

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred Senate Bill No. 56
3 entitled “An act relating to child care and early childhood education”
4 respectfully reports that it has considered the same and recommends that the
5 House propose to the Senate that the report of the Committee on Human
6 Services be amended as follows:

7 **First:** In Sec. 2, Prekindergarten Education Implementation Committee;
8 plan, in subsection (c), following “the needs of both the State and local
9 education agencies.” by inserting “The Committee shall also make
10 recommendations for the minimum number of hours that shall constitute a full
11 school day for both prekindergarten education and kindergarten.”

12 **Second:** By adding a new section to be Sec. 2a. to read as follows:

13 Sec. 2a. PREKINDERGARTEN EDUCATION MODEL CONTRACT

14 On or before December 1, 2024, the Agency of Education shall develop a
15 model contract for school districts to use for contracting with private providers
16 for prekindergarten education services. The model contract shall include an
17 antidiscrimination provision that requires compliance with the Vermont Public
18 Accommodations Act, 9 V.S.A. chapter 139, and the Vermont Fair
19 Employment Practices Act, 21 V.S.A. chapter 5, subchapter 6. In order to
20 ensure that publicly funded prekindergarten education is provided by a

1 Vermont-licensed teacher, the model contract shall also include staff teaching
2 licensure requirements.

3 **Third:** By striking out Sec. 3, 16 V.S.A. § 4010, in its entirety and inserting
4 in lieu thereof a new Sec. 3 to read as follows:

5 Sec. 3. 16 V.S.A. § 4010 is amended to read:

6 § 4010. DETERMINATION OF WEIGHTED LONG-TERM MEMBERSHIP
7 AND PER PUPIL EDUCATION SPENDING

8 (a) Definitions. As used in this section:

9 (1) “EL pupils” means pupils described under section 4013 of this title.

10 (2) “FPL” means the Federal Poverty Level.

11 (3) “Weighting categories” means the categories listed under
12 subsection (b) of this section.

13 (4) “Full day prekindergarten education in a public school setting”
14 means prekindergarten education provided in a public school that is equal in
15 length to the day of education provided to all kindergarten through grade 5
16 students enrolled in the same school district.

17 (b) Determination of average daily membership and weighting categories.

18 On or before the first day of December during each school year, the Secretary
19 shall determine the average daily membership, as defined in subdivision
20 4001(1) of this title, of each school district for the current school year and shall
21 perform the following tasks-;

1 (1) The Secretary shall first apply grade level weights. Each pupil
2 included in long-term membership shall count as one, multiplied by the
3 following amounts:

4 (A) all other pupils in prekindergarten—negative 0.54;

5 (B) grades six through eight—0.36; and

6 (C) grades nine through 12—0.39.

7 * * *

8 **Fourth:** In Sec. 4, plan; Agency of Education leadership, by striking out the
9 words “implement a second deputy secretary or commissioner” and inserting
10 in lieu thereof the words “create a”

11 **Fifth:** By striking out Sec. 17, 33 V.S.A. chapter 38, in its entirety and
12 inserting in lieu thereof a new Sec. 17 to read as follows:

13 Sec. 17. 16 V.S.A. chapter 1, subchapter 3 is added to read:

14 Subchapter 3. Afterschool and Summer Care

15 § 51. AFTERSCHOOL AND SUMMER CARE

16 (a) Agency of Education regulation. Pursuant to rules adopted by the
17 Secretary of Education in accordance with 3 V.S.A. chapter 25, school-based
18 afterschool and summer learning programs for students in prekindergarten
19 through grade 12 shall be regulated by the Agency of Education if no Child
20 Care Financial Assistance Program funds provided under 33 V.S.A. § 3512 or
21 3513 are used to fund the afterschool or summer learning program.

1 (b) Agency of Human Services regulation. Pursuant to rules adopted by
2 the Agency of Human Services in accordance with 3 V.S.A. chapter 25, if a
3 school-based afterschool or summer learning program for students in
4 prekindergarten through grade 12 does not subsidize access for students that
5 qualify for free or reduced-price meals under the federal food programs,
6 pursuant to 16 V.S.A., chapter 27, the afterschool and summer learning
7 program shall be regulated by the Agency of Human Services.

8 § 52. UNIVERSAL AFTERSCHOOL AND SUMMER CARE GRANT
9 PROGRAM

10 (a) Creation. There is created the Afterschool and Summer Care Grant
11 Program to support the expansion of summer and afterschool programs, with
12 an emphasis on increasing access in underserved areas of the State. The
13 Secretary of Education shall manage and use the assets in the Afterschool and
14 Summer Care Special Fund created pursuant to section 53 of this title to set up
15 inclusive programs to support the expansion of universal afterschool and
16 summer programs with a focus on capacity in underserved areas of the State
17 and for underserved populations, including students with disabilities and
18 economically disadvantaged and historically marginalized students.

