

1 H.169

2 Introduced by Representative Mook of Bennington

3 Referred to Committee on

4 Date:

5 Subject: Education; technical education

6 Statement of purpose: This bill proposes to:

7 (1) require the Commission on Career and Technical Institutions of the  
8 New England Association of Schools and Colleges to evaluate technical  
9 centers;

10 (2) expand the times during which technical education classes are  
11 offered and authorize related increases in the calculation of full-time  
12 equivalent students;

13 (3) authorize the awarding of technical education degrees, which would  
14 not replace high school diplomas;

15 (4) develop ways to shorten and simplify the process by which the  
16 commissioner grants approval to new technical education programs;

17 (5) amend the amount of tuition the Southwest Vermont Career  
18 Development Center may charge for a student who resides within the New  
19 York or Massachusetts portion of the Bennington regional labor market;

20 (6) make miscellaneous technical changes to 16 V.S.A. § 4030  
21 concerning the correction of erroneous data reported by school districts; and

1           (7) require the department of education, in collaboration with other  
2 entities, to publish best practice guidelines related to the provision of special  
3 education services and develop materials for related training.

4           An act relating to making miscellaneous changes to technical education  
5 laws and other education laws

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

7                           \* \* \* Technical Center Evaluations \* \* \*

8 Sec. 1. 16 V.S.A. § 1533(a) is amended to read:

9           (a) ~~At least once in each period of five years, and in coordination with the~~  
10 ~~Vermont advisory council on technical education, the~~ The commissioner or his  
11 designee shall arrange for the Commission on Career and Technical  
12 Institutions of the New England Association of Schools and Colleges to  
13 evaluate the effectiveness of each technical center in the state according to the  
14 schedule established by that organization. ~~The state board by rule shall~~  
15 ~~prescribe the method for conducting these evaluations.~~

1                   \* \* \* Technical Education; Expanded Times \* \* \*

2           Sec. 2. 16 V.S.A. § 1552(e) is added to read:

3           (e) Notwithstanding any provision of law to the contrary:

4           (1) a student residing in Vermont who is unable to access technical  
5           center courses during the regular school day or school year may enroll in those  
6           courses if they are available outside the regular school day or school year;

7           (2) the technical center shall charge the sending school district tuition in  
8           an amount proportionate to the tuition charged for a student enrolled in the  
9           center during the regular school day or school year; and

10           (3) the sending school district may calculate the student's combined  
11           attendance at the technical center and sending school as exceeding  
12           1.0 full-time equivalent if appropriate, but in no case shall the full-time  
13           equivalent be considered greater than 1.25.

14           Sec. 3. STATE BOARD OF EDUCATION RULES

15           The state board of education shall amend its rules, including rule 2389, to  
16           conform to Sec. 2 of this act.

17                   \* \* \* Technical Education Degree \* \* \*

18           Sec. 4. 16 V.S.A. § 1576(d) is added to read:

19           (d) A technical center governed by a structure adopted under this  
20           subchapter may issue a technical education degree to a student who meets or  
21           exceeds criteria established by that center; provided the degree shall not be

1 awarded in lieu of a high school diploma or postsecondary certification or  
2 degree.

3 \* \* \* Technical Education; New Program Approval \* \* \*

4 Sec. 5. TECHNICAL EDUCATION; NEW PROGRAM APPROVAL

5 (a) In order to ensure a sufficient number of trained workers to meet the  
6 needs of the state's regional labor markets, the commissioner of education, the  
7 president of the Vermont association of career and technical center directors,  
8 and the executive director of the workforce development council (collectively  
9 "the working group") shall examine the process by which the commissioner  
10 grants approval to new technical education programs and determine ways in  
11 which the process can be simplified and shortened.

12 (b) On or before January 15, 2012:

13 (1) The working group shall report to the house and senate committees  
14 on education, the house committee on commerce and economic development,  
15 and the senate committee on economic development, housing and general  
16 affairs regarding its recommendations and submit proposals for related  
17 legislation, if any.

18 (2) The state board of education shall initiate the process to amend its  
19 rules to simplify and shorten the process for new program approval.

