

1 H.346

2 Introduced by Representatives Peltz of Woodbury, Buxton of Tunbridge,

3 Christie of Hartford, and Juskiewicz of Cambridge

4 Referred to Committee on

5 Date:

6 Subject: Education; career and technical centers; budgets; voting

7 Statement of purpose of bill as introduced: This bill proposes to revise the
8 funding mechanism of regional career technical education (CTE) centers so
9 that a sending district that operates a secondary school would pay a percentage
10 of the CTE budget based on that district's own long-term membership for
11 grades 9–12, rather than pay an assessment for each student enrolled in the
12 CTE center. The host district and each sending district that operate secondary
13 schools would vote on the total proposed CTE budget as a separate article on
14 the same day each district votes its school budget. The CTE budget would be
15 approved if a majority of the commingled votes were in favor of the budget.

16 An act relating to funding career technical education

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

1 Sec. 1. 16 V.S.A. § 1522 is amended to read:

2 § 1522. DEFINITIONS

3 As used in this chapter:

4 (1) “Secondary ~~technical~~ CTE student” means a resident of this ~~state~~
5 State, of any age, who has not completed high school and is enrolled in a
6 secondary career technical education program.

7 (2) “Adult student” means a resident of this ~~state~~ State, of any age, who
8 has completed high school and who needs additional career technical education
9 for entry into the labor force or who needs to upgrade skills to qualify for
10 higher pay or for more dependable employment.

11 (3) “Secondary career technical education” or “secondary CTE” means
12 an educational program leading to a high school diploma, designed to provide
13 students with career and technical knowledge, skills, and attitudes that will
14 prepare them for further education, enhance their employment options, or lead
15 to an industry-recognized credential.

16 (4) “Regional ~~technical~~ CTE center” means any of the 16 regional career
17 technical centers operating with ~~state~~ State support on January 1, 1984, and
18 any other centers so designated thereafter by rule of the ~~state board~~ State
19 Board.

1 (5) “Sending district” means a school district paying tuition on behalf of
2 a ~~pupil student~~ to a school district ~~which furnishes technical~~ that provides CTE
3 courses.

4 (6) “Receiving district” means a school district, inside or outside ~~of~~ this
5 ~~state~~ State, receiving tuition on behalf of a ~~pupil student~~ to whom it ~~furnishes~~
6 provides career technical education. The classification of a school district as a
7 receiving district is not altered by reason of the participation of that district in a
8 contract for management of the regional ~~technical~~ CTE center under
9 section 1543 of this title.

10 (7) “Service region” means, for each regional ~~technical~~ CTE center, a
11 region surrounding it ~~so~~ designated by rule of the ~~state board~~ State Board under
12 section 1531 of this title. The ~~state board~~ State Board may designate a service
13 region for two or more comprehensive high schools if that region is not served
14 by a technical center.

15 (8), (9) [Repealed.]

16 (10) “~~Technical~~ CTE tuition” means the amount calculated by
17 ~~subtracting from total regional technical~~ CTE ~~center costs all expenditures~~
18 ~~from state and federal grants (but not incentive grants, adult education grants,~~
19 ~~or other state grants as defined by the state board by rule), then dividing the~~
20 ~~result by the sum of the actual number of full-time equivalent out-of-state~~
21 ~~students and the average of the full-time equivalent Vermont students for the~~

1 ~~three prior years~~ a regional CTE center pursuant to section 1552 of this title
2 and assessed for each student enrolled in the regional CTE center who does not
3 reside in the CTE region or who resides in the CTE region in a school district
4 that does not operate a secondary school.

5 (11) “Adult technical education” or “adult CTE” means an educational
6 program ~~or course of study, that is~~ not part of a postsecondary degree program
7 ~~and which, that~~ does not award postsecondary credit, ~~which and that~~ provides
8 students with career and technical knowledge, skills, and attitudes that will
9 prepare them for further education, enhance their employment options, or lead
10 to an industry-recognized credential.

11 (12) “Postsecondary technical education” or “postsecondary CTE”
12 means an educational program or course of study ~~which that~~ awards
13 postsecondary credit, and is designed to provide students with career and
14 technical knowledge, skills, and attitudes that will prepare them for further
15 education, enhance their employment options, or lead to an
16 industry-recognized credential.

