

House Education
Donna Russo Savage
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Senate
version

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1 subject to all procedural and other protections provided by contract, collective
2 bargaining agreement, or provision of State and federal law.

3 (b) Without the approval of the State Board, secondary school principals
4 shall not be charged with supervisory responsibility outside the secondary
5 school.

6 *[to be moved to EFFECTIVE DATE section]*

7 () Secs. 8–9 (superintendents; principals; responsibilities; health
8 insurance) shall take effect on July 1, 2015; provided, however, that subject to
9 the provisions of existing contracts, Sec. 8, 16 V.S.A. § 242(8), shall apply to
10 negotiations for health insurance contracts beginning on or after that date for
11 fiscal year 2017 and after.

12 ***** Data-Driven Partnerships; Quality Assurance Tools *****

13 **[NOTE]** *This Sec. 10 also includes the technical changes that are included in*
14 *the comprehensive technical corrections bill of all VSA titles that the House*
15 *and Senate Committees on Government Operations may consider.]*

16 Sec. 10. 16 V.S.A. § 165 is amended to read:

17 § 165. ~~STANDARDS OF QUALITY FOR PUBLIC SCHOOLS~~
18 EDUCATION QUALITY STANDARDS; EQUAL EDUCATIONAL
19 OPPORTUNITIES; ~~INDEPENDENT SCHOOL MEETING SCHOOL~~
20 QUALITY STANDARDS

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1 (a) In order to carry out Vermont’s policy that all Vermont children will be
2 afforded educational opportunities that are substantially equal in quality, each
3 Vermont public school, including each career technical center, shall meet the
4 following ~~school~~ education quality standards:

5 (1) The school ~~shall~~, through a process including parents, teachers,
6 students, and community members, ~~develop, implement, and annually update a~~
7 ~~comprehensive action~~ develops, implements, and annually updates a
8 continuous improvement plan to improve student performance within the
9 school. The plan shall include goals and objectives for improved student
10 learning and educational strategies and activities to achieve ~~their~~ its goals. The
11 plan shall also address the effectiveness of efforts made since the previous
12 ~~action~~ continuous improvement plan to ensure the school maintains a safe,
13 orderly, civil, and positive learning environment that is free from harassment,
14 hazing, and bullying. The school shall assess student performance under the
15 plan using a method or methods of assessment developed under subdivision
16 164(9) of this title.

17 (2) The school, at least annually, reports student performance results to
18 community members in a format selected by the school board. In the case of a
19 regional career technical center, the community means the school districts in
20 the service region. The provisions of 2 V.S.A. § 20(d) (expiration of required

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1 reports) shall not apply to the report to be made under this subdivision. The
2 school report shall include:

3 * * *

4 (C) Information indicating progress toward meeting the goals of an
5 annual ~~action~~ continuous improvement plan.

6 * * *

7 ~~(b)(1) Every two years, the Secretary shall determine whether students in~~
8 ~~each Vermont public school are provided educational opportunities~~
9 ~~substantially equal to those provided in other public schools. If Annually, the~~
10 ~~Secretary shall review and gather data related to academic achievement,~~
11 ~~staffing, opportunities to learn, school climate, and finances. The Secretary~~
12 ~~shall publish this data for every supervisory district and supervisory union and,~~
13 ~~in a manner that is consistent with standards for reliability of data and student~~
14 ~~confidentiality, at the school district and school levels as well. In addition,~~
15 ~~Education Quality Review Teams, sponsored by the Agency, shall conduct on-~~
16 ~~site reviews of each supervisory district and supervisory union once in every~~
17 ~~three years, as Agency capacity allows, to examine dimensions of school~~
18 ~~performance related to academic outcomes, staffing, school climate,~~
19 ~~opportunities to learn, and finances. These reviews shall include site visits to~~
20 ~~selected schools.~~

