

**Side-by-Side of afterschool and summer care funding language: S.56 HHS report vs. H494 Senate Budget vs. HED amend vs. H.494 Budget APBH
Beth St. James
4.25.23 (draft 1.1)**

S.56 HHS Report	H.494 Senate Budget Language	HED Proposed Amendment	H.494 Budget APBH
No similar provision	No similar provision	<p align="center"><u>Subchapter 3. Afterschool and Summer Care</u></p> <p align="center"><u>16 V.S.A. § 51. AFTERSCHOOL AND SUMMER CARE</u></p> <p align="center"><u>(a) Agency of Education regulation. Pursuant to rules adopted by the Secretary of Education in accordance with 3 V.S.A. chapter 25, school-based afterschool and summer learning programs for students in prekindergarten through grade 12 shall be regulated by the Agency of Education if no Child Care Financial Assistance Program funds provided under 33 V.S.A. § 3512 or 3513 are used to fund the afterschool or summer learning program.</u></p> <p align="center"><u>(b) Agency of Human Services regulation. Pursuant to rules adopted by the Agency of Human Services in accordance with 3 V.S.A. chapter 25, if a school-based afterschool or summer learning program for students in prekindergarten through grade 12 does not subsidize access for students that qualify for free or reduced-price meals under the federal food</u></p>	No similar provision

S.56 HHS Report	H.494 Senate Budget Language	HED Proposed Amendment	H.494 Budget APBH
		<p><u>programs, pursuant to 16 V.S.A., chapter 27, the afterschool and summer learning program shall be regulated by the Agency of Human Services.</u></p>	
<p><u>CHAPTER 38. AFTERSCHOOL AND SUMMER CARE GRANT PROGRAM</u> <u>33 V.S.A. § 3801. AFTERSCHOOL AND SUMMER CARE GRANT PROGRAM</u></p> <p><u>(a) There is created the Afterschool and Summer Care Grant Program for the purpose of providing grants for child and youth programming operated in public or private settings outside of the school day and over the summer, including before and after school, teacher in-service days, and school vacation weeks. Grants may be used by an afterschool and summer care operator for technical assistance, program implementation, program expansion, program sustainability, and related costs.</u></p>	<p><u>16 V.S.A. § 4018. AFTERSCHOOL AND SUMMER LEARNING PROGRAMS</u></p> <p><u>(a) Revenue from the sales and use tax imposed by 32 V.S.A. chapter 233 on retail sales of cannabis or cannabis products in this State shall be used to fund grant programs for the expansion of summer and afterschool programs with an emphasis on increasing access in underserved areas of the State.</u></p>	<p><u>16 V.S.A. § 52. UNIVERSAL AFTERSCHOOL AND SUMMER CARE GRANT PROGRAM</u></p> <p><u>(a) Creation. There is created the Afterschool and Summer Care Grant Program to support the expansion of summer and afterschool programs, with an emphasis on increasing access in underserved areas of the State. The Secretary of Education shall manage and use the assets in the Afterschool and Summer Care Special Fund created pursuant to section 53 of this title to set up inclusive programs to support the expansion of universal afterschool and summer programs with a focus on capacity in underserved areas of the State and for underserved populations, including students with disabilities and</u></p>	<p>Sec. E.500.1 UNIVERSAL AFTERSCHOOL AND SUMMER CARE GRANT</p> <p><u>(a) Pursuant to 2020 Acts and Resolves No. 164, which dedicates the cannabis sales tax revenue to support grant programs for the expansion of summer and afterschool programs, with an emphasis on increasing access in underserved areas of the State, a Universal Afterschool and Summer Special Fund is created, to be managed by the Secretary of Education. The cannabis sales tax revenue shall be transferred to the Universal Afterschool and Summer Special Fund. The Secretary shall use the assets in the Fund as follows:</u></p>

