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H.391

Introduced by Representatives Mrowicki of Putney, Bissonnette of Winooski,  
Burke of Brattleboro, Donovan of Burlington, Kitzmiller of  
Montpelier, Masland of Thetford, McCormack of Burlington,  
Miller of Shaftsbury, Patt of Worcester, Potter of Clarendon,  
Stevens of Waterbury, Toleno of Brattleboro, and Zagar of  
Barnard

Referred to Committee on

Date:

Subject: Education; secondary school; elementary school; expanded learning  
opportunities; Expanded Learning Opportunities Review Committee;  
Expanded Learning Opportunities Grant Program

Statement of purpose of bill as introduced: This bill proposes to create an  
Expanded Learning Opportunities (ELOs) Grant Program developed and  
administered by an ELO Review Committee to support and encourage  
increased student participation in and access to ELO programs offered outside  
school hours and during the summer throughout Vermont.

An act relating to increasing expanded learning opportunities

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

1       Sec. 1. FINDINGS

2           (a) Data collected nationally reveals that children and youth are most likely  
3           to be in or cause automobile accidents, commit crimes, be victims of crime, or  
4           engage in risky behavior between the hours of 3:00 and 6:00 p.m.

5           (b) Multiple national studies conclude that:

6           (1) students from families with low income regress academically and  
7           socially when they do not have access to the same types of learning  
8           experiences outside school hours and during the summer as more affluent  
9           students enjoy; and

10          (2) differences in math achievement attributable to family income were  
11          eliminated for students in kindergarten through 5th grade who were provided  
12          consistent, high-quality afterschool activities.

13          (c) Research and analysis conducted by Vermont Afterschool, Inc. in 2014  
14          estimates that for every dollar spent on quality ELOs, Vermont could realize  
15          \$2.18 in long-term savings and benefits.

16          (d) Twenty-four percent of Vermont kindergarten–grade 12 children are  
17          currently enrolled in ELOs.

18          (e) Only 14 percent of Vermont children who participate in an afterschool  
19          ELO qualify for the federal free and reduced price lunch program, compared to  
20          an average of 45 percent participation nationally.

1        (f) Thirty-three percent of parents of Vermont children who are not  
2        currently enrolled in an ELO report that they would enroll their child if a  
3        program were available. In addition, parents identify ELO program cost as one  
4        of the primary barriers to enrollment.

5        Sec. 2. 16 V.S.A. chapter 43 is added to read:

6                CHAPTER 43. EXPANDED LEARNING OPPORTUNITIES

7                § 1641. DEFINITIONS

8                As used in this title:

9                (1) “Committee” means the Expanded Learning Opportunities Review  
10              Committee created by this chapter.

11              (2) “Expanded Learning Opportunity (ELO)” means a structured  
12              program designed to serve prekindergarten through secondary school-aged  
13              children and youth outside the school day and year on a regular basis,  
14              including before and after school and during the summer, by providing  
15              opportunities for personal, emotional, and academic growth for children and  
16              youth.

17              (3) “Program” means the Expanded Learning Opportunities Grant  
18              Program created by this chapter

1     § 1642. EXPANDED LEARNING OPPORTUNITIES REVIEW

2             COMMITTEE; REPORT

3             (a) Creation; membership. There is created an Expanded Learning  
4     Opportunities Review Committee, to be composed of the following members:

5             (1) the Secretary of Education or designee;

6             (2) the Commissioner of the Department for Children and Families or  
7     designee;

8             (3) the Director of Vermont Afterschool, Inc. or designee;

9             (4) one current member of the House of Representatives, who shall be  
10    appointed by the Speaker of the House;

11            (5) one current member of the Senate, who shall be appointed by the  
12    Committee on Committees;

13            (6) one member appointed by the Vermont Superintendents Association;

14            (7) one member appointed by the Vermont School Boards Association;

15            (8) one member appointed by the Vermont Principals' Association;

16            (9) two members appointed by the Prekindergarten–16 Council; and

17            (10) three members representing ELO programs that have been in  
18    operation since at least July 1, 2014, with one member to be appointed each by  
19    the Governor, the Speaker, and the Committee on Committees.