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1 (2) Based upon the evidence presented and evaluations required in
2 subdivision (1) of this subsection, if the Secretary determines that a school is
3 not meeting the education quality standards listed in subsection (a) of this
4 section, including failure to meet or make sufficient progress toward meeting
5 the goals the school established in its continuous improvement plan developed
6 pursuant to subdivision (a)(1), or that the school is making insufficient
7 progress in improving student performance in relation to the standards for
8 student performance set forth in subdivision 164(9) of this title, ~~he or she shall~~
9 ~~describe in writing actions that a district must take in order to meet either or~~
10 ~~both sets of standards and shall provide technical assistance to the school then~~
11 the Secretary shall describe in writing performance goals or benchmarks that
12 the district, or the supervisory union in which the district is located, must meet
13 with respect to the standards.

14 (3) If the school fails to meet the standards or make sufficient progress
15 by the end of the next two-year period, the Secretary shall recommend to the
16 State Board one or more of the following actions:

17 (1)(A) continue technical assistance;

18 (2)(B) adjust supervisory union boundaries or responsibilities of the
19 superintendency;

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1 ~~(3)~~(C) notwithstanding the local board, assume administrative
2 control, including budgetary control to ensure sound financial practices, only
3 to the extent necessary to correct deficiencies; or

4 ~~(4)~~(D) close the school and require that the school district pay tuition
5 to another public school or an approved independent school pursuant to chapter
6 21 of this title.

7 (c) The State Board, after offering the school board an opportunity for a
8 hearing, shall either dismiss the Secretary's recommendation or order that one
9 or more of the actions listed in ~~subsection (b)~~ subdivision (b)(3) of this section
10 be taken. The action ordered by the State Board shall be the least intrusive
11 consistent with the need to provide students attending the school substantially
12 equal educational opportunities. A school board aggrieved by an order of the
13 State Board may appeal the order in accordance with the Rules of Civil
14 Procedure.

15 (d) Nothing in this section shall be construed to entitle any student to
16 educational programs or services identical to those received by students in the
17 same or any other school district. Further, nothing in this section shall create a
18 private right of action.

19 (e) If the Secretary determines at any time that the failure of a school to
20 meet the ~~school~~ education quality standards listed in subsection (a) of this
21 section is severe or pervasive, potentially results in physical or emotional harm

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1 to students, or significant deprivation of equal education opportunities, and the
2 school has either unreasonably refused to remedy the problem or its efforts
3 have proved ineffective, he or she may recommend to the State Board one or
4 more of the actions listed in ~~subsection (b)~~ subdivision (b)(3) of this section.

5 The State Board shall then follow the procedure of subsection (c) of this
6 section.

7 ~~(f) In order to be designated an independent school meeting school quality~~
8 ~~standards, an independent school shall participate in the school quality~~
9 ~~standards process of subsection (b) of this section. An independent school~~
10 ~~shall receive technical assistance in accordance with the provisions of~~
11 ~~subsection (b), but shall not be subject to subdivisions (b)(2) (4) of this~~
12 ~~section. The school shall be an independent school meeting school quality~~
13 ~~standards unless the State Board, after opportunity for hearing, finds that:~~

14 ~~(1) the school has discontinued its participation in the school quality~~
15 ~~standards process; or~~

16 ~~(2) two or more years following a determination that the school is not~~
17 ~~meeting the quality standards or that the school is making insufficient progress~~
18 ~~in improving student performance, the school fails to meet the standards or~~
19 ~~make sufficient progress toward meeting the standards. [Repealed.]~~

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1 *[to be moved to EFFECTIVE DATE section]*

2 () Sec. 10 (data-driven partnerships; quality assurance tools) shall take
3 effect on July 1, 2015; provided, however, that the repeal of 16 V.S.A. § 165(f)
4 shall apply retroactively beginning on April 5, 2014.

5 * * * **Effective Dates** * * *

6 Sec. 11. EFFECTIVE DATES

7 *[insert each subsection from throughout the bill when that concept is finalized]*

8 () This section (effective dates) shall take effect on passage.