S.56 HHS Report	H.494 Senate Budget Language	HED Proposed Amendment	H.494 Budget APBH
<p>(b) In selecting from among eligible grant applicants, the <u>Agency of Education and the Department for Children and Families</u> shall prioritize applications that serve children and youth in underserved communities.</p> <p>(c)(1) The Agency and Department shall jointly adopt policies, procedures, and guidelines necessary for the implementation of the Program established pursuant to this section.</p>	<p>(b) <u>The Secretary of Education</u> shall administer the grant programs, as follows:</p> <p>(1) Cannabis sales tax revenue shall be used to support a mixed delivery system for afterschool and summer programming. Eligible recipients can be public, private, or nonprofit organizations.</p> <p>(2) Grants may be used for technical assistance, program implementation, program expansion, program sustainability, and related costs.</p> <p>(3) Funds may be used to directly target communities with low existing capacity to serve youth in afterschool and summer settings.</p>	<p><u>economically disadvantaged and historically marginalized students.</u></p> <p>(b) Grants. The Afterschool and Summer Care Grant Program shall be used to support a mixed delivery system for afterschool and summer programming, consistent with the requirements of 21C funding authorized under Title IV, part B of the Every Student Succeeds Act, 20 U.S.C. § 7171 et al. Eligible recipients may be public or private nonprofit organizations. Grants may be used for technical assistance, program implementation, program sustainability, and related costs. Grants shall be used to directly target communities with:</p> <p>(1) low existing capacity to serve youth in afterschool and summer settings;</p>	<p>(1) To set up programs to support the expansion of universal afterschool and summer programs with a focus on underserved areas of the State.</p> <p>(2) Cannabis sales tax revenue shall be used to support a mixed delivery system for afterschool and summer programming. Eligible recipients can be public, private, or nonprofit organizations.</p> <p>(A) Grants may be used for technical assistance, program implementation, program expansion, program sustainability, and related costs.</p> <p>(B) Funds may be used to directly target communities with low existing capacity to serve youth in afterschool and summer settings.</p>

S.56 HHS Report	H.494 Senate Budget Language	HED Proposed Amendment	H.494 Budget APBH
<p><u>(2) The Agency and Department may jointly contract for the administration of the Program. Administrative costs and technical assistance related to the Afterschool and Summer Care Grant Program shall not exceed \$500,000.00 annually.</u></p>	<p><u>(4) The Agency may use up to \$500,000.00 for administrative costs to allow for the support of the grant program and technical assistance to communities. This could include subcontracts to support the grant programs.</u></p>	<p><u>(2) populations that are currently underserved; and</u> <u>(3) populations that do not fall under subdivisions (1) and (2) of this subsection as funds are available.</u></p> <p><u>(c) Administration. The Agency may use up to \$400,000.00 for administrative costs to allow for the support of the grant program and technical assistance to communities.</u></p>	<p><u>(C) The Agency may use up to \$500,000 for administrative costs to allow for the support of the grant program and technical assistance to communities. This could include subcontracts to support the grant program.</u></p>
<p><u>33 V.S.A. § 3802. AFTERSCHOOL AND SUMMER CARE SPECIAL FUND</u> <u>(a) There is established a special fund to be known as the Afterschool and Summer Care Special Fund, which shall be used for the purpose of funding the Afterschool and Summer Care Grant Program established pursuant to section 3801 of this title.</u></p> <p><u>(b) The Fund shall be established and held separate and apart from any other funds or monies of the State and shall be used and administered exclusively for the purpose of this section. The money in</u></p>	<p>No similar provision—this version has the cannabis sales tax going to the Education Fund automatically, as all sales tax does</p>	<p><u>16 V.S.A. § 53. AFTERSCHOOL AND SUMMER CARE SPECIAL FUND</u> <u>(a) There is established a special fund to be known as the Afterschool and Summer Care Special Fund, which shall be used for the purpose of funding the Afterschool and Summer Care Grant Program established pursuant to section 52 of this title.</u></p> <p><u>(b) The Fund shall be established and held separate and apart from any other funds or monies of the State and shall be used and administered exclusively for the purpose of this section. The money in the Fund shall be</u></p>	<p>No similar provision—although this version uses the special fund concept, there is no similar language establishing the fund</p>

