

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred House Bill No. 391
3 entitled “An act relating to increasing expanded learning opportunities”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. FINDINGS

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

11 (b) Multiple national studies conclude that:

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

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

19 (c) Research and analysis conducted by Vermont Afterschool, Inc. in 2014
20 estimates that for every dollar spent on quality ELOs, Vermont could realize
21 \$2.18 in long-term savings and benefits.

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

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

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

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

11 CHAPTER 43. EXPANDED LEARNING OPPORTUNITIES

12 § 1641. DEFINITIONS

13 As used in this title:

14 (1) “Committee” means the Expanded Learning Opportunities
15 Committee created by this chapter.

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

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

3 § 1642. EXPANDED LEARNING OPPORTUNITIES COMMITTEE;

4 REPORT

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

7 (1) the Secretary of Education or designee;

8 (2) the Commissioner for Children and Families or designee;

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

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

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

14 (6) one member who is a current or past superintendent with experience
15 with afterschool programs in his or her district or supervisory union appointed
16 by the Vermont Superintendents Association;

17 (7) one member who is a current or past superintendent with experience
18 with afterschool programs in his or her district or supervisory union appointed
19 by the Vermont School Boards Association;

1 (8) one member who is a current or past superintendent with experience
2 with afterschool programs in his or her district or supervisory union appointed
3 by the Vermont Principals' Association;

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

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

8 (b) Terms. Committee members shall serve staggered three-year terms
9 commencing on January 1, or until the member's earlier resignation or
10 removal, except for legislative members who shall be appointed to two-year
11 terms that mirror their legislative terms. The respective appointing authority
12 shall fill a vacancy for the remainder of any unexpired term. An appointed
13 member shall not serve more than three full consecutive terms.

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

18 (d) Quorum; voting; meetings.

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

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

4 (3) The Committee may permit any or all members to participate in a
5 regular or special meeting by, or conduct the meeting through the use of, any
6 means of electronic communication, by which all members participating may
7 simultaneously or sequentially communicate with each other during the
8 meeting. A member participating in a meeting by this means is deemed to be
9 present in person at the meeting.

10 (e) Administrative support. The Agency of Education shall provide
11 administrative support to the Committee**[, pending available capacity. The**
12 **Agency may approve administrative support services provided at no cost by**
13 **one or more of the members of the Committee. Include?]**.

14 (f) Compensation. For attendance at meetings during adjournment of the
15 General Assembly, legislative members of the**subcommittee [Committee?]**
16 shall be entitled to compensation and reimbursement for expenses pursuant to
17 2 V.S.A. § 406. [Other members of the subcommittee [Committee?] who are
18 **not employees of the State of Vermont and are not otherwise compensated**
19 **for their attendance shall receive per diem compensation and reimbursement**
20 **of expenses pursuant to 32 V.S.A. § 1010. Remove?]**

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

4 § 1643. EXPANDED LEARNING OPPORTUNITIES GRANT PROGRAM

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

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

9 (1) The Agency may award grants upon the recommendation of the
10 Committee to school districts or supervisory unions that operate an ELO
11 program or that have contracted with an ELO program or a Licensed Child
12 Care Center to provide expanded learning opportunities, or both. The
13 Committee shall determine the award based upon the size of the program. If a
14 grant recipient is contracting with an ELO program or Licensed Child Care
15 Center that is not located in the school that the children enrolled in the program
16 attend, then the grant recipient shall provide safe transportation from the school
17 to the ELO program site, and may use grant funds to provide the transportation.

18 (2) The Agency may award grants upon the recommendation of the
19 Committee to organizations providing technical assistance or professional
20 development opportunities to ELO programs. An award under this subdivision
21 shall not exceed \$300,000.00 annually to any one recipient.

1 (3) The Agency may award grants upon the recommendation of the
2 Committee to community organizations in order to assess whether an ELO
3 program is needed in the community, to determine how families might access
4 an ELO program, or to explore opportunities for ELO partnerships in the
5 community. An award under this subdivision shall not exceed \$5,000.00.

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

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

11 (2) recommend to the Agency grants to be awarded from the Expanded
12 Learning Opportunities **Special** Fund created in this chapter;

13 (3) pursue and accept grants or other funding from any public or private
14 source for the purposes of this section, including federal funding through the
15 Child Care Development Fund, to help working families access ELOs for
16 children up to 16 years of age; and

17 (4) with the Agency, administer the grants or other funding consistent
18 with the terms of acceptance.

19 (d) Matching funds. Grants awarded pursuant to subdivision (b)(1) or (2)
20 of this section shall be made on a one-for-one matching basis; provided,
21 however, that grant recipients may satisfy this requirement through in-kind

1 support and through the use of 21st Century Community Learning Centers
2 funds.

3 § 1644. VERMONT EXPANDED LEARNING OPPORTUNITIES SPECIAL
4 FUND

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

15 § 1645. DATA COLLECTION; ACCOUNTABILITY

16 (a) Each ELO program that is awarded grant funds pursuant to the Program,
17 or that receives any other form of public funding, shall collect data on student
18 participation and student outcomes pursuant to metrics established by the
19 Committee in connection with development of the criteria for evaluating
20 applications and awarding grants. The ELO program shall report this data to

1 the Agency annually at a time and in a format established by the Agency of
2 Education.

3 (b) The Secretary of Education, in coordination with the Committee, shall
4 develop three results-based accountability performance measures. All grantees
5 shall report on these measures, and the data will be compiled annually for the
6 fiscal year and submitted in a report by the Agency of Education to the House
7 and Senate Education Committees and the House and Senate Committees on
8 Appropriations annually by January 15. These performance measures will also
9 be included in the Agency of Education’s Balanced Accountability Model.

10 Sec. 3. GRANT CRITERIA

11 (a) The Expanded Learning Opportunities Committee shall establish an
12 application process and the criteria for evaluating applications and awarding
13 grants. Criteria shall be designed to identify practices that support and
14 encourage school-community partnerships; engaged learning; family
15 involvement; intentional programming; a diverse, prepared staff; increased
16 participation and access; safety, health, and wellness; and ongoing
17 programmatic assessment and improvement.

18 (b) On or before December 31, 2015, the Secretary of Education shall
19 report to the House and Senate Committees on Education on the application
20 process and criteria established by the Committee described in subsection (a)
21 of this section.

1 Sec. 4. COMMITTEE; INITIAL MEETING; INITIAL MEMBERSHIP

2 TERMS

3 (a) On or before September 1, 2015, the Secretary of Education shall
4 convene the first meeting of the Expanded Learning Opportunities Committee.

5 The Committee initially shall focus on creating grant criteria and seeking
6 funding from private and other sources.

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

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

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

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

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

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

19 Sec. 5. EFFECTIVE DATE

20 This act shall take effect on passage.

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(Committee vote: _____)

Representative _____

FOR THE COMMITTEE