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H.874

An act relating to miscellaneous changes in education laws

It is hereby enacted by the General Assembly of the State of Vermont:

* * * Flexible Pathways * * *

Sec. 1. 16 V.S.A. § 945 is amended to read:

§ 945. ~~ADULT DIPLOMA PROGRAM; GENERAL EDUCATIONAL~~
DEVELOPMENT PROGRAM ADULT EDUCATION AND
SECONDARY CREDENTIAL PROGRAM

(a) The Secretary shall maintain an Adult Diploma Program (ADP), ~~which shall be an assessment process administered by the Agency through which an individual~~ any Vermont resident who is at least ~~20~~ 16 years of age; who has not received a high school diploma; and who is not enrolled in a public or approved independent school, postsecondary institution, or home study program can receive a local high school diploma granted by one of the Program's participating high schools.

(b) The Secretary shall maintain a General Educational Development (GED) Program, which it shall administer jointly with the GED testing service and approved local testing centers and through which ~~an adult individual a~~ Vermont resident who is at least 16 years of age ~~and;~~ who has not received a high school diploma; and who is not enrolled in secondary public or approved independent school, postsecondary institution, or home study program can

1 receive a secondary school equivalency certificate based on successful
2 completion of the GED tests.

3 (c) The Secretary may provide additional programs designed to address the
4 individual needs and circumstances of adult students, particularly students with
5 the lowest levels of literacy skills.

6 (d) The diagnostic portion of the Program referenced in subsection 4011(f)
7 of this title shall be used as a tool to evaluate the educational needs of and
8 skills gained by individual students, but shall not be used to exclude
9 individuals from the Program or to condition payments to local education and
10 literacy providers.

11 Sec. 2. REPEAL

12 16 V.S.A. § 943 (High School Completion Program) is repealed.

13 Sec. 3. 16 V.S.A. § 4011 is amended to read:

14 § 4011. EDUCATION PAYMENTS

15 (a) Annually, the General Assembly shall appropriate funds to pay for
16 statewide education spending and a portion of a base education amount for
17 each adult ~~diploma~~ education and secondary credential program student.

18 * * *

19 (f) Annually, the Secretary shall pay to a ~~department or agency~~ local adult
20 education and literacy provider, as defined in section 942 of this title, that
21 provides an adult ~~diploma~~ education and secondary credential program an

1 amount equal to 26 percent of the base education amount for each student who
2 ~~completed~~ completes the diagnostic ~~portion~~ portions of the program, based on
3 an average of the previous two years 40 percent of the payment required under
4 this subsection shall be from State funds appropriated from the Education Fund
5 and 60 percent of the payment required under this subsection shall be from
6 State funds appropriated from the General Fund.

7 * * *

8 Sec. 4. 16 V.S.A. § 944 is amended to read:

9 § 944. DUAL ENROLLMENT PROGRAM

10 * * *

11 (b) Students.

12 (1) A Vermont resident who has completed grade 10 but has not
13 received a high school diploma is eligible to participate in the Program if:

14 (A) the student:

15 (i) is enrolled in:

16 (I) a Vermont public school, including a Vermont career
17 technical center;

18 (II) a public school in another state or an approved independent
19 school that is designated as the public secondary school for the student's
20 district of residence; or

1 (III) an approved independent school in Vermont to which the
2 student's district of residence pays publicly funded tuition on behalf of the
3 student;

4 (ii) ~~is assigned to a public school through the High School~~
5 ~~Completion Program~~ a student in the Adult Diploma Program under subsection
6 945(a) of this title; or

7 (iii) is a home study student;

8 (B) dual enrollment is an element included within the student's
9 personalized learning plan; and

10 (C) the secondary school and the postsecondary institution have
11 determined that the student is sufficiently prepared to succeed in a dual
12 enrollment course, which can be determined in part by the assessment tool or
13 tools identified by the participating postsecondary institution.

14 * * *

15 Sec. 5. 2021 Acts and Resolves No. 67, Sec. 3 is amended to read:

16 Sec. 3. COMMUNITY SCHOOLS; FUNDING

17 * * *

18 (c) Funding administration.