19 (b) Grants. The Afterschool and Summer Care Grant Program shall be
20 used to support a mixed delivery system for afterschool and summer
21 programing, consistent with the requirements of 21C funding authorized under

1 Title IV, part B of the Every Student Succeeds Act, 20 U.S.C. § 7171 et al.
2 Eligible recipients may be public or private nonprofit organizations. Grants
3 may be used for technical assistance, program implementation, program
4 sustainability, and related costs. Grants shall be used to directly target
5 communities with:

6 (1) low existing capacity to serve youth in afterschool and summer
7 settings;

8 (2) populations that are currently underserved; and

9 (3) populations that do not fall under subdivisions (1) and (2) of this
10 subsection as funds are available.

11 (c) Administration. The Agency may use up to \$400,000.00 for
12 administrative costs to allow for the support of the grant program and technical
13 assistance to communities.

14 (d) Advice. The Governor may advise the Secretary of Education to
15 consult with other members of the Governor's cabinet and administration on
16 the design of the program.

17 (e) Report and plan. Notwithstanding 2 V.S.A. § 20(d), on or before
18 November 15 of each year, the Agency of Education shall submit to the
19 General Assembly a plan to fund grants made pursuant to this section. The
20 report shall be inclusive of afterschool and summer learning programming
21 supported by federal funds, State grants and contracts, the Child Care Financial

1 Assistance Program pursuant to 33 V.S.A. § 3512 or 3513, and any matching
2 philanthropic funding. The grants shall be in an amount equal to the official
3 forecasted revenues to be raised from the sales and use tax imposed by 32
4 V.S.A. chapter 233 on cannabis or cannabis products in this State. The
5 Agency shall also report outcomes data on grants awarded pursuant to this
6 section during the previous year, including:

7 (1) the number of afterschool and summer care operators receiving a
8 grant under this section;

9 (2) the number of children and youth served and hours of care provided
10 by afterschool and summer care operators receiving a grant under this section;

11 (3) the geographic distribution of afterschool and summer care operators
12 receiving a grant under this section; and

13 (4) the extent to which family costs are reduced for the care of children
14 and youth served by afterschool and summer care operators receiving a grant
15 under this section.

16 § 53. AFTERSCHOOL AND SUMMER CARE SPECIAL FUND

17 (a) There is established a special fund to be known as the Afterschool and
18 Summer Care Special Fund, which shall be used for the purpose of funding the
19 Afterschool and Summer Care Grant Program established pursuant to section
20 52 of this title.

1 (b) The Fund shall be established and held separate and apart from any
2 other funds or monies of the State and shall be used and administered
3 exclusively for the purpose of this section. The money in the Fund shall be
4 invested in the same manner as permitted for the investment of funds
5 belonging to the State or held in the Treasury. The Fund shall consist of any
6 combination of the following:

7 (1) cannabis sales tax revenue pursuant to 32 V.S.A. § 7910;

8 (2) such sums as may be appropriated or transferred thereto from time to
9 time by the General Assembly, the State Emergency Board, or the Joint Fiscal
10 Committee during such times as the General Assembly is not in session;

11 (3) interest earned from the investment of Fund balances; and

12 (4) any other money from any other source accepted for the benefit of
13 the Fund.

14 (c) The Fund shall be administered by the Agency of Education pursuant to
15 section 52 of this title.

16 (d) The Agency shall administer awards in such a way as to comply with
17 the requirements of Section 108(f) of the Internal Revenue Code.

18 **Sixth:** By adding a new section to be Sec. 17a to read as follows:

19 Sec. 17a. AGENCY OF EDUCATION; POSITIONS; APPROPRIATION

20 (a) Establishment of the following new permanent classified positions is
21 authorized in the Agency of Education in fiscal year 2024:

1 (1) one full-time, permanent classified Afterschool and Summer Care
2 Data Analyst; and

3 (2) one full-time, permanent classified Afterschool and Summer Care
4 Grant Program administrator.

5 (b) There is appropriated to the Agency of Education from the Afterschool
6 and Summer Care Special Fund in fiscal year 2024 the sum of \$250,000.00 for
7 the purpose of creating the two new positions created in this section.

8 **Seventh:** By adding a new section to be Sec. 18a to read as follows:

9 Sec. 18a. REPEALS

10 2020 Acts and Resolves No. 164, Secs. 17c (dedicated use of sales and use
11 tax on cannabis) and 17d (annual budgeting of sales and use tax revenue) are
12 repealed.

13 **Eighth:** In Sec. 23, effective dates, in subdivision (b)(1), by striking out
14 “July 1, 2026” and inserting in lieu thereof “July 1, 2024”

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18 (Committee vote: _____)

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Representative _____

FOR THE COMMITTEE