

H. 480 – Miscellaneous Education Amendments As Introduced

Section by Section Summary

Sec. 1. Adds “prekindergarten” to the definition of “elementary education” for federal grant purposes. Specifically, this will allow school districts to include the average daily membership of prekindergarten children for the purposes of receiving additional federal E-rate technology funds.

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

Sec. 4. Repeals a lingering inaccurate reference to the inability to designate a public school. The General Assembly explicitly authorized public school designation in 2009 in amendments to 16 V.S.A. § 827.

Sec. 5. Repeals 16 V.S.A. § 1421 regarding equipment for testing sight and hearing. The language is outdated and the concept is inherent in more expansive language of § 1422.

Sec. 6. 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 At the time the law was originally enacted, the statute referenced aspects of what would be included in an educational support system because those aspects were not addressed anywhere else.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 Education 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” for the students.” Section 6 also substitutes the term “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. (The House and Senate approved this language in nearly identical form in 2014.)

Sec. 7. Repeals subsection (d) in 16 V.S.A. § 4015. The first sentence refers to a process used prior to enactment of Act 68 and the current process is addressed elsewhere in law. The second sentence refers to a repealed portion of a statute.

Sec. 8. Repeals a reference in 16 V.S.A. § 4025(a)(4) to 32V.S.A. § 5402a. Section 5402a was repealed in 2012.

Sec. 9. 32 V.S.A. § 5401(13) defines the “District Spending Adjustment,” which is used to calculate a school district’s tax rate. Act 143 of 2012 added 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. Section 9 repeals the alternative method.

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 The current section authorizing the incentives is mistakenly repealed on that same date.

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.