19 (1) Subject to subdivision (2) of this subsection, the Secretary of
20 Education shall determine, using the Agency of Education's equity lens tool,
21 which eligible recipients shall receive funding and the amount of funding, and

1 the Secretary shall provide the funding on or before September 1 ~~of each of~~
2 ~~2021, 2022, and 2023 to recipients.~~ The Secretary may deny or reduce ~~second-~~
3 ~~and third-year~~ funding after the initial year of funding if the Secretary finds
4 that the recipient has made insufficient progress towards developing and
5 implementing community school programs. In determining which eligible
6 recipients shall receive funding, the Secretary shall take into account relative
7 need, based on the extent to which community school program services are
8 needed and the extent to which the eligible recipient seeks to offer them.

9 (2) In determining which eligible recipients shall receive funding and
10 the amount of funding and to advance the principles for Vermont's trauma-
11 informed system of care under 33 V.S.A. § 3401, the Secretary of Education
12 shall collaborate with the Director of Trauma Prevention and Resilience
13 Development and the Vermont Child and Family Trauma Work Group.

14 (3) The Agency of Education shall inform all eligible recipients of the
15 availability of funding under this act and, for those eligible recipients most in
16 need of this funding, shall educate these eligible recipients on community
17 school programs and their benefits. The Agency of Education shall also advise
18 all eligible recipients of other sources of funding that may be available to
19 advance the purpose of this act.

20 (d) Use of funding.

21 (1) A recipient of funding under this act shall use the funding to:

1 (A) if a needs and assets assessment has not been conducted within
2 the prior three years that substantially conforms with the requirements in this
3 subdivision, then, in collaboration with the site-based leadership team, conduct
4 a needs and assets assessment that includes:

5 (i) where available, and where applicable, student demographic,
6 academic achievement, and school climate data, disaggregated by major
7 demographic groups, including race, ethnicity, English language proficiency,
8 students with individualized education plans, and students eligible for free or
9 reduced-price lunch status;

10 (ii) access to and need for integrated student supports;

11 (iii) access to and need for expanded and enriched learning time
12 and opportunities;

13 (iv) school funding information, including federal, State, local,
14 and private education funding and per-pupil spending, based on actual salaries
15 of personnel assigned to the eligible school;

16 (v) information on the number, qualifications, and stability of
17 school staff, including the number and percentage of fully certified teachers
18 and rates of teacher turnover; and

19 (vi) active family and community engagement information,
20 including:

1 (I) family and community needs based on surveys, information
2 from public meetings, or information gathered by other means;

3 (II) measures of family and community engagement in the
4 eligible schools, including volunteering in schools, attendance at back-to-
5 school nights, and parent-teacher conferences;

6 (III) efforts to provide culturally and linguistically relevant
7 communication between schools and families; and

8 (IV) access to and need for family and community engagement
9 activities;

10 (B) hire a community school coordinator to, in collaboration with the
11 site-based leadership team, develop and implement community school
12 programs or designate a community school coordinator from existing
13 personnel and, in collaboration with the site-based leadership team, augment
14 work already being performed to develop and implement community school
15 programs; and

16 (C) if the recipient has not fully implemented positive behavioral
17 integrated supports under 16 V.S.A. § 2902, provide professional development
18 to staff on positive behavioral integrated supports and implement those
19 supports.

1 (2) A recipient of funding under this act may use the funding to, in
2 collaboration with the site-based leadership team, develop and implement a
3 plan to improve literacy outcomes and objectively assess those outcomes.

4 (3) If a needs and assets assessment has not been conducted under
5 subdivision (1)(A) of this subsection within the prior three years, the first year
6 of funding shall be used to conduct the needs and assets assessment of the
7 school to determine what is necessary to develop community school programs
8 and an action plan to implement community school programs. During ~~the~~
9 ~~second and third~~ subsequent years of ~~the~~ funding, the community school
10 coordinator shall, in collaboration with the site-based leadership team, oversee
11 the implementation of community school programs.

12 (e) Evaluation.

13 (1) At the end of each year of funding, each recipient shall undergo an
14 evaluation designed by the Agency of Education using its equity lens tool.

15 (2) On or before each of December 15, ~~2022 and 2024~~ and 2025, the
16 Agency of Education shall report to the General Assembly and the Governor
17 on the impact of the funding under this act. The report shall be made publicly
18 available on the Agency of Education's website.

19 (f) Ability to operate as a community school. Any school district or school,
20 regardless of whether it receives funding under this act, may function as a
21 community school as defined in this section.

