion about the difference between screening and assessment in early childhood settings. (34 CFR §§ 303.320, 303.21, 303.421, 303.420(a)(1)/VTSBE 2360.5.3)

Please note that per <u>Act 166 Administrative Rule 2603</u> access to Prekindergarten Education:



(6) A child receiving ECSE services may receive those services in a prequalified prekindergarten education program. A Local Education Agency (LEA) may but is not required to provide ECSE services outside of the LEA, even if a child is attending an out-of-district prekindergarten program. For technical assistance please contact Katie McCarthy, ECSE Coordinator II/IDEA 619 at Katie.McCarthy@vermont.gov.

Further information on Early Childhood Special Education can be found on the Vermont Agency of Education website and within the <u>State of Vermont Special Education Rules</u> (2022).

Staff Qualifications for UPK Prequalified Programs By Setting

UPK education is inclusive of three types of settings, public school programs, private childcare centers, and family childcare home providers. Based on each of these settings the licensed ECE/ECSE prekindergarten education instruction is different. The AOE through ACIS tracks and monitors all programs for compliance with UPK requirement #4, a licensed ECE/ECSE for each setting. The AOE Early Education team provides support and advice when any program loses its licensed ECE/ECSE.

Reference: Act 166 Administrative Rule 2605. Staff Qualifications

Public School Programs

Teachers in each prekindergarten classroom in a district-operated prekindergarten education program shall hold a valid Vermont educator license with an endorsement in either early childhood education or early childhood special education.

Center-Based Programs

Private prequalified prekindergarten education program operated in a licensed Center-Based Program shall employ, or contract for the services of, at least one teacher who holds a valid Vermont educator license with an endorsement in either early childhood education or early childhood special education. The ten hours that the licensed teacher is present shall coincide with the hours of prekindergarten education paid for by tuition from districts.

For private UPK programs, the licensed educator must be physically present on-site at the prequalified program during the hours in which that program is providing the 10 hours of publicly funded prekindergarten for every student. "Physically present on-site" means in the same facility or the same classroom as the prekindergarten student receiving their 10 hours of publicly funded prekindergarten education. The licensed educator for the prequalified program cannot be off-site or in a different facility for the prekindergarten student. If a program is operating multiple prekindergarten sessions a day (e.g., morning and afternoon), a licensed educator must be physically present on-site during each session.

Every student receiving 10 hours of publicly funded prekindergarten education must have a licensed educator physically present on-site during that student's 10 hours of prekindergarten education. The best practice for high-quality prekindergarten



instruction, though not required, would be for the licensed educator is leading instruction, facilitate lessons, and engage with students in the student's classroom(s) for their prekindergarten education hours.

Family Child Care Home Providers

- (1) The operator of each registered or licensed Family Child Care Home approved as a prequalified prekindergarten education program shall ensure that one of the following requirements is met:
- a. The operator holds a valid Vermont educator license with an endorsement in either early childhood education or early childhood special education; or
- b. The operator employs or contracts with the services of a teacher who holds a valid Vermont educator license with an endorsement in either early childhood education or early childhood special education for at least ten hours per week for 35 weeks annually. Ten hours that the licensed teacher is present shall coincide with the hours of prekindergarten education paid for by tuition from the district; or
- c. The program receives regular, hands-on active training and supervision from a teacher who holds a valid Vermont educator license with an endorsement in either early childhood education or early childhood special education at least three hours per week, during each of the 35 weeks per year in which prekindergarten education is paid for by tuition from districts. The operator shall maintain appropriate written documentation of the supervision on location. This supervision must take place within the 35 weeks that prekindergarten students are receiving publicly funded prekindergarten education. The supervision cannot take place before or after the 35 weeks in which students are receiving their prekindergarten education. Additionally, it is required that the operator maintains appropriate written documentation of the supervision on location.

Interpretation of Act 166 "c." (see above) FCCH providers focuses on how you define "hands-on active training and supervision" for at "least three hours per week, during each of the 35 weeks". Therefore, option c states "the operator shall maintain appropriate written documentation of the supervision on location;" to track the three hours weekly that the licensed ECE is mentoring the provider according to Act 166. Act 166 does not state that the licensed ECE be onsite during the UPK hours, nor does it state that mentoring outside of UPK hours is not allowed. A working Licensed ECE or ECSE may only have time to mentor after school hours and so would meet with providers then.

Mentor documentation logs are evidence that UPK Coordinators could request from FCCH providers as part of their partnership agreements. UPK coordinators could ask to see mentor logs quarterly, for example. The mentor logs could be electronic so providers could upload to a Google Partner folder, if Google is used.



Provisional and Emergency Licenses

1) Nothing in these rules shall be construed as restricting the ability of a public or private prequalified prekindergarten education program from filling a staff position with an individual who holds a provisional or emergency license.

UPK Guidance: Contract Administration and Licensed Educators (issued March, 2019)

ACIS and Loss of Licensed ECE/ECSE

In the event of a licensed early childhood educator/early childhood special educator (ECE/ECSE) leaves the employment of a prequalified prekindergarten education program, programs are required to notify the AOE UPK State Coordinator via email at Wendy.Scott@vermont.gov or by submitting a UPK Program Change from within five school days. Programs should notify their partnering schools per their UPK partnership agreements. UPK programs that lose their licensed ECE/ECSE are tracked through the UPK ACIS monitoring system. When the AOE receives the notification of a loss of a licensed ECE/ECSE the following steps are implemented:

- AOE Loss of Educator letter sent with a deadline of 30 school days to utilize a
 substitute and hire a new licensed or provisionally ECE/ECSE. If the official last
 day of work is within 30 school days of the last day of school for the school
 district, an educator must be hired or contracted with by the first day of school for
 the upcoming school year.
- Within this 30 school days substitution period, the program must maintain compliance with all other applicable prequalification requirements to be considered and maintain a program's pregualification status.
- Through ACIS monitoring, programs are offered support for identifying avenues for hiring a licensed or provisionally ECE/ECSE (partnering with a school district, sharing an educator between sites, AOE ECE/ECSE provisional license, or a superintendent provisional license).
- If an educator has been identified as meeting either provisional licenses or if they
 are applying for initial or adding an endorsement ECE/ECSE licensure, while
 their application is active (before being issued a license by AOE Educator
 Licensing) the program remains in compliance with UPK. This may be confirmed
 through ACIS monitoring and UPK Coordinators should contact the AOE UPK
 State Coordinator with any questions or concerns.
- At the end of the AOE determined 30 school days substitute period, if a program
 has hired or contracted with a licensed ECE/ECSE, a UPK Compliance Letter is
 sent to the program. As stated above, if an educator has been identified as
 meeting either provisional licenses or if they are applying for initial or adding an
 endorsement ECE/ECSE licensure when an AOE Educator Licensing issues a
 license, a UPK Compliance Letter will be sent to the program. Programs are

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instructed to share the UPK Compliance Letter with their partnering schools. UPK State Coordinator will copy the UPK Coordinator in the district the program resides in.