17 (13) “Postsecondary ~~technical~~ CTE student” means a resident of this
18 ~~state~~ State, of any age, who desires to enroll in, or is enrolled in, a
19 postsecondary ~~technical education~~ CTE program.

1 (14) “Comprehensive high school” means a public or independent
2 school other than a ~~technical~~ CTE center that provides secondary career
3 technical education approved under section 1533 of this title.

4 Sec. 2. 16 V.S.A. § 1541 is amended to read:

5 § 1541. RESPONSIBILITY OF LOCAL ~~BOARDS WHICH MANAGE~~
6 SCHOOL BOARDS THAT OPERATE CAREER TECHNICAL
7 CENTERS

8 (a) A school board ~~which~~ that operates a ~~technical~~ CTE center has
9 responsibility for providing secondary and adult career technical education
10 services within its service region.

11 (b) A school board ~~which~~ that operates a ~~technical~~ CTE center shall
12 ~~establish a regional advisory board. It shall~~ give due regard to the policy and
13 financial recommendations of its regional advisory board created by section
14 1542 of this title. When the school board rejects a written recommendation of
15 a regional advisory board, or fails to adopt ~~such~~ a recommendation after
16 30 days, it shall ~~so~~ notify the advisory board and the ~~commissioner or designee~~
17 Secretary in writing, stating its reasons. If the ~~state board~~ State Board
18 designates a service region for two or more comprehensive high schools, the
19 boards of ~~the~~ those high schools shall establish a joint regional advisory board.

1 (c) In consultation with its regional advisory board, a school board ~~which~~
2 that operates a regional ~~technical~~ CTE center shall:

3 (1) ~~annually set the budget for operation of the center;~~

4 (A) establish a regional CTE tuition pursuant to subsection 1552(a)
5 of this title to be assessed for each student enrolled in the regional CTE center
6 who does not reside in the CTE region or who resides in the CTE region in a
7 school district that does not operate a secondary school; and

8 (B) prepare a budget for operation of the center for presentation to
9 the voters of the school districts within the center's service region that operate
10 a secondary school for a vote pursuant to subsection 1552(b) and section 1554
11 of this title;

12 * * *

13 (8) coordinate use of the center with the Vermont ~~state colleges~~ State
14 Colleges, other state programs, including licensing, job training, and
15 apprenticeship programs, and ~~with~~ other approved institutions, for the
16 provision of postsecondary ~~technical education~~ CTE programs and charge fees
17 not exceeding actual direct and indirect costs of the use of the center;

18 (9) offer programs designed to acquaint prospective students with
19 ~~technical~~ CTE programs, ~~but which~~ that do not require an enrollment
20 commitment; and

1 (10) ~~After~~ after giving due consideration to efficient and ~~cost-effective~~
2 cost-effective use of the center, establish fees for building and equipment use.

3 (d) A school board ~~which~~ that operates a ~~technical~~ CTE center shall:

4 (1) ~~Shall establish a technical tuition.~~

5 (2) ~~Shall~~ make the center's facilities and equipment available for
6 providing ~~technical education~~ CTE to adults; and

7 (3) ~~Shall~~ (2) use and maintain all facilities designed and constructed for
8 career technical education in a manner consistent with that purpose, except
9 when those facilities are not needed for ~~technical education~~ CTE and the
10 ~~commissioner or his designee~~ Secretary consents.

11 Sec. 3. 16 V.S.A. § 1542 is amended to read:

12 § 1542. REGIONAL ADVISORY BOARD

13 (a) ~~Each~~ For each CTE region, there is created a regional advisory board
14 that shall consist of:

15 (1) one member from each ~~public high school~~ district in the center's
16 service region that operates a secondary school, elected by and from among the
17 members of that ~~high school~~ board for a term determined by ~~that high school~~
18 the board; and

19 (2) the superintendent or his or her designee of each supervisory ~~district~~
20 ~~or~~ union within the center's service region; and

1 (3) one member elected for a term of three years by and from among the
2 members of the school board of each sending district in the center's service
3 region which that does not have operate a public high secondary school
4 represented on the advisory board under subdivision (1) of this section;
5 except; provided, however, that if there are more than three such districts in
6 the center's service area, the advisory board shall select three school boards to
7 represent the interests of all such districts, shall rotate its selections among the
8 districts, and shall stagger the expiration of ~~initial~~ terms; ~~and~~

9 (4) one member of the board of each independent comprehensive high
10 ~~school board of trustees~~ school within a the service region, elected by the
11 members of that high school board for a term determined by ~~that~~ the high
12 school board; and

13 (5) ~~once constituted, the regional advisory board shall elect~~ three
14 additional members elected by the advisory board for terms of three years to
15 represent the interests of employers or employees, provided that no two terms
16 shall expire in any one year.