S.56 HHS Report	H.494 Senate Budget Language	HED Proposed Amendment	H.494 Budget APBH
<p><u>the Fund shall be invested in the same manner as permitted for the investment of funds belonging to the State or held in the Treasury. The Fund shall consist of any combination of the following:</u></p> <p><u>(1) cannabis sales tax revenue pursuant to 32 V.S.A. § 7910;</u></p> <p><u>(2) such sums as may be appropriated or transferred thereto from time to time by the General Assembly, the State Emergency Board, or the Joint Fiscal Committee during such times as the General Assembly is not in session;</u></p> <p><u>(3) interest earned from the investment of Fund balances; and</u></p> <p><u>(4) any other money from any other source accepted for the benefit of the Fund.</u></p> <p><u>(c) The Fund shall be administered by the Afterschool and Summer Care Special Fund Advisory Committee established pursuant to section 3803 of this title.</u></p> <p><u>(d) The Advisory Committee shall administer awards in such a way as to comply with the requirements of Section 108(f) of the Internal Revenue Code.</u></p>		<p><u>invested in the same manner as permitted for the investment of funds belonging to the State or held in the Treasury. The Fund shall consist of any combination of the following:</u></p> <p><u>(1) cannabis sales tax revenue pursuant to 32 V.S.A. § 7910;</u></p> <p><u>(2) such sums as may be appropriated or transferred thereto from time to time by the General Assembly, the State Emergency Board, or the Joint Fiscal Committee during such times as the General Assembly is not in session;</u></p> <p><u>(3) interest earned from the investment of Fund balances; and</u></p> <p><u>(4) any other money from any other source accepted for the benefit of the Fund.</u></p> <p><u>(c) The Fund shall be administered by the Agency of Education pursuant to section 52 of this title.</u></p> <p><u>(d) The Agency shall administer awards in such a way as to comply with the requirements of Section 108(f) of the Internal Revenue Code.</u></p>	

S.56 HHS Report	H.494 Senate Budget Language	HED Proposed Amendment	H.494 Budget APBH
<p><u>33 V.S.A. § 3803. AFTERSCHOOL AND SUMMER CARE SPECIAL FUND</u> <u>ADVISORY COMMITTEE</u></p> <p>(a) There is created the Afterschool and Summer Care Special Fund Advisory Committee jointly managed by the Agency of Education and the Department for Children and Families to:</p> <p><u>(1) provide recommendations to the Secretary of Education and the Commissioner for Children and Families regarding the Afterschool and Summer Care Grant Program established pursuant to section 3801 of this title; and</u> <u>(2) administer the Afterschool and Summer Care Special Fund established pursuant to section 3802 of this title.</u></p> <p><u>(b) The Advisory Committee shall comprise the following:</u></p> <p><u>(1) the Chief Prevention Officer established in 3 V.S.A. § 2321, who shall serve as chair;</u> <u>(2) the Commissioner of Mental Health or designee;</u> <u>(3) the Commissioner of Health or designee;</u> <u>(4) the Commissioner for Children and Families or designee;</u></p>	<p><u>16 V.S.A. § 4018. AFTERSCHOOL AND SUMMER LEARNING PROGRAMS</u></p> <p>(c) An Advisory Committee is created to support the Secretary of Education in administering funds pursuant to this section. The Agency shall provide administrative and technical support to the Committee. The Committee is to be composed of:</p> <p><u>(1) the State’s Chief Prevention Officer;</u></p> <p><u>(2) the Commissioner for Children and Families or designee;</u> <u>(3) the Commissioner of Health or designee;</u> <u>(4) the Commissioner of Mental Health or designee;</u></p>	<p><u>16 V.S.A. § 52. UNIVERSAL AFTERSCHOOL AND SUMMER CARE GRANT PROGRAM</u></p> <p>(d) Advice. The Governor may advise the Secretary of Education to consult with other members of the Governor’s cabinet and administration on the design of the program.</p>	<p>Sec. E.500.1 UNIVERSAL AFTERSCHOOL AND SUMMER</p> <p>(b) Advisory Committee. An Advisory Committee is created to support the Secretary of Education in administering the funds. The Agency will provide administrative and technical support to the Committee. The Committee is to be composed of:</p> <p><u>(1) State’s Chief Prevention Officer;</u></p> <p><u>(2) DCF Commissioner or designee;</u> <u>(3) VDH Commissioner or designee;</u> <u>(4) DMH Commissioner or designee;</u></p>

