
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Council without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 173 (H.897). Education; special education funding

An act relating to enhancing the effectiveness, availability, and equity of services provided to students who require additional support

This act changes the State funding model for special education for all supervisory unions in fiscal year 2021, for school year 2020-2021, from a reimbursement model to a census-based model. It also (1) creates an advisory group to assist the State Board of Education in developing its rules to implement these statutory changes and to advise the General Assembly of any statutory changes it determines are necessary or advisable to meet the goals of the act; (2) requires the Agency of Education to conduct a study of weighting factors used to determine education property tax rates and to consider whether the census grant amount should be increased for supervisory unions that have, in any year, relatively higher costs in supporting students who require additional support; (3) requires the Agency of Education, for the 2018–2019, 2019–2020, and 2020–2021 school years, to assist supervisory unions to expand and improve their delivery of services to students who require additional supports; and (4) creates three new positions within the Agency of Education to support special education services.

This act provides the State Board of Education with further tools to deal with an approved independent school's lack of financial capacity and requires approved independent schools that accept public tuition to enroll students on individualized education programs if placed by the local education agency (which in Vermont is the supervisory union). This enrollment requirement does not apply to an independent school that limits enrollment to students who are on an individualized education program or a plan under Section 504 of the Rehabilitation Act of 1973.

Multiple effective dates, beginning on May 25, 2018