- If a program is unable to hire or contract with a licensed ECE/ECSE ACIS
 monitoring revocation notification process will be initiated (45, 30, 15, 10, and 5
 days). The UPK State Coordinator monitors and supports programs throughout
 the revocation process. Programs are instructed to send their revocation letter to
 the partnering program. UPK State Coordinator will copy the UPK Coordinator in
 the district the program resides in.
- Schools may consider sharing a licensed ECE/ECSE for the 10 hours of UPK instruction at a partnering private prekindergarten education program per <u>UPK</u> Administrative Rule 2607.

Alternate Partnership Agreements with Not-Prequalified Prekindergarten Programs

Per <u>UPK Administrative Rule 2607</u>. Agreements with Prequalified Prekindergarten Programs may:

(2) A school district may create new agreements with or continue existing partnerships with prekindergarten education programs that are not prequalified if the school district provides support that enables the program to fulfill the requirements of Section 2605 (1) and (2). The statewide tuition rate for prekindergarten education does not apply to non-eligible prekindergarten programs; the district and the non-qualified partner shall negotiate tuition amounts.

Extended Substitute Leave Waiver

The extended substitute leave waiver was implemented in response to Covid pandemic guidance for the Universal PreK program. Based upon the needs of both private and public programs, this waiver continued post-pandemic. In the event, a licensed early childhood educator or early childhood special educator needs extended leave but is not leaving employment from a public or private prequalified education program, a long-term substitute may be used beyond the 30 school days substitute ACIS Loss of Educator. Below are detailed substitute processes for both public and private prequalified education programs.

Public UPK Programs Extended Substitute Leave Waiver

Act 166 requires public school prekindergarten education programs to have a licensed ECE/ECSE per classroom. Public prekindergarten education programs are required to notify the AOE UPK State Coordinator at <a href="weended-weende



Per Vermont Standards Board for Professional Educators (VSBPE) <u>Licensing Rules for</u> <u>Educators</u>:

5380 Substitute Educators 5381 Qualifications

Each local school board shall adopt a policy establishing employment qualifications for persons who substitute for Educators in their absence. Each policy shall require a minimum that the substitute has graduated from high school.

5382 Time Limits and Extensions

An unlicensed person employed as a substitute pursuant to local school board policy may substitute for up to thirty (30) student days in the same assignment. To continue to employ an unlicensed person in this assignment beyond thirty (30) student days, the superintendent shall apply for a Provisional or Emergency License for the person pursuant to Sections 5350 and 5360 of these rules.

Licensed Educators may substitute in a field outside of their endorsement field for thirty student days in the same assignment. Upon application by the superintendent, the Standards Board or the Office may grant one extension for an additional thirty (30)

days. To continue to employ licensed Educators beyond sixty (60) days outside of their endorsement field, the superintendent shall apply for a Provisional License for the person pursuant to Section 5350 of these rules.

Superintendent VSBPE Additional 30 Days Process

Please contact Wendy Scott, UPK State Coordinator, <u>Wendy.Scott@vermont.gov</u> for more information.

Private UPK Programs Extended Substitute Leave Waiver

In the event of a long-term absence of a Licensed Early Childhood Educator/Early Childhood Special Educator in the case of illness or family leave, Universal Prekindergarten (UPK) prequalified private prekindergarten education programs, a substitute may be used for on-site for up to 30 school days. UPK private programs must notify school district partners about the program's plan for continuing high-quality PreK education for children enrolled in UPK AND notify the AOE UPK State Coordinator via email at Wendy.Scott@vermont.gov.

If a UPK private program requires an extended period beyond 30 school days substitute, the program may request a substitute extension by submitting a written request to Wendy.Scott@vermont.gov for an additional 30 school days (60 school days). As part of the UPK Accountability and Continuous Improvement System (ACIS), approval of an additional 30 school days substitute extension period will be tracked by the AOE. Beyond the substitute 60 school days, private prequalified prekindergarten education programs are required to hire or contract with a licensed, or provisionally licensed, Early Childhood Educator or Early Childhood Special Educator. This substitute waiver aligns with the VSBPE substitute policy.



Temporary Licenses

Superintendents, at their discretion, may approve a provisional license for a private prekindergarten program individual. If a superintendent wishes to submit a provisional application on behalf of a private program individual, the VSBPE Licensing Rules (Rules 5351-5356) are applicable. The reference chart below outlines the criteria for temporary licenses.

Emergency License

Initial licensure sought in Early Childhood Education (ECE)

One school year ending on 6/30/XXXX

Requirements

- Superintendent approval
- Bachelor's degree (Transcripts)
- Current resume
- One year plan
- Licensed educator mentor supervision for the year provided by the school district.

Qualifying Criteria

• Applicant has bachelor's degree but does not meet provisional license qualifying criteria.

Additional Information

- No extensions.
- Option to use emergency license to pass Praxis II ECE to qualify for provisional license.

Provisional License

Initial licensure sought in Early Childhood Education (ECE)

Two school years ending on 6/30/XXXX

Requirements

- Superintendent approval
- Bachelor's degree with coursework in content area (Transcripts)
- Current resume
- Provisional plan for licensure in two years (Peer Review, Vermont Higher Education Collaborative (VTHEC), Educator Preparation Program (EPP)
- Mentored by licensed educator for two years provided by the school district

Qualifying Criteria (Either or)

- Applicants for a Provisional license and/or endorsement shall possess a BA degree and meet at least one of the following:
 - Possesses any valid professional educator license from VT or another state;



- Possesses any expired professional license from VT or another state provided the license expired no fewer than 2 years and no longer than 10 years;
- Have a major or the equivalent (Minimum 18 credits in ECE) in the content area of the provisional endorsement;
- Have successfully completed a licensure content assessment, Praxis II for the provisional endorsement sought
- Minimum 18 credits in ECE. (Superintendent may request a waiver from the VSBPE for an applicant who does not meet the 18 credits in ECE.)

Additional Information

 One-year provisional license (extension) for documented extenuating circumstances. Determination by AOE Educator Licensing.

UPK Compliance and Educator Licensing Applications

While UPK program staff are in the review process and or have an active AOE Educator licensing application, programs remain in compliance with UPK. Once an applicant uploads their fingerprinting receipt to their active application, AOE Educator Licensing Specialists will issue a Letter of Eligibility (LOE) which states the applicant may teach for up to 90 days. Programs remain UPK compliant during the LOE period. LOE may be extended beyond 90 days for fingerprinting backlogs at the VT Dept of Public Safety. Again, programs are UPK compliant if a LOE extension is granted.

Please contact, Wendy Scott, UPK State Coordinator, <u>Wendy.Scott@vermont.gov</u> for more information.

School District Responsibilities

This section is devoted to the responsibilities of school districts for Act 166 and partnering programs and in-district public programs. From Average Daily Membership to UPK enrollment procedures to partnership agreements the following information is the nuts and bolts of what schools are responsible for, and what new UPK Coordinators need to know. For experienced UPK Coordinators, these are a reminder of the roles of the UPK Coordinator.

