1	TO THE HOUSE OF REPRESENTATIVES:
2	The Committee on Education to which was referred Senate Bill No. 257
3	entitled "An act relating to miscellaneous changes to education law"
4	respectfully reports that it has considered the same and recommends that the
5	House propose to the Senate that the bill be amended by striking out all after
6	the enacting clause and inserting in lieu thereof the following:
7	* * * Out-of-State Independent Schools * * *
8	Sec. 1. 16 V.S.A. § 822 is amended to read:
9	§ 822. SCHOOL DISTRICT TO MAINTAIN PUBLIC HIGH SCHOOLS OR
10	PAY TUITION
11	(a) Each school district shall maintain one or more approved high schools
12	in which high school education is provided for its resident students unless:
13	(1) the electorate authorizes the school board to close an existing high
14	school and to provide for the high school education of its students by paying
15	tuition to a public high school, an approved independent high school, or an
16	independent school meeting education quality standards, to be selected by the
17	parents or guardians of the student, within or outside the State; or
18	* * *
19	Sec. 2. 16 V.S.A. § 828 is amended to read:
20	§ 828. TUITION TO APPROVED SCHOOLS; AGE; APPEAL
21	(a) A school district shall not pay the tuition of a student except to:

1	(1) a public school;
2	(2) an approved independent school, in Vermont;
3	(3) an independent school in Vermont meeting education quality
4	standards ,
5	(4) a tutorial program approved by the State Board;
6	(5) an approved education program, or:
7	(6) an independent school in another state or country that is approved
8	under the laws of that state or country, nor shall payment; provided, however,
9	that the state is contiguous to Vermont;
10	(7) a public or independent school in the Province of Quebec approved
11	under the laws of Canada; or
12	(8) a school to which a student on an individualized education plan has
13	been referred or placed by the student's individualized education plan team or
14	local education agency.
15	(b) Payment of tuition on behalf of a person shall not be denied on account
16	of age.
17	(c) Unless otherwise provided, a person who is aggrieved by a decision of a
18	school board relating to eligibility for tuition payments, the amount of tuition
19	payable, or the school he or she may attend, may appeal to the State Board and
20	its decision shall be final.

C	2	TDAN	TOTTO	L T
Sec.	3.	IKAN	ISITION	٧

- Notwithstanding any provision to the contrary in Sec. 2 of this act, a school district may pay tuition on behalf of a student to a school located in another country or to an approved independent school that is located in a state that is not contiguous to Vermont if, during the 2017–2018 school year, the student attended that school; provided, however, that tuition shall be paid for not more than four years after enactment of this act.
- 8 * * * Elections * * *
 - Sec. 4. ELECTIONS; UNIFIED UNION SCHOOL DISTRICT
 - (a) Notwithstanding any provision of law to the contrary, the election of a director on the board of a unified union school district who is to serve on the board after expiration of the term for an initial director shall be held at the unified union school district's annual meeting unless otherwise provided in the district's articles of agreement.
 - (b) Notwithstanding any provision of law to the contrary, if a vacancy occurs on the board of a unified union school district and the vacancy is in a seat that is allocated to a specific town, the clerk of the unified union district shall immediately notify the selectboard of the town. Within 30 days after the receipt of that notice, the unified union school district board, in consultation with the selectboard, shall appoint a person who is otherwise eligible to serve as a member of the unified union school district board to fill the vacancy until

1	an election is held at an annual or special meeting, unless otherwise provided
2	in accordance with the unified union school district's articles of agreement.
3	(c) Notwithstanding any provision of law to the contrary, the clerk,
4	treasurer, and moderator of a unified union school district elected at an annual
5	meeting shall enter upon their duties on July 1 following their election and
6	shall serve a term of up to three years or until their successors are elected and
7	qualified, except that if the voters at an annual meeting so vote, moderators
8	elected at an annual meeting shall assume office upon election and shall serve
9	for a term of up to three years or until their successors are elected and
10	qualified.
11	(d) This section is repealed on July 1, 2020.
12	Sec. 5. 16 V.S.A. § 706k is amended to read:
13	§ 706k. ELECTION OF DISTRICT OFFICERS
14	(a)(1) A school director representing a member district who is to serve on
15	the union school district board after the expiration of the terms provided for
16	school directors in the final report shall be elected by that member district at an
17	annual or special meeting. Such The election shall be by Australian ballot in
18	those member districts that so elect their town school district directors. <u>School</u>
19	directors elected at an annual meeting shall assume office upon election and
20	shall serve a term of three years or until their successors are elected and
21	qualified.

