



## MEMORANDUM

To: Rep. Johnson, Chair, House Committee on Appropriations

From: Rep. Emmons, Chair, House Committee on Corrections and Institutions  
Rep. Sharpe, Chair, House Committee on Education

Date: March 20, 2015

Subject: FY2016 Budget – Community High School of Vermont and  
Adult Education and Literacy

It is our understanding that the Committee on Appropriations' draft FY16 budget includes the full statutory transfer from the General Fund to the Education Fund as required by 16 V.S.A. § 4025(a)(2).

On behalf of our respective committees we request that the Appropriations Committee consider adopting the following recommendations.

### **1. Proposed Reductions in Education Fund Appropriations:**

We recommend that the Education Fund appropriation be *reduced by \$250,000* in both of the following instances:

**Sec. B.337 Corrections – correctional education** – reduce the Education Fund appropriation to \$3,550,000

**Sec. B.504 Education – adult education and literacy** – reduce the Education Fund appropriation to \$5,550,000

### **2. Proposed Reduction in General Fund Appropriations:**

We recommend that the General Fund appropriation be *reduced by \$250,000* in:

**Sec. B.338 Corrections – correctional services**

### 3. Community High School of Vermont

#### Sec. E.500.      COMMUNITY HIGH SCHOOL OF VERMONT AND ADULT EDUCATION; AGREEMENT; REPORT

(a) The Commissioner of Corrections and the Secretary of Education, in consultation with the Commissioner of Labor, shall enter into an agreement to incorporate the programming and services provided by the Community High School of Vermont, established in 28 V.S.A. § 120, and by adult education and literacy programs, funded in Sec. B.504 of this act, in order to better serve adults who have not completed secondary school, regardless of whether they are under the custody of the Commissioner of Corrections. The agreement shall:

(1) permit an individual to participate both in adult education and literacy programs and in programs offered through the Community High School of Vermont (collectively, the Programs); and

(2) identify programmatic changes and funding streams to integrate the provision of education services in a manner that increases:

(A) secondary school completion rates for the individuals served by the Programs, regardless of whether they are under the custody of the Commissioner of Corrections; and

(B) the secondary school continuation rates of incarcerated offenders who transition to life in the community.

(b) The Commissioner and the Secretary shall:

(1) identify student outcomes and establish metrics common to the Program that measure an individual student's progress in achieving secondary school completion;

(2) develop and adopt a common method to determine whether an individual can be identified as "participating" in a Program;

(3) determine the percentage and level of participation, disaggregated by Program, of:

(A) individuals under the custody of the Commissioner of Corrections, who are incarcerated, and who are:

(i) under the age of 23;

(ii) 23 years of age and older;

(B) individuals under the custody of the Commissioner of Corrections, who are not incarcerated, and who are:

(i) under the age of 23;

(ii) 23 years of age and older;

(C) individuals who are not under the custody of the Commissioner of Corrections, and who are:

(i) under the age of 23;

(ii) 23 years of age and older;

(d) The Department of Corrections shall:

(1) develop strategies to encourage individuals who are under the custody of the Commissioner of Corrections, are 23 years of age and older, and have not completed secondary school to participate in one or more of the Programs; and

(2) as contracts expire, transition duties currently performed by third-party contractors to Community High School of Vermont staff to the extent the staff are licensed or otherwise legally permitted to perform the duties.

(e) On or before December 15, 2015, the Commissioner of Corrections and the Secretary of Education shall submit a report to the House and Senate Committees on Appropriations, on Education, and on Judiciary, the House Committee on Corrections and Institutions, and the Senate Committee on Institutions detailing the status of the work required by this section, including:

(1) the data collected pursuant to subdivision (b)(3) of this section;

(2) a list of any legislative actions necessary to further the purposes of this section; and

(3) a summary of projected future savings and efficiencies resulting from integration of the Programs.

Sec. E.500.      28 V.S.A. § 120 is amended to read:

§ 120. DEPARTMENT OF CORRECTIONS EDUCATION PROGRAM;

INDEPENDENT SCHOOL

(a) Authority. An education program is established within the Department of Corrections for the education of persons who have not completed secondary education and who are committed to the custody of the Commissioner.

\* \* \*

(d) Curriculum. The education program shall offer a minimum course of study, as defined in 16 V.S.A. § 906, and special education programs as required in 16 V.S.A. chapter 101 ~~at each correctional facility and Department service center~~, but is not required to offer a driver training course or a physical educational course.

\* \* \*

(h) Required participation. ~~All~~ Unless exempted by the Commissioner:

(1) all persons under the custody of the Commissioner who are ~~under the age of 23 and have not received a high school diploma~~ not incarcerated shall participate in an education program unless exempted by the Commissioner if they are under the age of 23 and have not received a high school diploma.

(2) All persons under the custody of the Commissioner who are incarcerated in a Vermont facility shall participate in an education or training program if they have not received a high school diploma.