Average Daily Membership (ADM)

Per Act 166 Administrative Rules fulltime for UPK is defined as 10 hours of prekindergarten education per week for 35 weeks annually following the school year calendar. For UPK ADM a district of residence may include within its average daily membership any prekindergarten child for whom it has provided prekindergarten education or on whose behalf it has paid tuition. UPK tuition payments are based upon the annual statewide rate paid by a district to a public or private prequalified prekindergarten education program for 10 hours per week for 35 weeks annually for prekindergarten education.



School District Operated Prekindergarten Programs

School district operated prekindergarten programs that comply with the definition of a prequalified prekindergarten program as defined in 2602(9) and 2604(1) may count students in their average daily membership (ADM). School districts are responsible for ensuring their ADM, including prekindergarten students, is accurately reported, and maintained with the Agency of Education.

UPK Enrollment Guidance

AOE's <u>Families of Prekindergarten Education</u> webpage offers information for families on how to enroll their children in UPK beginning with enrolling their child with their SCHOOL DISTRICT of residence. Currently, enrollment procedures and timelines are at the discretion of the SCHOOL DISTRICT. Per Act 166 Administrative Rule 2603, offers guidance to SCHOOL DISTRICT as to the requirements for enrolling children in UPK. Most SCHOOL DISTRICT have enrollment established enrollment policies and procedures, but it is recommended that SCHOOL DISTRICT review their enrollment policies often to ensure they are compliant with Act 166 Administrative Rule 2603. Access to Prekindergarten.

Per Act 166 Administrative Rule 2603. Access to Prekindergarten Education school districts:

- (5) Each district will establish enrollment procedures for prekindergarten children. Each district will notify parents and guardians of the right to and availability of publicly funded prekindergarten education and of the enrollment procedures through a variety of sources adequate to inform parents and guardians throughout the district. To be entitled to publicly funded prekindergarten education, a parent or guardian must comply with the enrollment procedures in the district of residence.
- **(2)** When a parent or guardian enrolls a prekindergarten child in his/her district of residence, the district of residence shall either: a. Enroll the child in a prequalified prekindergarten education program that it operates; or b. At the request of the parent or guardian, pay tuition to a prequalified prekindergarten education program operated by a private program or a public school outside the district.
- (3) If requested by the parent or guardian, the school district of residence shall pay tuition to a public school or private prequalified program even if it operates its own prekindergarten program.

UPK and Kindergarten Eligibility and Enrollment

This memo clarifies prekindergarten education (PreK) eligibility in the case of a five-year-old whose parent completed the kindergarten registration process but has decided to send their child to a public or private PreK program rather than kindergarten, this school year. 16 V.S.A. §829 and SBE Rule 2602 (7) defines a prekindergarten child as a child who is three, four or five years of age by the date established by the district of residence for kindergarten eligibility and not yet enrolled in kindergarten.



Children who are five years old (as of the first day of school in their district of residence) who are either not eligible for or not enrolled in kindergarten are entitled to receive 10 hours of publicly funded prekindergarten education. A child is considered eligible for 10 hours of publicly funded prekindergarten if the child is eligible by age (is five years of age by the date established by the district of residence), and the family has completed all or part of the district of residence enrollment paperwork; and either the child has not yet attended kindergarten (in person or remote); or the family subsequently withdraws their child's enrollment in kindergarten. In other words, "enrolled" should be read as synonymous with a child's kindergarten attendance, rather than a reference to an enrollment paperwork process. Therefore, upon request of the family of a five-year-old child who is not yet enrolled (as defined above) or attending kindergarten, a school district should, as applicable:

- support enrollment of the child in a prequalified prekindergarten education program that the school district operates; or
- pay tuition to a pregualified public or private PreK program.

Age 6 and UPK Enrollment

For children who turn six years of age during the school year the school district, may, at its discretion, continue to pay PreK tuition to a public or private PreK program through the end of the school year or ensure that families are informed that PreK tuition will cease and not continue once their child turns six years of age. View PreK and Kindergarten Eligibility online.

UPK Tuition Guidance

Act 166 requires school districts to establish partnership agreements with public and private UPK prequalified programs. For each child that is enrolled in an UPK prequalified program, the school district of residence is obligated to pay tuition at the <u>current UPK tuition rate</u> per academic year per child. All tuition received by the private prequalified PreK program is to fully cover the cost of the 10 hours a week for 35 weeks per school district academic year.

As defined in Act 166, UPK tuition payments are education dollars for ten hours/35 weeks of prekindergarten education and not a subsidy. Messaging to UPK programs and families is a step in changing this perception. With the passing of Act 76, which increased family subsidies, UPK programs need to be reminded that program invoices to families should reflect a line item for UPK education tuition.

Prekindergarten education is publicly funded by resident school districts. The cost of prekindergarten is part of a school district's budget as approved by district voters.

 If a parent chooses to enroll their prekindergarten child in the prequalified program operated by the school district where they live, the cost of the program is paid from the voter-approved district budget.



 If a parent chooses to enroll their prekindergarten child in a prequalified public or private program other than a program operated by school district where they live, the law sets a specific amount that district will pay for the first 10 hours of prekindergarten education. This tuition is paid from the voter-approved district budget.

AOE Finance annually sets the UPK tuition rate utilizing the New England Economic Project Cumulative Price Index. Districts paying tuition for prekindergarten education to a prequalified prekindergarten education program (private or public) shall pay at the statewide rate for 10 hours per week for 35 weeks annually.

Act 166 Administrative Rule 2609. Tuition

- **(5)** Tuition paid by a district to a public or private prequalified prekindergarten education program shall:
- **a.** Be paid in accordance with a schedule that allows the prequalified prekindergarten education program to maintain financial stability.
- **b.** Not inhibit the ability of a parent or guardian to enroll a prekindergarten child in the public or private prequalified prekindergarten education program.
- **c.** Be made pursuant to an agreement complying with Section 2607 of these rules and requiring quality assurance, transition and other matters deemed necessary by the district, and an agreement by the program to notify the district when the child is no longer enrolled.
- **d.** Be made in accordance with federal statutes and rules regarding the requirement that Title I funds shall supplement and not supplant the state and local funds expended on prekindergarten education in the state (20 U.S.C. §6321(b).
- **e.** Be used by the program to fully cover the cost of ten hours per week for 35 weeks annually of prekindergarten education. If the tuition received by the program exceeds the actual cost of ten hours per week for 35 weeks annually of prekindergarten education, then the excess shall be applied to additional hours the child attends the prekindergarten program. A parent or guardian may only be charged for any hours that UPK Hours exceed ten hours per week for 35 weeks annually and that exceed the cost covered by the annual tuition received.
- **(6)** When presenting its annual budget to the voters, a district of residence shall include the direct costs of operating a prekindergarten education program and shall include any anticipated tuition payments and any administrative, quality assurance, quality improvement, transition planning and other prekindergarten-related costs.
- (7) Prequalified public or private prekindergarten providers may receive additional payment directly from the parent or guardian for prekindergarten education in excess of the hours paid for by the district or for childcare services, or both. Prequalified private programs are not bound by the statewide rate in determining rates they will charge parents or guardians in excess of ten hours per week for 35 weeks annually.