20            (b) Terms. Committee members shall serve staggered three-year terms  
21    commencing on January 1, or until the member's earlier resignation or

1 removal, except for legislative members who shall be appointed to two-year  
2 terms that mirror their legislative terms. The respective appointing authority  
3 shall fill a vacancy for the remainder of any unexpired term. An appointed  
4 member shall not serve more than three full consecutive terms.

5 (c) Officers; subcommittees; rules. The Committee shall elect a chair from  
6 among its members. It may elect other officers, establish subcommittees, and  
7 adopt procedural rules as it determines necessary and appropriate to perform its  
8 work.

9 (d) Quorum; voting; meetings.

10 (1) A majority of all members shall constitute a quorum.

11 (2) Action is taken by the Committee if authorized by a majority of the  
12 members present and voting at any regular or special meeting at which a  
13 quorum is present.

14 (3) The Committee may permit any or all members to participate in a  
15 regular or special meeting by, or conduct the meeting through the use of, any  
16 means of electronic communication, by which all members participating may  
17 simultaneously or sequentially communicate with each other during the  
18 meeting. A member participating in a meeting by this means is deemed to be  
19 present in person at the meeting.

20 (e) Administrative support. The Agency of Education shall provide  
21 administrative support to the Committee.

1       (f) Compensation. For attendance at meetings during adjournment of the  
2       General Assembly, legislative members of the subcommittee shall be entitled  
3       to compensation and reimbursement for expenses pursuant to 2 V.S.A. § 406.  
4       Other members of the subcommittee who are not employees of the State of  
5       Vermont and are not otherwise compensated for their attendance shall receive  
6       per diem compensation and reimbursement of expenses pursuant to  
7       32 V.S.A. § 1010.

8       (g) Report. Notwithstanding 2 V.S.A. § 20(d), the Committee shall report  
9       to the General Assembly on January 15 annually regarding the Committee's  
10       activities, applications received, and grants awarded under this chapter.

11       § 1643. EXPANDED LEARNING OPPORTUNITIES GRANT PROGRAM

12       (a) Program created. There is created an Expanded Learning Opportunities  
13       Grant Program that shall award grants for the purpose of increasing access to  
14       expanded learning opportunities throughout Vermont.

15       (b) Grants. Grants shall be available in the following three categories:

16               (1) The Committee may award grants to school districts or supervisory  
17       unions that operate an ELO program or that have contracted with an ELO  
18       program or a Licensed Child Care Center to provide expanded learning  
19       opportunities, or both. The Committee shall determine the award based upon  
20       the size of the program. If a grant recipient is contracting with an ELO  
21       program or Licensed Child Care Center that is not located in the school that the

1 children enrolled in the program attend, then the grant recipient shall provide  
2 safe transportation from the school to the ELO program site, and may use grant  
3 funds to provide the transportation.

4 (2) The Committee may award grants to organizations providing  
5 technical assistance or professional development opportunities to ELO  
6 programs. An award under this subdivision shall not exceed \$300,000.00  
7 annually to any one recipient.

8 (3) The Committee may award grants to grants to community  
9 organizations in order to assess whether an ELO program is needed in the  
10 community, to determine how families might access an ELO program, or to  
11 explore opportunities for ELO partnerships in the community. An award under  
12 this subdivision shall not exceed \$5,000.00.

13 (c) Duties of Committee. The Committee shall:

14 (1) develop all aspects of the Program, including an application process  
15 and the criteria for evaluating applications and for awarding grants and other  
16 incentives, such as professional development opportunities, for Expanded  
17 Learning Opportunities in Vermont;

18 (2) award grants from the Expanded Learning Opportunities Fund  
19 created in this chapter;

20 (3) pursue and accept grants or other funding from any public or private  
21 source for the purposes of this section, including federal funding through the

1 Child Care Development Fund, to help working families access ELOs for  
2 children up to 16 years of age; and

3 (4) administer the grants or other funding consistent with the terms of  
4 acceptance.

5 (d) Matching funds. Grants awarded pursuant to subdivisions (b)(1) or (2)  
6 of this section shall be made on a one-for-one matching basis; provided,  
7 however, that grant recipients may satisfy this requirement through in-kind  
8 support and through the use of 21st Century Community Learning Centers  
9 funds.