17 (b) A regional advisory board, with the consent of the ~~workforce~~
18 ~~investment board~~ Workforce Development Council, may delegate its
19 responsibilities to the ~~regional workforce investment board~~ entity that performs
20 workforce development activities in the region pursuant to 10 V.S.A. § 543. In
21 this case, the ~~workforce investment board~~ entity shall become the regional

1 advisory board unless and until the school board ~~which~~ that operates the
2 ~~technical~~ CTE center requests that the regional advisory board be reconstituted
3 pursuant to subsection (a) of this section.

4 Sec. 4. 16 V.S.A. § 1552 is amended to read:

5 § 1552. SECONDARY STUDENT TUITION; CAREER TECHNICAL
6 CENTER BUDGETS; FINANCIAL OBLIGATION OF SCHOOL
7 DISTRICTS

8 (a) Tuition.

9 (1) Each ~~technical~~ CTE center shall establish a tuition charge for
10 secondary technical education. The amount shall reflect the actual cost, as
11 defined by ~~rule of the state board~~ State Board rule, of attendance in the
12 ~~technical~~ CTE courses offered by the center. The tuition charge shall be
13 reduced proportionally for pupils enrolled in a part-time program.

14 (b) ~~Secondary~~

15 (2) A CTE center shall calculate the tuition by subtracting from the total
16 regional CTE center budget all expenditures from state and federal grants,
17 except for incentive grants, adult education grants, or other state grants as
18 defined by State Board rule, then dividing the result by the average of all
19 full-time equivalent students enrolled in the center for the three prior years.

1 (3) A CTE center shall charge tuition under this subsection only for:

2 (A) an enrolled secondary student residing in a school district outside
3 the center's service region; and

4 (B) an enrolled secondary student residing in a school district within
5 the service region that does not operate a secondary school.

6 (4) Vermont secondary students are eligible for tuition assistance in
7 technical education for CTE provided in another state when the state board
8 State Board determines that such technical education the CTE center can
9 properly serve the needs of Vermont the students.

10 ~~(e)~~(5) For students from a school district within who are Vermont residents,
11 funds received under subsection 1561(c) of this title shall be subtracted when
12 calculating the tuition charge. For students who are not Vermont residents,
13 funds received under subsections 1561(b) and (c) of this title shall not be
14 subtracted when calculating the tuition charge.

15 ~~(d) The tuition charged to a school district within Vermont shall be based~~
16 ~~on the average of the district's three prior years' full-time equivalent student~~
17 ~~enrollment in the technical center.~~

18 (b) CTE center budget; payment by districts that operate secondary
19 schools.

1 (1) For purposes of this chapter, the “center’s net budget” means the
2 CTE center’s total annual budget, excluding any portion of the budget paid for:

3 (A) pursuant to subsection (a) of this section;

4 (B) pursuant to subchapter 5 of this chapter;

5 (C) by any other state or local funding source, including payments for
6 special education services except for incentive grants, adult education grants,
7 or other state grants as defined by State Board rule; and

8 (D) by any other source, such as endowments, grants, and parental
9 fundraising.

10 (2) Each school district within a CTE center’s service region that
11 operates a secondary school, including the district that operates the CTE
12 center, shall pay that percentage of the center’s net budget that represents the
13 ratio of the district’s long-term membership for grades 9–12 for the year
14 preceding the year of the proposed budget, as defined in section 4001 of this
15 title, to the aggregate long-term membership for those grades of all districts
16 within the service region that operate a secondary school for that same year;
17 provided, however:

18 (A) a school district that is a member of more than one CTE region
19 shall work with the advisory boards of the regions to develop a fair and
20 accurate method to apportion costs to be paid by the district; and

1 (B) A CTE region that has more than one CTE center shall develop a
2 fair and accurate method to apportion costs to be paid by the district.