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UPK Tuition Allowable Expenditures

To ensure equal access to publicly funded prekindergarten education and compliance with Act 166 and the administrative rules, prequalified programs are not allowed to charge additional fees, costs, or request non-refundable deposits to participating families. Rule 2609(e) states that tuition paid shall, "be used by the program to fully cover the cost of ten hours per week for 35 weeks annually of prekindergarten education." There is a limit of one UPK tuition voucher per child and family annually. UPK tuition is paid to the prequalified prekindergarten education program a child is enrolled through their district of residence for the 10 hours of UPK education. It is not allowable to "split" the tuition fee between two programs due to Average Daily Membership (ADM) reporting.

Examples of fees, costs, and non-refundable deposits that are <u>not allowable</u> under Act 166 Universal Prekindergarten include:

- 1. Enrollment and registration fees,
- 2. Field trip and activity fees,
- 3. Administrative fees,
- TS GOLD student profile fees.

Act 166 public education dollars paid to prequalified programs is to offset tuition costs for families whose students are enrolled in prequalified prekindergarten education programs. Additional fees, costs, and non-refundable deposits may be charged to families who have students receiving child care or education services beyond the 10 hours of publicly funded prekindergarten. If additional fees, costs, and/or non-refundable deposits have been charged to families participating in publicly funded universal prekindergarten a school calendar year, this unallowable charge must be refunded to families immediately with an explanation as to why they were mistakenly charged for additional fees, costs, and non-refundable deposits. View <u>Allowable use of UPK Tuition</u> and <u>Additional Costs</u> guidance online.

*Please reference the <u>FAQ</u> at the end of the handbook.

UPK Partnership Agreements

Agreements with Prequalified Prekindergarten Programs

Act 166 Administrative Rule 2607

Since the inception of Act 166 UPK there have been no state-wide forms for school districts to implement with partnering private UPK programs. It is left up to school districts to create partnership agreements and invoicing forms/procedures. Per Act 166, partnership agreements are considered contracts by which UPK tuition funding is paid to UPK prequalified programs. Partnership agreements are an extension of the UPK prequalification application with the program agreeing to compliance with UPK assurances and



requirements may result in the ending of the partnership agreement. This section provides examples of what may be included in partnership agreements.

Contracts with Private Prequalified Partners Public and Private Partnership Contracts

Rule 2607(1) states that "School districts that pay tuition to prequalified prekindergarten education programs shall enter into written agreements which, at a minimum, shall include the all the requirements set forth in Section 2606 above and a provision that the prequalified provider shall maintain its status as a prequalified prekindergarten education program in accordance with Sections 2604, 2605 and 2602 of these rules, and report any change in this status, including alleged or proven violations of program licensure or registration requirements, to the school district, within five days of such accusation or finding."

A written agreement as referred to in Rule 2607(1) is a legally binding contract. This contract is between two entities such as a school district and a private prequalified program. This contract can also be referred to as a written agreement or partnership agreement. Additionally, school districts should follow preexisting local procedures for all contract administration.

At a minimum, the contract must include.

- All requirements set forth in Section 2606 of the administrative rules.
- A provision that the prequalified provider shall maintain its status as a prequalified prekindergarten education program in accordance with Sections 2604, 2605 and 2602.
- Local contract administration requirements. In addition, at the discretion of the school district and the private prequalified prekindergarten education program, each party may negotiate additional terms.

The Agency recommends that the contract terms include, at minimum:

- Additional program and data collection requirements.
- Start and end date of the minimum 35 weeks per academic year.
- Inform parents residing in [School District Name] of the availability of early education services.
- Provide state mandated prekindergarten compensation [UPK annual rate] per child for 10 hours, 35 weeks) to [Program Name].
- Send agreed-upon funds to [Program Name] at least four times per school year each year unless otherwise agreed to by both parties according to the following schedule:
 - a. Payment 1: 1 week prior to the first day of public school
 - b. Payment 2: November 1st
 - c. Payment 3: February 1st



- d. Payment 4: May 1st (Final payment due no later than May 1st depending on payment frequency).
- Identify a [School District Name] liaison who will maintain communication with [Program Name] throughout the terms of this contract to ensure that both parties abide by its terms.
- Include partnering programs in district-wide professional development opportunities.

Act 166 Contract Administration and Licensed Educators Guidance (2019)

This <u>guidance</u> defines the partnership agreement as a contract and details what school districts are recommended, at a minimum, to include within their partnership agreements. UPK Prequalified programs must notify their partnering school districts within 5 days of the violation(s) or change in UPK status (program monitoring).

The memo also states:

In addition, at the discretion of the school district and the private prequalified prekindergarten education program, each party may negotiate additional terms. The Agency recommends that the terms include, at minimum:

3) Invoice and payment procedures based on maintaining prequalification. This may include provisions stating that a district will withhold payments if the program does not comply with the definition of Rule 2602 [UPK Prequalification] and 2607[Agreements with Prequalified Prekindergarten Programs]. This may also include provisions for retroactive payment, based on when the program regains compliance.

Rule 2614. Administrative Complaint Procedures

Whenever issues arise, parties should attempt to resolve the issue prior to going into a formal administrative complaint process. If parties are unable to resolve an issue informally, the following process is available for resolution:

- (1) A parent or guardian of a prekindergarten child or a prekindergarten education program may challenge an action of a district or the State on the grounds that it is in violation of state statute or these rules through an administrative complaint process.
- (2) A school district may challenge an action of a prekindergarten education program or the State through an administrative complaint process when the district believes the prekindergarten education program, or the State is in violation of the state statute or these rules.
- (3) Complaints shall be filed in writing by the complainant with both the Secretary of Education and the Secretary of Human Services, within 30 calendar days of the alleged violation which gives rise to the complaint. Written complaints must contain a description of the facts upon which the complainant relies and an explanation of why the complainant believes that the actions violated the requirements of the statute or rule.

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The complainant shall also provide copies of the written complainant to all parties within the time limits allowed by these rules.

- (4) Omission error.
- (5) For purposes of complaints under this rule, party status shall be limited to the complainant(s) and the school district or State. The school district or State shall have 15 working days from receipt of the complainant's submission to respond in writing to the submission and shall provide copies of its response to all parties.
- (6) Complaints shall be considered jointly by the Secretaries of Education and Human Services or their counsels. The Secretaries may request additional written submissions from one or both of the parties, and under such circumstances, copies of both the request(s) and the response(s) shall be sent to all parties by the Secretaries. The Secretaries, in their discretion, may hold a hearing, in accordance with Rule 1230 of the State Board of Education Rules, either at the request of one or more of the parties, or on their own initiative.
- (7) The burden of proof shall be on the complainant. The standard of review shall be by a preponderance of the evidence; and
- (8) The Secretaries shall confer with the parties and jointly issue a written decision within 15 working days of the close of the record, and the decision shall be final. If the Secretaries do not reach an agreement, the complaint fails.