10 § 1644. VERMONT EXPANDED LEARNING OPPORTUNITIES SPECIAL  
11 FUND

12 There is established a Vermont Expanded Learning Opportunities Special  
13 Fund comprising appropriations made by the General Assembly and grants,  
14 donations, and contributions from any other public or private source. Monies  
15 in the Fund shall be available to the Committee for the purposes of the  
16 Program created in this chapter. The Commissioner of Finance and  
17 Management may draw warrants for disbursements from this Fund in  
18 anticipation of receipts. The Fund shall be administered pursuant to  
19 32 V.S.A. chapter 7, subchapter 5, except that interest earned and any  
20 remaining balance at the end of the fiscal year shall be retained and carried  
21 forward in the Fund.



1     § 1645. DATA COLLECTION; ACCOUNTABILITY

2         (a) Each ELO program that is awarded grant funds pursuant to the Program,  
3         or that receives any other form of public funding, shall collect data on student  
4         participation and student outcomes pursuant to metrics established by the  
5         Committee in connection with development of the criteria for evaluating  
6         applications and awarding grants. The ELO program shall report this data  
7         annually at a time and in a format established by the Agency of Education.

8         (b) The Secretary of Education, in coordination with the Vermont School  
9         Boards Association and Vermont Afterschool, Inc., shall develop three  
10        results-based accountability performance measures. All grantees shall report  
11        on these measures, and the data will be compiled annually for the fiscal year  
12        and submitted in a report by the Agency of Education to the House and Senate  
13        Education Committees and the House and Senate Appropriations Committees  
14        annually by January 15. These performance measures will also be included in  
15        the Agency of Education's Balanced Accountability Model.

16     Sec. 3 GRANT CRITERIA

17        On or before December 31, 2015, the Expanded Learning Opportunities  
18        Review Committee shall establish an application process and the criteria for  
19        evaluating applications and awarding grants. Criteria shall be designed to  
20        identify practices that support and encourage school-community partnerships;  
21        engaged learning; family involvement; intentional programming; a diverse,

1 prepared staff; increased participation and access; safety, health, and wellness;  
2 and ongoing programmatic assessment and improvement. The Review  
3 Committee shall accept the first round of grant applications in January and  
4 February 2016 and shall award the first set of grants on or before  
5 April 15, 2016.

6 Sec. 4. REVIEW COMMITTEE; INITIAL MEETING; INITIAL  
7 MEMBERSHIP TERMS

8 (a) On or before September 1, 2015, the Secretary of Education shall  
9 convene the first meeting of the Expanded Learning Opportunities Review  
10 Committee.

11 (b)(1) The term of the initial members appointed pursuant to Sec. 2 of this  
12 act, 16 V.S.A. § 1642(a)(6), (7) and (8) shall expire on January 1, 2017.

13 (2) The term of the initial members appointed pursuant to Sec. 2 of this  
14 act, 16 V.S.A. § 1642(a)(9) shall expire on January 1, 2019.

15 (3) The term of the initial members appointed pursuant to Sec. 2 of this  
16 act, 16 V.S.A. § 1642(a)(10) shall expire as follows:

17 (A) The term of the initial member appointed by the Governor shall  
18 expire on January 1, 2017.

19 (B) The term of the initial member appointed by the Speaker of the  
20 House shall expire on January 1, 2018.

1           (C) The term of the initial member appointed by the Committee on  
2           Committees shall expire on January 1, 2019.

3           Sec. 5. APPROPRIATION

4           The sum of \$4,500,000.00 is appropriated to the Secretary of Education for  
5           the Vermont Expanded Learning Opportunities Special Fund from the  
6           Education Fund in fiscal year 2016. Of this amount:

7           (1) at least \$4,000,000.00 shall be awarded in the form of ELO program  
8           grants pursuant to Sec. 2 of this act, 16 V.S.A. § 1643(b)(1);

9           (2) up to \$450,000.00 may be allocated to technical assistance and  
10          professional development grants pursuant to Sec. 2 of this act, 16 V.S.A.  
11          § 1643(b)(2); and

12          (3) up to \$50,000.00 shall be allocated to the small community grants  
13          pursuant to Sec. 2 of this act , 16 V.S.A. § 1643(b)(3).

14          Sec. 6. EFFECTIVE DATE

15          This act shall take effect on passage.