

**DR15-298 – Miscellaneous Education Amendments  
(03/10/2015; draft 1.2)**

**Section by Section Summary**

Sec. 1. Adds “prekindergarten” to the definition of “elementary education.” {AOE}

Secs. 2–3. Repeals divided vote language from 16 V.S.A. §§ 563(11) and 4001(6)(A). Language was effective for budgets for FY2010–2014 but there was no provision to remove the language from the statute. {DRS}

Sec. 4. Repeals lingering reference to the inability to designate a public school. The General Assembly explicitly authorized public school designation in 2009. {DRS}

Sec. 5. Repeals 16 V.S.A. § 1421 regarding equipment for testing sight and hearing. Language is outdated and concept is inherent in more expansive language of § 1422. {AOE and AHS}

Sec. 6. *[Approved by both the House and Senate in 2014 with one difference explained below]* 16 V.S.A. § 2902 currently requires all public schools to “develop and maintain an educational support system for students who require additional assistance in order to succeed or be challenged in the general education environment.” At the time the law was originally enacted, the statute referenced aspects of what would be included in an educational support system because those aspects were not addressed anywhere else. Since that time, the State Board of Ed and the Agency have adopted detailed rules and policies that reflect best-practices.

Section 6 makes numerous amendments to § 2902 to update the *language* and the *required actions* to reflect current best-practice and the newly adopted rules for Education Quality Standards. For example, instead of an “educational support system for students who require additional assistance,” the bill would require “a tiered system of academic and behavioral supports” to the students.” Section 6 also substitutes the term “multi-tiered system of support” for “educational support system,” which aligns with the language in the recently adopted Education Quality Standards and reflects current understanding of support systems. In addition, this section removes many of the references to what should be included in a support system because the details are now provided in detail in other places. The requirement that every school have an educational support team remains intact.

Senate’s 2014 proposal adds back an unintentionally deleted reference to “education support teams” and deletes addition of language regarding “intensive, individualized interventions for any student requiring a higher level of support.” {AOE}

Sec. 7. Repeals subsection (d) in 16 V.S.A. § 4015. The first sentence refers to the process used prior to Act 68. The second sentence refers to a repealed statute. {DRS and AOE}

Sec. 8. Repeals reference in 16 V.S.A. § 4025(a)(4) to 32V.S.A. § 5402a, which was repealed in 2012. {DRS}

Sec. 9. 32 V.S.A. § 5401(13) defines the “District Spending Adjustment” used in calculating a school district’s tax rate. Act 143 of 2012 added to (13) an alternative method of calculating this amount to address an issue confronting one school district. Neither that district nor any other has taken advantage of the alternative method of calculation. This section repeals the alternative method. {AOE}

Secs. 10–11. Current law provides RED incentives to REDs and the three variations if they are fully *operational* by July 1, 2107. The current section authorizing the incentives is mistakenly repealed on that same date. {DRS}

Sec. 10 extends RED incentives to districts that receive *final approval* of the electorate in all “necessary districts” by **November 30**, 2017.

Sec. 11 replaces the repeal date with a reference to the dates determining eligibility.