Non-Partnership Agreement

The definition of a prequalified prekindergarten education program is, "a program or provider of prekindergarten education which at a minimum satisfies the requirements set forth in Sections 2604-2606 of these rules and that has been approved by the Agencies of Education and Human Services (Rule 2602(9))." In the case of a partnering UPK program losing their prequalified status (i.e. loss of licensed ECE/ECSE) a non-UPK partnership agreement is allowed at the discretion of the school district.

(2) A school district may create new agreements with or continue existing partnerships with prekindergarten education programs that are not prequalified if the school district provides supports that enable the program to fulfill the requirements of Section 2605 (1) and (2). The statewide tuition rate for prekindergarten education does not apply to non-eligible prekindergarten programs; the district and the non-qualified partner shall negotiate tuition amounts.

Reference: <u>Contract Administration and Licensed Educators</u> (guidance issued February 2019)

School District Required UPK Reporting

There are annual reporting requirements for school districts beyond the UPK program reporting requirements. School districts reporting is written into Act 166 as shown below in UPK Administrative Rules. This data is collected by the AOE Data Division and



shared through a written report that is dispersed to the Vermont legislature to inform policies to promote high quality prekindergarten education for each and every child in Vermont.

Suspension and Expulsion Reporting

Act 35 of 2021, An act relating to the Task Force on Equitable and Inclusive School Environments prohibits the suspension or expulsion of students under age 8 unless the student poses an imminent threat of harm or danger to others in the school.

This joint agency memo is intended to inform prequalified public and private Universal Prekindergarten Education (UPK) programs of the updated requirements that must be adhered to, effective June 1, 2022, as required by Act 35 of 2021 and Act 166 (S.283) of 2022.

Reporting a PreK suspension or expulsion is a two-step notification process by completing an AOE PreK Suspension/Expulsion incident report for real-time data collection, monitoring, and technical assistance. Each incident report is required to be submitted through the AOE and a PDF copy of the report sent to the child's district of residence. UPK Coordinators should include this process, as detailed below, within their partnership agreements along with links to the AOE PreK Suspension/Expulsion incident report and AOE guidance and contact information (name and email address) for the receiving school district.

To meet obligations related to <u>Universal Prekindergarten Education (PreK) Suspension</u> and <u>Expulsion Data Collection Requirements</u>, Act 35 and Act 166 (S.283) prequalified private and public PreK programs must complete the <u>Prekindergarten Suspension and Expulsion Incident Report</u> for each and every child

- who is asked to leave a PreK program due to behavioral or disciplinary reasons.
- or who was removed from PreK for a determined period of time due to behavioral or disciplinary reasons.

PreK Suspension and Expulsion Incident Report

Public/Private PreK: To meet obligations related to Universal Prekindergarten Education (PreK) suspension and expulsion data collection, prequalified private and public PreK programs must complete this incident report for each child who is asked to leave PreK or misses PreK for a determined period of time due to behavioral or disciplinary reasons.

Step 1: Within 5 school calendar days from the date of the incident, the public or private UPK program must complete and submit the Prek Suspension and Expulsion Incident Report which will be reviewed by the ACIS Monitoring Coordinator.

Step 2: Within 5 school calendar days from the date of the incident public or private UPK program_must also submit a hard copy PreK Suspension and



Expulsion Incident Report this report to the designated contact for the child's school district of residence (PDF emailed upon completion of the incident report).

For questions about the PreK Suspension and Expulsion Report please contact The ACIS Monitoring Coordinator, <u>Leslie.Freedman@vermont.gov</u>.

Enrollment and Other Student Data Collections

The Agency of Education requires all public-school districts to report student enrollment and other student data in the Agency's VT Student Census platform for each child enrolled in the towns or district's educational programs, including UPK and early education programs.

- Memo to Business Managers and PreK Providers: <u>Household Income Form Data</u>
 Collection
- Memo to Superintendents, Principals, PreK Coordinators and Technology Leads: <u>Prekindergarten Data Requirements</u>
- Per Act 166 Administrative Rule 2610. Reporting the Costs of Prekindergarten Education: Act 166 Administrative Rule
- (1) To ensure transparency and accountability for prekindergarten education costs, school districts shall submit financial reports on forms provided by the Secretary of Education, detailing their costs for prekindergarten education on an annual basis, and in accordance with the following provisions:
- (a) Providers under an agreement with a school district shall report to the district all allowable prekindergarten education costs as specified in their agreements, on forms provided by the Secretary of Education; and
- (b) School districts shall compile the financial reports from all of their prequalified prekindergarten education programs to whom they pay tuition and shall report those costs to the Secretary of Education on or before August 15 of every year.
- (2) School districts shall report their expenditures for both district-operated and out-of-district prekindergarten education programs and for ECSE services, by source of funds (e.g., state, or federal funds), to the Secretary of Education, on or before August 1 of every year; and (3) School districts shall specify the identifiable costs for prekindergarten education and ECSE services in their annual budgets, and in their annual reports to the community.

Rule 2611. Reporting on the Effects of Prekindergarten Education

- (1) Each district shall provide annual data to the Secretary of Education on the progress of all of its resident children who are:
 - (a) enrolled in a prequalified prekindergarten education program or
 - (b) included in its average daily membership.
- (2) District shall require all public and private prequalified prekindergarten education programs to use the state approved on-line child assessment tool for all enrolled



children included in its ADM during the beginning of the year and again during the last weeks of the program on an annual basis.

Frequently Asked Questions (FAQ)

Are all UPK programs required to submit an AOE Incident form to the AOE for each child suspended or expelled from a program?

Yes, public, private, and family child home providers must complete a Behavior Incident Report for any child suspended or expelled from a program. This is due to UPK Requirement 5. Individuals with Disabilities Education Act (IDEA) Adhere to all applicable federal and state laws including, but not limited to, Part B of IDEA, Section 504 of the Rehabilitation Act of 1973, Rule 4500 Restraint, and Seclusion, the ADA, and Title VII of the Civil Rights Act of 1964 and, for children receiving ECSE services who are enrolled in the prekindergarten program, allow access to ECSE service providers. For requirement 5, programs attest to:

4a. I assure to adhere to and report child incident data on restraint and seclusion requirements under State Rule 4500.

4b. I assure to adhere to and report child incident data on **suspension and expulsion** requirements under 16 V.S.A.§829(e)(10).

Can a child be denied UPK program enrollment if they are not fully toilet trained?