1 Sec. 5a. COMMUNITY SCHOOLS REPORT

2 On or before December 15, 2024, the Agency of Education, in consultation
3 with the Department of Mental Health, shall include in its report required
4 pursuant to 2021 Acts and Resolves No. 67, Sec. 3(e)(2) an evaluation of the
5 community schools program created under 2021 Acts and Resolves No. 67 and
6 make recommendations for further legislative action. The report and
7 recommendations shall address, at a minimum, the following questions:

8 (1) Does the community schools structure support schools in more
9 efficient implementation of the education quality standards contained in
10 16 V.S.A. § 165?

11 (2) Does the community schools structure improve access to and
12 efficiency in the provision of mental health services, social support services,
13 and health services?

14 Sec. 6. LEGISLATIVE INTENT AND FINDINGS; APPROPRIATION;
15 COMMUNITY SCHOOLS

16 (a) Intent and findings. It is the intent of the General Assembly to continue
17 to fund the community schools program. Consistent with the intent of the
18 Flexible Pathways Initiative articulated in 16 V.S.A. § 941, and consistent with
19 national research, the General Assembly finds that community schools provide
20 a framework to encourage and support supervisory unions to be creative as
21 they develop learning communities that integrate student supports, expand and

1 enrich learning opportunities, engage families and communities, develop
2 collaborative leadership, and ensure safe, inclusive, and equitable learning
3 environments.

4 (b) Appropriations. Notwithstanding any provision of 16 V.S.A. § 4025 to
5 the contrary, the sum of \$1,000,000.00 is appropriated from the Education
6 Fund to the Agency of Education in fiscal year 2025 for the purpose of
7 providing funding to school districts for the community schools program
8 created under 2021 Acts and Resolves No. 67, Sec. 3, as amended by Sec. 5 of
9 this act.

10 (c) Agency use of funds. The Agency of Education may set aside:

11 (1) not more than one percent of the funds appropriated under
12 subsection (b) of this section for informational and technical assistance, such
13 as the availability and use of funding for eligible recipients as defined under
14 2021 Acts and Resolves No. 67, Sec. 3, as amended by Sec. 5 of this act; and

15 (2) not more than two percent of the funds appropriated under
16 subsection (b) of this section for the evaluations required under 2021 Acts and
17 Resolves No. 67, Sec. 3, as amended by Sec. 5 of this act.

18 Sec. 7. 16 V.S.A. § 941 is amended to read:

19 § 941. FLEXIBLE PATHWAYS INITIATIVE

20 (a) There is created within the Agency a Flexible Pathways Initiative:

1 (1) to encourage and support the creativity of school districts as they
2 develop and expand high-quality educational experiences that are an integral
3 part of secondary education in the evolving 21st ~~Century~~ century classroom;

4 (2) to promote opportunities for Vermont students to achieve
5 postsecondary readiness through high-quality educational experiences that
6 acknowledge individual goals, learning styles, and abilities; and

7 (3) to increase the rates of secondary school completion and
8 postsecondary continuation and retention in Vermont.

9 (b) The Secretary shall develop, publish, and regularly update guidance, in
10 the form of technical assistance, sharing of best practices and model
11 documents, legal interpretations, and other support designed to assist school
12 districts:

13 (1) ~~to~~ To identify and support secondary students who require additional
14 assistance to succeed in school and to identify ways in which individual
15 students would benefit from flexible pathways to graduation;

16 (2) ~~to~~ To work with every student in grade 7 seven through grade 12 in
17 an ongoing personalized learning planning process that:

18 (A) identifies the student's emerging abilities, aptitude, and
19 disposition;

20 (B) includes participation by families and other engaged adults;

1 (C) guides decisions regarding course offerings and other high-
2 quality educational experiences; ~~and~~

3 (D) identifies career and postsecondary planning options using
4 resources provided pursuant to subdivision (4) of this subsection (b); and

5 ~~(D)~~(E) is documented by a personalized learning plan;

6 (3) ~~to~~ To create opportunities for secondary students to pursue flexible
7 pathways to graduation that:

8 (A) increase aspiration and encourage postsecondary continuation of
9 training and education;

10 (B) are an integral component of a student's personalized learning
11 plan; and

12 (C) include:

13 (i) applied or work-based learning opportunities, including career
14 and career technical education and internships;

15 (ii) virtual learning and blended learning;

16 (iii) dual enrollment opportunities as set forth in section 944 of
17 this title;

18 (iv) early college programs as set forth in subsection 4011(e) of
19 this title; and

20 (v) ~~the High School Completion Program as set forth in section~~
21 ~~943 of this title; and~~ [Repealed.]