S.56 HHS Report	H.494 Senate Budget Language	HED Proposed Amendment	H.494 Budget APBH
<p>(5) the Secretary of Education or designee;</p> <p>(6) the executive director of Building Bright Futures or designee;</p> <p>(7) a representative, appointed by Vermont Afterschool, Inc;</p> <p>(8) a representative of a municipality that operates an afterschool or summer care program, appointed by the Vermont League of Cities and Towns; and</p> <p>(9) two parents whose children participate in an afterschool or summer care program, appointed by Vermont Afterschool, Inc.</p> <p>(c)(1) The Chief Prevention Officer shall call the first meeting of the Advisory Committee to occur on or before September 1, 2023.</p> <p>(2) The Advisory Committee shall meet at such times as may reasonably be necessary to carry out its duties but at least once in each calendar quarter.</p> <p>(3) The Agency of Education and Department for Children and Families shall provide technical, legal, and administrative assistance to the Advisory Committee.</p> <p>(e) For attendance at meetings, members of the Advisory Committee not otherwise paid for participating in the meetings shall be entitled to per diem</p>	<p>(5) the Secretary of Natural Resources or designee;</p> <p>(6) the Secretary of Commerce and Community Development or designee;</p> <p>(7) the Vermont Afterschool Executive Director or designee; and</p> <p>(8) a representative from the Governor’s Office.</p>		<p>(5) ANR Secretary or designee;</p> <p>(6) ACCD Secretary or designee;</p> <p>(7) Vermont Afterschool Executive Director or Designee; and</p> <p>(8) a Representative from the Governor’s Office.</p>

S.56 HHS Report	H.494 Senate Budget Language	HED Proposed Amendment	H.494 Budget APBH
<u>compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010. These payments shall be made from the Afterschool and Summer Care Special Fund.</u>			