No, a child cannot be denied UPK enrollment in any setting (public, private or family child care home provider) due to UPK Requirement 5. Individuals with Disabilities Education Act (IDEA) Adhere to all applicable federal and state laws including, but not limited to, Part B of IDEA, Section 504 of the Rehabilitation Act of 1973, Rule 4500 Restraint, and Seclusion, the ADA, and Title VII of the Civil Rights Act of 1964 and, for children receiving **ECSE services** who are enrolled in the prekindergarten program, allow access to ECSE service providers. For requirement 5, programs attest to:

4c. I assure that this program does not discriminate on the basis of race, color, national origin, creed, marital status, sex, disability, age, **toileting**, gender identity or sexual orientation in its prekindergarten education program and instructional activities.

UPK Funding Questions

Can UPK funding be split between two UPK programs?

No, families cannot receive UPK funding for two separate programs due to enrollment and invoicing procedures. A child is enrolled in their SCHOOL DISTRICT and the SCHOOL DISTRICT counts the child in their Average Daily Membership (ADM) and the SCHOOL DISTRICT school budget. Additionally, attending two separate UPK prekindergarten programs does not allow for consistency and continuity for 10 hours per week on prekindergarten education.



Can a child be enrolled in more than one private prequalified Prekindergarten education program?

For the purposes of Act 166 publicly funded Prekindergarten education, only one program is designated as providing the Prekindergarten education services. If a child is

enrolled in a public prequalified program, no tuition is paid to a private prequalified Prekindergarten education program. If the child is enrolled in multiple private prequalified Prekindergarten education programs for 10 or more hours per week, the family shall determine the single program that will provide the Prekindergarten education services and receive the funding for the publicly funded Prekindergarten education.

Our school district has several children who attend private UPK programs and receive DCF childcare subsidies for full time care. How is UPK tuition applied at each of the private programs?

Some families are eligible for full childcare subsidies from DCF. These subsidies are meant to pay for childcare, not pre-K education. School districts will pay the UPK tuition per child to a prequalified private provider for 10 hours of pre-K education, even if the parents are already receiving a full-time childcare subsidy from DCF which is being used to pay for full-time childcare. UPK tuition from the district covers ten hours of high-quality pre-K while the child is onsite but does not cover childcare. UPK private programs family invoices should distinguish between childcare subsidies and UPK tuition.

Other families are eligible for partial childcare subsidies to assist in paying for childcare. These subsidies do not cover the full cost of childcare and parents pay an additional amount to the childcare provider. In situations such as these, where the provider is prequalified, the UPK tuition for 10 hours would be used to offset the family costs. Stated differently, the prequalified provider would not be allowed to bill the family for the 10 hours per week of pre-K education. UPK private programs invoices should distinguish between childcare subsidies, UPK tuition, and families' costs.

Can UPK programs spread the tuition over the entire year?

No, Act 166 law states that UPK education is 10 hours per week for 35 weeks during the school year. Funds may not be stretched out over 52 weeks a year.

Reference: <u>Allowable Use of Publicly-Funded Prekindergarten Education Dollars</u> (Memo February 2020)

I am a prequalified home-based provider and next year my preschool child will be attending my home-based program as an enrolled student. Is my daughter able to receive funding if she is receiving her Prekindergarten education services in my home-based prequalified program?

No. In a home-based prequalified Prekindergarten education program your own child does not count in the program capacity for licensing and would essentially be receiving



PreK services at home and not in a center. Children in this situation are still able to receive PreK services in any other prequalified program.

UPK Enrollment

Can families enroll their children in UPK for child care programs in bordering states (NH, MA. NY)?

No. Act 166 or Universal Prekindergarten is a Vermont taxpayer funded and is for Vermont resident children and Vermont UPK Prequalified programs only. Act 166 is not portable across state lines because of Act 166 program requirements, AOE/AHS program compliance oversite and school budget funding according to the law.

If a child enters a prequalified UPK education program after the beginning of the school year, is the child eligible for the public PreK funds?

Yes, Prekindergarten education is an entitlement for all 3-, 4- and 5-year-old children not enrolled in kindergarten and who are 3 by the district's Kindergarten entry date. Annual tuition may be prorated to reflect the number of weeks the child is enrolled. If a child withdraws before the end of the school year or enrolls after the beginning of the school year, does the school district have to pay full tuition for that year? No, annual tuition shall be prorated to reflect the number of weeks the child was actually enrolled.

Can a PreK child be served in a toddler classroom?

No. Prekindergarten education services are delivered in Prekindergarten education classrooms.

Are public schools prequalified Prekindergarten education programs required to accept children from other towns?

No, they may accept children from other towns, but they are not required to do so especially if capacity (availability of slots) is an issue.

What are the allowable enrollment practices when a private prequalified Prekindergarten program has more children who want to enroll in the private Prekindergarten than they have room to serve?

Private prequalified Prekindergarten programs may use whatever non-discriminatory enrollment process they choose. This could be first come first served or a lottery.

AOE Early Education Resource Links

AOE Early Education

The <u>Early Education</u> webpage may be found under Student Support on the AOE website. This website includes the Vermont Guiding Principles developed as a vision statement for individuals, organizations, and communities to realize the promise of each and every young Vermont child. Act 166/UPK education intent is to ensure equitable access for each and every young preschool age child and their family.



Equity for Each and Every Child and Their Family

The following resources promote research-based policies and practices to elevate equity, diversity, and the full inclusion and participation of each and every young child and their family in early education environments.

Anti-Bias Education and Leadership in Early Childhood Resources (6/11/2020)

Building Resilience Resources (6/11/2020)

Culture Diversity and Equity Resources (6/11/20)

Equity and Inclusion (6/11/20)

Supporting the Learning and Development of Young Children Who are Dual Language Learners (6/11/20)

Learning Modules

The following links and resources include Early Education and Early Childhood Special Education topics. They explain the responsibilities public and private programs have to follow state rules and federal laws. The material is suitable for providers, administrators, stakeholders, and families.

Creating High-Quality Inclusive Environments (3/2/22)

Section 504 of the Rehabilitation Act of 1973 (2/23/18)

The Americans with Disabilities Act (ADA) (2/23/18)

Act 166: Universal Prekindergarten

The <u>Act 166 Universal Prekindergarten Education (UPK) webpage</u> can be found under Early Education/Student Support Services on the AOE website. Universal Prekindergarten webpage is for prekindergarten education programs and the families of prekindergarten students. It contains information needed to operate, apply or access UPK in Vermont.