3 Sec. 5. 16 V.S.A. § 1554 is added to read:

4 § 1554. ESTABLISHMENT OF A CAREER TECHNICAL CENTER

5 BUDGET

6 (a) As used in this chapter:

7 (1) “Member school district” means each school district within a
8 technical center’s service region that operates a secondary school, including
9 the school district that operates the technical center.

10 (2) “Regional CTE center clerk” means the clerk of the school district
11 that operates the CTE center.

12 (b) Annually, a school district that operates a CTE center shall prepare an
13 itemized report detailing the portion of the center’s proposed net budget,
14 calculated pursuant to subsection 1552(b) of this section, for which each
15 member school district shall be responsible. The report shall identify the
16 component costs of the total budget by category and the center’s net budget,
17 and shall set forth the calculation by which each member school district’s share
18 was calculated. The regional CTE center clerk shall provide the proposed total
19 budget and the report to the clerk of each member school district at least
20 14 days before the CTE center budget is voted on by the voters of each
21 member district.

1 (c) The board of each member school district shall present the total
2 proposed CTE center budget to the district voters as a separate article in the
3 warning for the school district's annual budget, expressing the sum in dollars
4 and indicating the district's proportionate share of the total budget. The voters
5 in each member school district within a CTE center service region, including
6 the district that operates the CTE center, shall vote on the CTE center's budget
7 on the same day and during the same hours.

8 (d) The vote on the CTE center budget shall be warned and held in the
9 same manner as for the school district's annual budget. If a district does not
10 vote by Australian ballot, then the number of votes in favor of and opposed to
11 the CTE center budget shall be tallied but the budget shall not be amended.

12 (e) The clerk of each member school district shall certify the number of
13 votes in favor of and opposed to the CTE center budget in that district. Within
14 ten days of the vote, the regional CTE center clerk shall convene a meeting of
15 the clerks of the member school districts to establish if a majority of the
16 commingled votes were in favor of or in opposition to the budget.

17 (f) The CTE center's budget is established if the clerks of the member
18 school districts jointly issue a certificate, signed by a majority of the clerks,
19 declaring that a majority of the commingled votes were in favor of the budget.
20 The regional CTE center clerk shall deliver a copy of the certificate to the
21 board of each member district and the Secretary of Education. Upon receipt of

1 the certificate, a member district's proportionate share of the budget shall be a
2 legal obligation of that district without need for further vote of the electorate of
3 the member district and the amount shall be included in the member district's
4 education spending, as defined in section 4001 of this title.

5 (g) If the clerks determine that the proposed budget is rejected, then the
6 school district that operates the CTE center shall prepare a revised budget and
7 shall identify a date on which all member school districts shall vote whether to
8 approve it. The board of each member school district shall warn the vote on
9 the revised budget, which shall take place in the same locations as the original
10 vote. If the revised budget is rejected, then the boards shall repeat the
11 procedure in this subsection until the budget is adopted.

12 (h) If the voters fail to approve a CTE center budget by July 1 of any year,
13 then, until a budget passes, the budget for the fiscal year shall equal 87 percent
14 of the most recently adopted budget and the school district that operates the
15 CTE center shall assess each member school district for payment of its
16 proportionate share pursuant to the method required in subdivision 1552(b)(2).

17 (i) Early and absentee voting as provided by 17 V.S.A. §§ 2531–2550 is
18 permitted.

19 (j) Unless clearly inconsistent, the provisions of 17 V.S.A. chapter 55 shall
20 apply to actions taken under this section.

1 ~~35 percent of the base education amount for that year, multiplied by the actual~~
2 ~~full time equivalent enrollment increase. The next year, if the increase in fall~~
3 ~~semester full time equivalent enrollment is less than 20 percent, in addition to~~
4 ~~other aid, the technical center shall receive an extra supplemental assistance~~
5 ~~grant equal to one third of the 35 percent of the base education amount for the~~
6 ~~year multiplied by the actual full time equivalent increase of the previous fall~~
7 ~~semester. [Repealed.]~~

8 Sec. 7. STATUTORY REVISION; TITLE 16 PUBLICATION

9 In its statutory revision capacity under 2 V.S.A. § 424, the Office of
10 Legislative Council shall, where appropriate, replace the words “technical
11 education,” “technical center,” and variations on those words with “career
12 technical education” or “CTE.”

13 Sec. 8. EFFECTIVE DATE

14 This act shall take effect on July 1, 2013 and shall apply to budgets for the
15 2014–2015 budget year and after.