1                                   \* \* \* Southwest VT Career Development Center \* \* \*

2       Sec. 6. SOUTHWEST VERMONT CAREER DEVELOPMENT CENTER;  
3                   TUITION CHARGES TO NEW YORK AND MASSACHUSETTS  
4                   STUDENTS IN THE BENNINGTON REGIONAL LABOR  
5                   MARKET

6           Notwithstanding 16 V.S.A. § 1552 or any other provision of law to the  
7           contrary, the Southwest Vermont Career Development Center may enroll, on a  
8           space-available basis, a student who resides within the New York or  
9           Massachusetts portion of the Bennington regional labor market, as defined by  
10          the commissioner of employment and training. The center shall assess a  
11          sending New York or Massachusetts school district per-pupil tuition in an  
12          amount equal to the tuition charged for a Vermont student under 16 V.S.A.  
13          § 1552(c); provided, however, if the additional cost to the center to educate the  
14          out-of-state student exceeds the assessment, then the center shall charge the  
15          student's sending district for the additional amount as well.

16                                   \* \* \* Data Errors \* \* \*

17       Sec. 7. 16 V.S.A. § 4030 is amended to read:

18       § 4030. DATA SUBMISSION; CORRECTIONS

19           (a) Upon discovering an error or change in data submitted to the  
20           commissioner for the purpose of determining payments to or from the  
21           education fund, a school district shall report the error or change to the

1 commissioner as soon as possible. Any budget deficit or surplus due to the  
2 error or change shall be carried forward to the following year.

3 (b) The commissioner shall use data submitted on or before January 15  
4 prior to the fiscal year which begins the following July 1, in order to calculate  
5 the amounts due each school district for any fiscal year for the following:

6 (1) ~~the adjusted education payments due under section 4011 of this title;~~

7 (2) transportation aid due under ~~Sec. 98 of Act No. 71 of 1998~~ section  
8 4016 of this title; and

9 (3) ~~(2)~~ the small school support grant due under section 4015 of this title.

10 (c) The commissioner shall use data corrections regarding local education  
11 budget amounts submitted on or before June 15 prior to the fiscal year which  
12 begins the following July 1, in order to calculate the ~~amounts due each school~~  
13 ~~district~~ education payments due under section 4027 4011 of this title.

14 However, the commissioner may use data submitted after June 15 and prior to  
15 July 15 due to unusual or exceptional circumstances as determined by the  
16 commissioner.

17 (d) The commissioner shall not use data corrected due to an error submitted  
18 following the deadlines to recalculate the equalized pupil ratio under  
19 subdivision 4001(3) of this title. The commissioner shall not adjust ~~payments~~  
20 ~~to or from the education fund~~ average daily membership counts if an error or  
21 change is reported more than three fiscal years following the date that the

1 original data was due. ~~Adjustments to payments to or from the education fund~~  
2 ~~under this section shall be made on the earliest date possible after the fiscal~~  
3 ~~year in which the error was reported, and in accordance with the schedules set~~  
4 ~~forth in subsection 4028(a) of this title and section 5402 of Title 32, and after~~  
5 ~~the necessary appropriation by the general assembly.~~

6 (e) The board may adopt rules as necessary to implement the provisions of  
7 this section.

8 \* \* \* Special Education; Best Practices \* \* \*

9 Sec. 8. SPECIAL EDUCATION; BEST PRACTICES; MATERIALS AND  
10 GUIDELINES

11 On or before July 1, 2012, the department of education, in collaboration  
12 with the Vermont Superintendents Association, Vermont Principals'  
13 Association, and the Vermont Council of Special Education Administrators,  
14 shall:

15 (1) Identify and publish on its website Internet links to current  
16 information regarding best practices for implementing:

17 (A) tiered levels of educational support, including positive behavioral  
18 supports and response to intervention; and

19 (B) coteaching and differentiated instruction.

1           (2) Develop and publish on its website guidelines to assist  
2 individualized education plan (“IEP”) team decision-making for necessary  
3 services, paraeducator services, and placement.

4       Sec. 9. TRAINING; EDUCATION SERVICES AGENCIES

5           On or before July 1, 2012, the department of education, working with  
6 education service agencies (“ESAs”) and other external partners, shall develop  
7 training modules and arrange for the availability of ongoing training to:

8           (1) encourage coteaching, positive behavioral supports, differentiated  
9 instruction, and response to intervention in Vermont public schools;

10           (2) assist IEP teams to implement the decision-making guidelines  
11 developed pursuant to Sec. 8(2) of this act.

12       Sec. 10. LOCAL EDUCATION AGENCIES; REPRESENTATIVES;

13           TRAINING

14           (a) On or before July 1, 2012, the department of education shall develop  
15 training materials for local education agency (“LEA”) representatives on IEP  
16 teams regarding roles, requirements, prerequisite knowledge, and procedures  
17 for making service and placement decisions.

18           (b) On or before July 1, 2012, and no less than annually thereafter, each  
19 superintendent shall arrange for each LEA representative within the  
20 supervisory union to receive training pursuant to the materials prepared under  
21 subsection (a) of this section.