Act 11 PreK Study Report (7/1/2019)

Act 166 Universal Prekindergarten Law (5/28/2014)

Additional Costs (Guidance 3/15/2019)

Allowable Use of Publicly Funded Education Dollars (Memo 2/20/2020)

AOE Universal Prekindergarten Program Handbook (11/29/2023)

AOE UPK 101 Presentation (PowerPoint) (1/4/2024)

Ban on Suspension and Expulsion of Students Under Eight (Memo 9/10/2021)

Ban on Suspension and Expulsion of Students Under Age Eight Enrolled in Prequalified Private UPK Programs (Memo 9/2/2022)

Contract Administration and Licensed Educators (Guidance 3/7/2019)



Prekindergarten and Kindergarten Eligibility and Enrollment (Memo 9/11/2020)

Prekindergarten Eligibility (Memo 5/10/2019)

Supplemental Section 504 Guidance for Universal Prekindergarten (7/18/2022)

Universal Prekindergarten: Funding (Annual state rate)

Application, Application Checklist, and Renewals

<u>Initial and renewal UPK program applications</u> must be submitted online. The Agency of Education and the Department for Children and Families will review applications, determine eligibility, and notify applicants within 30 business days. UPK prequalified status begins on the date of approval and expires in three years on June 30th of the year of renewal.

UPK Program Requirements

<u>Program requirements</u> webpage contains a list of prequalified prekindergarten providers, as well as the requirements, rules, and resources needed to maintain compliance as a prekindergarten education program in Vermont including the UPK Prequalified Program Change Form.

AOE UPK List of Current Public and Private Programs

AOE UPK Pregualified Program Change Form

Desk Monitoring Assurance Report Checklist

Desk Monitoring Assurance Report Submission

Student Assessment: Teaching Strategies GOLD

Suspension and Expulsion Incident Report

Vermont State Board of Education Rules Series 2600 UPK Administrative Rules

Early Childhood Education Assessment

The following assessments may be found on the AOE Early Childhood Education Assessment webpage.

Vermont Early Childhood Comprehensive Assessment System (VECCAS)

The purpose of the <u>Vermont Early Childhood Comprehensive Assessment System</u> (<u>VECCAS</u>) is to provide a framework of currently utilized assessments and current initiatives that support child assessment and screening, as well as an initial plan for implementation of a statewide early childhood comprehensive assessment system for Vermont. The VECCAS framework is intended to be referenced and used over an extended period for reflection, self-evaluation, and improvement in early childhood (birth to grade 3) efforts. This framework helps to address key questions facing those who are developing birth to grade 3 assessment approaches in their schools, districts, and communities. The VECCAS includes:



Teaching Strategies Gold (TSGOLD)

TSGOLD is the state approved developmental assessment tool for prekindergarten children and reported twice (December 15 and June 15) to the AOE during the academic year. UPK Coordinators have access to program TSG information, with a reminder that FERPA rules are applicable.

My Teaching Strategies GOLD 20XX-20XX Vermont Requirements and Guidelines (updated August of each year).

<u>Teaching Strategies GOLD Transfer Request 20XX-20XX School Year (updated August of each year).</u>

VELS Alignment with TSG Birth to Grade 3 (10/22/18)

Classroom Assessment Scoring System

<u>CLASS</u> is an observation tool developed to assess the adult-child interactions which impact learning and development from infant care through grade 12. CLASS observations are competed by Teachstone certified Observers who assign scores to specific teacher behaviors and responses.

Ready for Kindergarten! Survey (R4K!)

R4K! is a requirement of public-school kindergarten teachers who through observation during the first 10 weeks of the school year determine school readiness assessment for children entering kindergarten. R4K! consists of 34 items across the following developmental domains: physical, social, and emotional, approaches to learning, communication and cognitive. This webpage shares archived R4K! reports by school

Early Childhood Special Education Service

<u>Early Childhood Special Education Services</u> (ECSE) supports children ages 3 up to 6 years. ECSE is administered through local school districts to ensure access and participation in early childhood programs for each and every child who is determined eligible for services by the Local Education Agency (LEA). ECSE enables young children with disabilities to be full participants in everyday routines and activities across a variety of settings (in their homes with their families, in childcare, preschool or school programs, and the community) throughout the early childhood years.

<u>Early Childhood Special Education Orientation: ECSE 101</u> - training webinar is an overview of the individual with Disabilities Education Act (IDEA) and other federal and state special education laws and regulations focusing on Early Childhood Special Education (ECSE) for children ages 3 through 5.

<u>Creating High Quality Inclusive Environments</u> reference document embodies the values, policies, and high-quality practices that support the right of each and every young child and their family in Vermont. The purpose of this webinar is to assist LEAs, administrators, educators, special educators, service providers, and early childhood and community partners identifying, developing, and sustaining high-quality inclusive opportunities and environments for each and every child with and without disabilities.

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Child Find

Child Find is a continuous process of public awareness activities which may include screening, designed to identify, locate, and evaluate all children with disabilities who may be in need of early intervention programs or special education as soon as possible. Under 34CFR 300.11; VT Rule 2360.3 LEAs are responsible for implementing a comprehensive child find system for children birth through age 21, all children with disabilities in need of special education and related services shall be identified, located, and evaluated. This includes children who are not attending public schools.

Moving On Up - Transition to Kindergarten Booklet

As family members of a young child with a disability, you play a key role in your child's planning from Children's Integrated Services/Early Intervention (CIS-EI) to Early Childhood Special Education (ECSE) at age three. Moving On will help provide information and guidance about this transition process for your family. Whether your child is moving on to a Universal Prekindergarten (UPK) program in your local school district, private center, or family home, a family-based childcare, private childcare program, or another community setting, the intent of Moving On is to provide information to your family so that you are confident, knowledgeable, and active members of your child's transition team.

For information about transitioning to kindergarten, please refer to the booklet <u>Family Resource - Moving On: Planning Your Child's Transition Children's Integrated Services (CIS) - Early Intervention (IE) to Early Childhood Special Education (ECSE) (8/29/2023). Moving On Up explains what to expect when your child enters kindergarten and also contains information, resources, and frequently asked questions that family members often have.</u>

Early Multi-Tiered System of Support (Early MTSS)

<u>Vermont's Early Multi-Tiered System of Support</u> is found under Initiatives/Early Education/Student Support Services. Early MTSS is a tiered framework of universal promotion, prevention and intervention is the model for delivering a comprehensive range of evidence-based practices, strategies and resources to families and early childhood practitioners with the goal of improving early learning, social and emotional well-being, and competence for Vermont's young children birth thru age 8. Early MTSS also aligns the extensive research, materials and practices developed by the Center for Early Literacy Learning to support early learning.

Early MTSS System Inventory

The <u>Vermont Early MTSS System Inventory</u> is to be used by Early Education programs and their Leadership Team to:

 Assess readiness, and identify strengths and gaps, to promote program-wide adoption of key components of Early MTSS and the stages of implementation.



- Develop and implementation and action plan so that Early MTSS components and evidence-based practices are implemented to fidelity and are sustainable over time.
- Benefit and promote positive outcomes for each and every child and their families.

The Early MTSS System Inventory is grounded in the science of implementation, which bridges the gap between evidence-based practice (EBP) and high-fidelity implementation of that practice. Activities related to sustainability are embedded throughout the System Inventory to ensure the implementation of evidence-based practices at the classroom level and program-wide level.