(2) Union district officers, except the clerk, treasurer, and moderator,
elected at an annual meeting shall enter upon their duties on July 1 following
their election and shall serve a term of one year or until their successors are
elected and qualified. The clerk, treasurer, and moderator elected at an annual
meeting shall enter upon their duties on July 1 following their election and
shall serve a term of up to three years or until their successors are elected and
qualified, except that if the voters at an annual meeting so vote, moderators
elected at an annual meeting shall assume office upon election and shall serve
for a term of one year up to three years or until their successors are elected and
qualified. School directors elected at an annual meeting shall assume office
upon election and shall serve a term of three years or until their successors are
elected and qualified.
(3) The clerk of the union district shall, within ten days after the election
or appointment of any officer or director, give notice of the results to the
Secretary of State.
* * *
* * * School Radon Mitigation * * *
Sec. 6. SCHOOL RADON MITIGATION; FUNDING OPPORTUNITIES
The Secretaries of Education and of Administration shall explore funding
opportunities for testing and mitigating elevated radon concentrations in
schools and contingency plans for the loss of related federal funding. On or

1	before December 1, 2018, the Secretaries shall jointly submit a written report
2	to the House Committees on Corrections and Institutions and on Education and
3	to the Senate Committees on Education and on Institutions with viable options
4	for testing all schools for radon and for funding the mitigation of elevated
5	radon concentrations in schools.
6	Sec. 7. PILOT; RADON TESTING IN SCHOOLS
7	To the extent funds permit, the Commissioner of Health shall establish a
8	pilot program to test schools in five supervisory unions for elevated
9	concentrations of radon during the 2018–2019 school year with the goal of
10	testing 30 schools. Schools that have been tested for radon within the previous
11	five years need not be retested. The Agency of Education, in collaboration
12	with the Department of Health, shall seek supervisory unions to volunteer for
13	the pilot program. If five volunteers cannot be identified, the Department of
14	Health shall select participating supervisory unions based on greatest
15	anticipated health impact.
16	* * * Technical Correction * * *
17	Sec. 8. 16 V.S.A. § 4015 is amended to read:
18	§ 4015. SMALL SCHOOL SUPPORT
19	(a) In this section:
20	* * *

1	(2) "Enrollment" means the number of students who are enrolled in a
2	school operated by the district on October 1. A student shall be counted as one
3	whether the student is enrolled as a full-time or part-time student. <u>Students</u>
4	enrolled in prekindergarten programs shall not be counted.
5	* * *
6	* * * Prekindergarten Education * * *
7	Sec. 9. 16 V.S.A. § 829 is amended to read:
8	§ 829. PREKINDERGARTEN EDUCATION
9	(a) Definitions. As used in this section:
10	(1) "Prekindergarten child" means a child who, as of the date
11	established by the district of residence for kindergarten eligibility, is:
12	(A) three or four years of age or is five years of age but is not yet
13	eligible to be enrolled in kindergarten; or
14	(B) five years of age but is not yet enrolled in kindergarten if the
15	child is on an individualized education program or a plan under Section 504 of
16	the Rehabilitation Act of 1973 and the child's individualized education
17	program team or evaluation and planning team recommends that the child
18	receive prekindergarten education services.
19	(2) "Prekindergarten education" means services designed to provide to
20	prekindergarten children developmentally appropriate early development and
21	learning experiences based on Vermont's early learning standards.

1	(3) "Prequalified private provider" means a private provider of
2	prekindergarten education that is qualified pursuant to subsection (c) of this
3	section.
4	(4)(A) "Prequalified public provider" means a provider of
5	prekindergarten education that is a school district that is qualified pursuant to
6	subsection (c) of this section.
7	(B) "Prequalified public provider" does not mean a school district
8	that contracts with a prequalified private provider for the provision of
9	prekindergarten education services.
10	(b) Access to publicly funded prekindergarten education.
11	(1) No Not fewer than ten hours per week of publicly funded
12	prekindergarten education shall be available for 35 weeks annually to each
13	prekindergarten child whom a parent or guardian wishes to enroll in an
14	available, prequalified program operated by a public school or a private
15	provider.
16	(2) If a parent or guardian chooses to enroll a prekindergarten child in an
17	available, prequalified program, then, pursuant to the parent or guardian's
18	choice, the school district of residence shall:
19	(A) pay tuition pursuant to subsections (d) and (h) of this section
20	upon the request of the parent or guardian to:
21	(i) a prequalified private provider; or

(ii) a <u>prequalified</u> public school <u>provider</u> that operates a
prekindergarten program that has been prequalified pursuant to subsection (e)
of this section located outside the district; or