1 (vi) ~~the Adult Diploma Program and General Educational~~
2 ~~Development Program~~ adult education and secondary credential opportunities
3 as set forth in section 945 of this title; ~~and~~.

4 (4) ~~to~~ To provide students, beginning ~~no~~ not later than in grade 7 seven,
5 with career development and postsecondary planning resources to ensure that
6 they are able to take full advantage of the opportunities available within the
7 flexible pathways to graduation and to achieve their career and postsecondary
8 education and training goals. Resources provided pursuant to this subdivision
9 shall include information regarding the admissions process and requirements
10 necessary to proceed with any and all military-related opportunities.

11 (c) Nothing in this subchapter shall be construed as discouraging or
12 limiting the authority of any school district to develop or continue to provide
13 educational opportunities for its students that are otherwise permitted,
14 including the provision of Advanced Placement courses.

15 (d) An individual entitlement or private right of action shall not arise from
16 creation of a personalized learning plan.

17 Sec. 8. 16 V.S.A. § 2828 is added to read:

18 § 2828. PLANNING RESOURCES

19 The Corporation shall include information regarding all military-related
20 options available for postsecondary planning and financial aid opportunities in
21 all planning resources it produces.

1 Sec. 9. REVIEW OF FLEXIBLE PATHWAYS; INTENT

2 It is the intent of the General Assembly to continue to review the Flexible
3 Pathways Initiative under 16 V.S.A. chapter 23, subchapter 2 to ensure the
4 Initiative provides sustainable and effective high-quality educational
5 experiences that increase rates of secondary school completion and
6 postsecondary continuation in Vermont.

7 * * * Career and Settlement Behaviors of Postsecondary Graduates * * *

8 Sec. 10. POSTGRADUATION CAREER AND SETTLEMENT

9 BEHAVIORS OF STUDENTS ATTENDING VERMONT

10 POSTSECONDARY INSTITUTIONS; REPORT

11 (a) On or before July 1, 2025, the Agencies of Education and of Commerce
12 and Community Development and the Department of Labor, in consultation
13 with Vermont's public and private postsecondary education institutions, shall
14 issue a written report to the General Assembly on the postgraduation career
15 and settlement behaviors of students attending Vermont colleges and
16 universities. At a minimum, the report shall include:

17 (1) an analysis and discussion of why Vermont is last in the country in
18 percentage of college students who stay in the same state in which the school
19 they graduated from is located;

20 (2) information on the types of degrees most commonly attained at
21 Vermont-based postsecondary education institutions;

1 (3) a discussion of the obstacles preventing graduates from staying in
2 Vermont, including whether housing options factor into settlement decisions;
3 and

4 (4) a comprehensive plan to increase the percentage of Vermont
5 graduates who plan to live and work in Vermont for at least five years
6 postgraduation, which shall include the following initiatives:

7 (A) better college-career pipelines between higher education
8 institutions and employers in Vermont;

9 (B) expanding career counseling and career development services on
10 campuses, focused on Vermont industries and companies;

11 (C) increased campus-community ties through service, cultural
12 exchanges, and other community initiatives; and

13 (D) incentives, including preferential or streamlined pathways to
14 licensure for graduating students.

15 (b) Given that one of the goals of the Flexible Pathways Initiative is to
16 increase rates of secondary school completion and postsecondary continuation
17 in Vermont, and given that retention of students requires those students to
18 graduate and enroll in a postsecondary school or enter the workforce, the report
19 required under this section shall also include the following, organized by
20 significant demographic group:

1 (1) information on participation rates by Flexible Pathways Initiative
2 program type, including an assessment by demographic group of over- or
3 underrepresentation in these programs;

4 (2) student performance, measured by completion rates by high school
5 of origin, on dual enrollment and early college coursework;

6 (3) postsecondary enrollment rates for students participating in dual
7 enrollment and early college, as compared to nonparticipating students;

8 (4) postsecondary retention rates for a period of at least one academic
9 year and persistence rates for students participating in dual enrollment and
10 early college, as compared to nonparticipating students; and

11 (5) post high school continuation into the workforce for students
12 participating in dual enrollment and early college, as compared to
13 nonparticipating students.

14 (c) In preparing this report, the entities listed in subsection (a) of this
15 section shall have the administrative and technical support of the Agency of
16 Education.

17 * * * Uniform Chart of Accounts * * *

18 Sec. 11. 16 V.S.A. § 326 is added to read:

19 § 326. UNIFORM CHART OF ACCOUNTS