The Preliminary Pyramid Assessment

As a tool used within an Early Multi-Tiered System of Supports (Early MTSS) framework, the Preliminary Pyramid Assessment (PPA) was developed to guide teams in thoughtful and systematic decision-making process prior to referring a child who demonstrates challenging behaviors to referral sources such as school district Early Childhood Special Education, behavioral interventionist, Children's Integrated Services/Early Intervention, and/or Early Childhood Mental Health, etc. The PPA will also help teams consider when it is appropriate to apply for specialized support through the Child Development Division's Special Accommodations Grant.

Action Planning Tool

The <u>Action Planning Tool</u> is an Early MTSS continuous improvement and planning tool, that prompts Leadership Teams to examine their systemic priorities through the lens of the Implementation Drivers. This tool is used after Leadership Teams complete the System Inventory, which helps to identify systemic strengths and gaps, and determine systemic priorities.

For more information and current trainings, please contact Amy Murphy, Inclusion Coordinator at Amy.Murphy@vermont.gov.

Families of Prekindergarten Students

<u>UPK enrollment information for families.</u> Enrollment and participation in Universal Prekindergarten (UPK) is a family choice. Attending a high-quality prekindergarten education program prepares your child for kindergarten and beyond. In Vermont, school districts must offer prekindergarten for at least 10 hours a week, 35 weeks a year.

This section includes an FAQ for families on how to enroll their child in a UPK prekindergarten education program.

Universal Prekindergarten Café

<u>UPK Café</u> is the Agency of Education Early Education Team's electronic newsletter that covers a variety of research and evidence-based resources, hot topics, news items and professional articles relevant to your daily work and practice as an Early Childhood



Educator and Early Childhood Special Educator. This webpage contains archived newsletters with a brief topics overview per issue.

Vermont Early Learning Standards (VELS)

<u>VELS</u> are strength based upon the understanding that each and every young child and their family are diverse in culture, language, geography, values, beliefs, and circumstances. To support individual growth, development, and continuous learning over their lifetime, the AOE is committed to fully including each and every child in a continuum of high-quality, evidence-based early learning experiences, from birth through grade 3.

Child Development Division (CDD) Resources

The Child Development Division (CDD) is part of the Department for Children and Families (DCF) and committed to improving the well-being of Vermont's children. CDD's website includes links to information and resources for families and child care providers including:

- <u>Child Care Financial Assistance</u> is available for families seeking support paying for child care beyond publicly funded UPK.
- <u>Child Care Licensing</u> supports the startup, expansion, and foundational standards for all UPK program.
- <u>Children's Integrated Services</u> links families and programs with resources and services including Specialized Child Care, home visiting, early childhood mental health and Early Intervention services.

Statewide Systems and Community Collaborations is the CDD unit that supports the quality and health of the early childhood education and afterschool systems through support for professional development, business planning, and quality improvement.

Children's Integrated Services

<u>Children's Integrated Services</u> works with a network of regional partners to provide early intervention, family support, and prevention services that help ensure the healthy development and well-being of children, from before birth up to age five. Core services include:

- <u>Early Intervention</u> provides services for infants and toddlers with special needs and their families. These are the IDEA Part C services that transition to Early Childhood Special Education through IDEA Part B at age three.
- Specialized Child Care offers consultation, transportation, and funding
 opportunities to support inclusion for children receiving UPK in partner programs.
 Regional CIS Specialized Child Care Coordinators work directly with families and
 programs to serve children with special health needs, protective services cases,
 and other significant family stressors.



- <u>Strong Families Home Visiting</u> supports parenting, growth and development for the child through family support home visiting for families with children through age five.
- <u>Early Childhood Mental Health</u> supports the healthy social, emotional, and behavioral development of young children under six through evidence-based practices delivered in a child's natural environment.

Grants for Tuition and Fees

CDD provides several grant opportunities to support early childhood education professionals to increase their credentials. Applicants must work in a regulated child care program; teachers on a public school educator contract are not eligible but paraeducators and other assistants working with public schools are welcome to apply to most programs. The Vermont Association for the Education of Young Children (VTAEYC) processes these grants for CDD.

- College Tuition Assistance Grant can cover up to \$1000 of tuition costs each semester for early childhood educators working to increase their credentials.
 Teachers on a public-school educator contract are not eligible but paraeducators and other assistants working with public schools are welcome.
- <u>Peer Review Assessment Fee Grant</u> can help cover the cost of a peer review assessment for VT Agency of Education licensure.
- <u>Student Loan Repayment Assistance Program (SLRAP)</u> provides up to \$4,000 annually to reduce the student debt of full-time educators in private regulated or Head Start settings (no public school settings) who earned an early childhoodspecific degree.
- <u>T.E.A.C.H. Early Childhood® Vermont Scholarship</u> program provides early childhood educators access to education by offering four scholarship models: Apprenticeship Program, Associate Degree, Bachelor's Degree, and Licensure.
- Program Accreditation and Re-Accreditation Bonuses and Fees offers financial bonuses for regulated early childhood and afterschool programs that have achieved national accreditation and help with the fees associated with accreditations.

Northern Lights at the Community College of Vermont (CCV)

Northern Lights at CCV anchors the professional development system for Vermont's early childhood and afterschool professionals.

A team of regionally based <u>Resource Advisors</u> is available to answer professional development questions and identify resources.

 The Early Childhood Career Ladder is a tool for early childhood educators to plan and track professional growth that organizes coursework, credentials, degrees, and licensure. Professional recognition bonuses are available at each level for staff in direct care roles. (Staff on a public-school teacher contract are not eligible for bonuses).



 MATCH connects mentors, advisors, technical assistance providers, consultants, and coaches to early childhood and afterschool professionals and programs seeking support. The MATCH Registry is a searchable database of Vermont professionals.

STep Ahead Recognition System (STARS)

STARS is Vermont's Quality Rating and Improvement System (QRIS) for early childhood education and afterschool programs; a revised system launched on July 1, 2023. Vermont recognizes programs that use this tool to guide their quality improvement at five levels of implementation. Programs that have earned a STARS Level 4 or 5 certificate or at STARS Level 3 certificate with an approved 1-year plan to reach 4 STARS are eligible for UPK prequalification status. The STARS webpage provides links to the STARS Guidance Manual, STARS application information, and quality improvement resources.

System for Program Access to Resources for Quality Supports (SPARQS)

Launched in 2024, <u>SPARQS</u> is a free early childhood education and afterschool service that includes quality coaching and support services and program assessments for STARS. CDD has contracted with VTAEYC to offer this service; VTAEYC has hired multiple experienced early childhood educators ready to serve as Quality Support Specialists to facilitate program's continuous quality improvement and attainment in STARS.

Vermont Business Technical Assistance Program (BTAP)

BTAP provides expert business training, technical assistance, and consulting to help start, sustain, and grow financially sound child care businesses. First Children's Finance offers BTAP with a grant from CDD. BTAP hosts a collection of shared service resources at Shared Services Vermont, including links to agency partners, editable business templates, service and buying opportunities, and program support for changes mandated by Act 76.

