

Senate Education Committee

Pete Mulvey 271-4063

SB 522-FN-A, relative to establishing an early childhood education scholarship account and making an appropriation therefor.

Hearing Date: January 4, 2024

Time Opened: 11:46 a.m.

Time Closed: 12:19 p.m.

Members of the Committee Present: Senators Ward, Gendreau, Lang, Prentiss and Fenton

Members of the Committee Absent : None

Bill Analysis: This bill requires rulemaking by the department of health and human services on child care early education and establishes an early childhood education account program to provide funds for an education freedom accounts scholarship organization to administer grants to eligible New Hampshire pre-kindergarten children for qualifying expenses.

Sponsors:

Sen. Lang
Sen. Avard
Sen. Carson

Sen. Gannon
Sen. Innis
Rep. Coker

Sen. Pearl
Sen. Ward
Rep. Moffett

Who supports the bill: 31 individuals signed in support of SB 522-FN-A. Contact Committee Aide Pete Mulvey for further details (peter.mulvey@leg.state.nh.us).

Who opposes the bill: 410 individuals signed in opposition to SB 522-FN-A. Contact Committee Aide Pete Mulvey for further details (peter.mulvey@leg.state.nh.us).

Who is neutral on the bill: Jessie Davis (Department of Health and Human Services)

Summary of testimony presented:

Senator Tim Lang

Senate District 2

- SB 522, developed alongside Sen. Whitley, would establish an early childhood education scholarship program for preschool programs.
- The State currently provided for a preschool education in the event a child was identified with intellectual deficiencies. SB 522 would expand the program to be universal for low-income families and would carry a max expenditure of \$28m from the Educational Trust Fund.

- Up to 4,000 children would be eligible for the program.
- Sen. Lang reported that he and Sen. Whitley were actively working on an amendment.
- Sen. Lang felt that every dollar invested in preschool improved the value of every dollar invested henceforth.
- Sen. Fenton asked if the legislation intended to support the educational workforce, or if it exclusively served students.
 - Sen. Lang indicated the legislation was meant to assist in expanding Pre-K access, yet there would now be incentive for daycares to offer pre-schooling as well, and more resources for building up existing staff into educational staff.
- Sen. Fenton wanted to clarify that SB 522 would introduce more educators in the workforce.
 - Sen. Lang confirmed that SB 522 would expand upon the educational workforce.

Megan Tuttle

President, NEA NH

- Ms. Tuttle was opposed to SB 522 on behalf of NEA NH.
- Ms. Tuttle was primarily concerned with Section IV, establishing what she considered to be an EFA program for early-childcare and education.
- There were few mechanisms included in SB 522 to ensure meaningful use of funds.
- There were no health and safety requirements included in SB 522 other than those already required. Ms. Tuttle believed that the SB 522 program would be even less accountable compared to the K-12 EFA program.
- Ms. Tuttle was concerned that the expansion did not provide for additional revenues to the Educational Trust Fund.
- Sen. Lang asked if Ms. Tuttle were aware that all Pre-K programs must be mixed delivery to qualify for federal funding. SB 522 accommodation for such, in that a public school may create a pre-k program to be funded through the legislation.
 - Ms. Tuttle confirmed her understanding of Sen. Lang's clarification.

David Trumble

Weare, NH

- Mr. Trumble said while SB 522 had admirable qualities, there was much to oppose.
- Mr. Trumble referenced the Childcare for Working Families Act, which provided \$60m for workforce recruitment and retention, improved reimbursements, and expanded the scholarship program's accessibility, and notably had not yet taken effect. SB 522 may be premature.
- Public dollars would be better spent on a data-driven, comprehensive set of initiatives as opposed to an expansion of the voucher program according to Mr. Trumble.
- Mr. Trumble identified several flaws within the voucher program:
 - Income eligibility was insufficient as it was a one-time determination.
 - There would be families earning \$250,000 being assisted by families earning \$50,000 so long as the income eligibility remained in its current capacity.
 - A lack of educational accountability.
 - Childcare funds would be provided without proof of enrollment.

- Sen. Lang asked Mr. Trumble to understand the difference between Pre-K and childcare, and that the reason behind this legislation falling under the purview of the Department of Education rather than the Department of Health and Human Services is because it relates to Pre-K, more so than Childcare.
 - Mr. Trumble confirmed his understanding and reiterated his skepticism towards the absence of a definition for family childcare provider, considering the standard for eligibility unclear.
- Sen. Lang clarified that a family member utilizing a department approved Pre-K curriculum may apply for reimbursement, therefore the language must be accommodating to that in addition to a traditional off-site, established Pre-K setting.
 - Mr. Trumble indicated that he understood and added that many expenses being reimbursed in the EFA program were iPads, computers, and trips seemingly tangential to an education. Mr. Trumble asked if those would be eligible for reimbursement under SB 522.
- Sen. Lang clarified that there needed to be a verifiable connection and usage of a department approved program or curriculum prior to reimbursement. An arbitrary trip to a museum without supplement would not count.
 - Mr. Trumble asked if eligibility would roll into EFAs.
- Sen. Lang clarified that a separate application would be required.

Aubrey Freedman

Bridgewater Private Citizen

- Mr. Freedman was opposed to SB 522.
- Mr. Freedman was concerned that the law would increase the demand for childcare without improving the supply.
- Licensing requirements and standards for care were pointed to as barriers towards expanding the childcare market and labor force.

Debrah Howes

President, AFT NH

- Ms. Howes opposed SB 522 on behalf of AFT NH.
- AFT NH did not oppose Pre-K but took issue with the EFA ties to the legislation.
- Ms. Howes reiterated the importance of equal education opportunity and property tax relief.
- The committee was encouraged to study and expand upon preexisting grants and the preexisting public-private partnerships in early-childcare and education.

Jessie Davis

Bureau Chief, Childhood Development Fund, Department of Health and Human Services

- Ms. Davis offered to answer questions for the Committee.
- Senator Lang reiterated that funding issues and the language of SB 522 were being updated in an amendment.

Jackie Cowell

Early Learning NH

- Ms. Cowell shared that Early Learning NH was opposed to SB 522.
- Ms. Cowell believed that SB 522 was predominantly childcare focused, and not pre-k focused, and noted that the law opted for individual reimbursement as opposed to direct payments to a childcare provider.
- The changes provided by SB 522 warranted further study prior to being implemented.
 - Federal funding may be implicated by the reimbursement structure.

Renee Austin

Derry NH

- Ms. Austin testified in support of SB 522.
- Ms. Austin shared that her three children with special needs faced difficulty in receiving aid, particularly in that aid was tied to one's failure to meet certain objectives.
- It was considered problematic that failing upwards, or being in a state of crisis, is what was necessary to justify assistance or aid.
- SB 522 would enable Ms. Austin to defer to her own decision making regarding her children's accommodations.
- Ms. Austin believed that although public schools must accept everyone, not everyone in public school was treated equitably.

PM

Date Hearing Report completed: January 8, 2024