<p><u>33 V.S.A. § 3803. AFTERSCHOOL AND SUMMER CARE SPECIAL FUND ADVISORY COMMITTEE</u></p> <p>(d) Notwithstanding 2 V.S.A. § 20(d), on or before November 15 of each year, the Advisory Committee shall submit a report containing a summary of its activities and any recommendations to the <u>House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare</u>. The report shall address outcomes data on grants awarded pursuant to section 3801 of this title during the previous year, including:</p> <p>(1) <u>the number of afterschool and summer care operators receiving a grant under section 3801 of this title;</u></p>	<p><u>16 V.S.A. § 4018. AFTERSCHOOL AND SUMMER LEARNING PROGRAMS</u></p> <p>(d) On or before November 15, 2021, and on or before each subsequent November 15, the Agency of Education shall submit to the <u>General Assembly a plan to fund grants in furtherance of the purposes of subsection (a) of this section and report outcomes data on the grants made during the previous year</u>. The Agency shall also report on the <u>number of programs, slots, weeks, or hours; geographic distribution; and what is known about costs to families</u>. The report should be inclusive of 21C programming. The grants shall be in <u>an amount equal to the official forecasted revenues to be raised from the sales and use tax imposed by 32 V.S.A. § 233 on cannabis or cannabis products in this State</u>. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the <u>plan to be made under this subsection</u>.</p>	<p><u>16 V.S.A. § 53. AFTERSCHOOL AND SUMMER CARE SPECIAL FUND</u></p> <p>e) Report and plan. Notwithstanding 2 V.S.A. § 20(d), on or before November 15 of each year, the Agency of Education shall submit to the <u>General Assembly a plan to fund grants made pursuant to this section</u>. The report shall be inclusive of <u>afterschool and summer learning programming supported by federal funds, State grants and contracts, the Child Care Financial Assistance Program pursuant to 33 V.S.A. § 3512 or 3513, and any matching philanthropic funding</u>. The grants shall be in an amount equal to the <u>official forecasted revenues to be raised from the sales and use tax imposed by 32 V.S.A. chapter 233 on cannabis or cannabis products in this State</u>. The Agency shall also report <u>outcomes data on grants awarded pursuant to this section during the previous year, including:</u></p> <p>(1) <u>the number of afterschool and summer care operators receiving a grant under this section;</u></p>	<p>Sec. E.500.2 2020 Acts and Resolves No. 164 (Cannabis Regulation), Sec. 17d is amended to read: Sec. 17d. ANNUAL BUDGETING OF SALES AND USE TAX REVENUE</p> <p>On or before November 15, 2021, and on or before each subsequent November 15, the Agency of Education shall submit to the <u>General Assembly a plan to fund grants in furtherance of the purposes of Sec. 17c of this act, and report outcomes data on the grants made during the previous year</u>. The Agency will also <u>report on the number of programs, slots, weeks or hours, geographic distribution, and what is known about costs to families</u>. The report should be inclusive of 21C programming. The grants shall be in an amount equal to the official forecasted revenues to be raised from the sales and use tax imposed by 32 V.S.A. chapter 233 on cannabis or cannabis products in this State. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the plan to be made under this subsection.</p>
--	---	---	---

S.56 HHS Report	H.494 Senate Budget Language	HED Proposed Amendment	H.494 Budget APBH
<p><u>(2) the number of children and youth served and hours of care provided by afterschool and summer care operators receiving a grant under section 3801 of this title;</u></p> <p><u>(3) the geographic distribution of afterschool and summer care operators receiving a grant under section 3801 of this title; and</u></p> <p><u>(4) the extent to which family costs are reduced for the care of children and youth served by afterschool and summer care operators receiving a grant under section 3801 of this title.</u></p>		<p><u>(2) the number of children and youth served and hours of care provided by afterschool and summer care operators receiving a grant under this section;</u></p> <p><u>(3) the geographic distribution of afterschool and summer care operators receiving a grant under this section; and</u></p> <p><u>(4) the extent to which family costs are reduced for the care of children and youth served by afterschool and summer care operators receiving a grant under this section.</u></p>	

S.56 HHS Report	H.494 Senate Budget Language	HED Proposed Amendment	H.494 Budget APBH
<p>Sec. 18. 32 V.S.A. chapter 207 is amended to read: CHAPTER 207. CANNABIS EXCISE TAX <u>AND SALES</u> <u>TAX REVENUE</u> * * *</p> <p><u>§ 7910. CANNABIS SALES TAX REVENUE; AFTERSCHOOL AND SUMMER CARE PROGRAMMING</u> Notwithstanding 16 V.S.A. § 4025, revenue from the sales and use tax imposed by chapter 233 of this title on retail sales of cannabis or cannabis products in this State shall be deposited into the Afterschool and Summer Care Special Fund established pursuant to 33 V.S.A. § 3802.</p>	<p>No similar provision</p>	<p>Retains this language from S.56 HHS Report—actual language not reflected in amendment because it is not being amended</p>	<p>No similar provision</p>
<p>No similar provision</p>	<p>Sec. B. REPEALS <u>2020 Acts and Resolves No. 164, Secs. 17c. (dedicated use of sales and use tax on cannabis) and 17d. (annual budgeting of sales and use tax revenue) are repealed.</u></p>	<p>Sec. 18a. REPEALS <u>2020 Acts and Resolves No. 164, Secs. 17c (dedicated use of sales and use tax on cannabis) and 17d (annual budgeting of sales and use tax revenue) are repealed.</u></p>	<p>No similar provision</p>