- (B) <u>if the school district of residence is a prequalified public</u> <u>provider</u>, enroll the child in the prekindergarten education program that it operates.
- (3) If requested by the parent or guardian of a prekindergarten child, the school district of residence shall pay tuition to a prequalified program operated by a private provider or a public school in another district private provider or a prequalified public provider that operates a prekindergarten program located outside the district even if the district of residence is a prequalified public provider that operates a prekindergarten education program.
- (4) If the supply of prequalified private and public providers is insufficient to meet the demand for publicly funded prekindergarten education in any region of the State, nothing Nothing in this section shall be construed to require the State or a district to begin or expand a prekindergarten education program to satisfy that a demand; but rather, in collaboration with the Agencies of Education and of Human Services, the local Building Bright Futures

 Council shall meet with school districts and private providers in the region to develop a regional plan to expand capacity for prekindergarten education.

1	(c) Prequalification. Pursuant to rules jointly developed and overseen by
2	the Secretaries Secretary of Education and of Human Services and adopted by
3	the State Board pursuant to 3 V.S.A. chapter 25, the Agencies jointly Agency
4	of Education may determine that a private or public provider of
5	prekindergarten education is qualified for purposes of this section and include
6	the provider in a publicly accessible database of prequalified providers. At a
7	minimum, the rules shall define the process by which a provider applies for
8	and maintains prequalification status, and shall identify the minimum quality
9	standards for prequalification, and shall include the following requirement. In
10	order to be eligible for tuition payments:
11	(1) A program of prekindergarten education, whether provided by a
12	school district or a private provider, shall have received private provider shall
13	meet minimum program quality by:
14	(A) <u>Having:</u>
15	(i) National Association for the Education of Young Children
16	(NAEYC) accreditation; or
17	(B)(ii) at least four stars in the Department for Children and
18	Families' STARS system with a plan to get to at least two points in each of the
19	five arenas; or
20	(C)(iii) three stars in the STARS system if the provider has
21	developed a plan, approved by the Commissioner for Children and Families

1	and the Secretary of Education, to achieve four or more stars with at least two
2	points in each of the five arenas in no more than three years, and the provider
3	has met intermediate milestones.
4	(B) For a:
5	(i) private provider that is regulated as a center-based child care
6	program, employing or contracting for the services of at least one licensed
7	professional educator with an endorsement in early childhood education or in
8	early childhood special education under chapter 51 of this title who is present
9	at the private provider's program site during the hours that are publicly
10	funded; or
11	(ii) private provider that is regulated as a family child care home
12	that is not licensed and endorsed in early childhood education or early
13	childhood special education, employing or contracting for the services of at
14	least one licensed professional educator with an endorsement in early
15	childhood education or in early childhood special education under chapter 51
16	of this title for at least three hours per week during each of the 35 weeks per
17	year in which prekindergarten education is paid for with publicly funded
18	tuition to provide regular, active supervision and training of the private
19	provider's staff.
20	(2) A licensed public provider shall employ or contract meet minimum
21	program quality by:

1	(A) employing or contracting for the services of at least one teacher
2	who is licensed and endorsed licensed professional educator with an
3	endorsement in early childhood education or in early childhood special
4	education under chapter 51 of this title to provide direct instruction during the
5	hours that are publicly funded; and
6	(B)(i) until the date upon which the State Board of Education
7	implements safety and quality rules under subdivision (e)(12) of this section,
8	meeting safety and quality rules adopted by the Department for Children and
9	Families; and
10	(ii) on and after the date upon which the State Board of Education
11	implements safety and quality rules under subdivision (e)(12) of this section,
12	meeting safety and quality rules adopted by the State Board of Education.
13	(3) A registered home provider that is not licensed and endorsed in early
14	childhood education or early childhood special education shall receive regular,
15	active supervision and training from a teacher who is licensed and endorsed in
16	early childhood education or in early childhood special education under
17	chapter 51 of this title.
18	(d) Tuition, budgets, and average daily membership.
19	(1) On behalf of a resident prekindergarten child, a district shall pay
20	tuition for prekindergarten education for ten hours per week for 35 weeks
21	annually to a prequalified private provider or to a public school prequalified

<u>public provider that is</u> outside the district that is prequalified pursuant to
subsection (e) of this section; provided, however, that the district shall pay
tuition for weeks that are within the district's academic year. Tuition paid
under this section shall be at a statewide rate, which may be adjusted
regionally, that is established annually through a process jointly developed and
implemented by the Agencies Agency of Education and of Human Services. A
district shall pay tuition upon:
(A) receiving notice from the child's parent or guardian that the child
is or will be admitted to the prekindergarten education program operated by the
prequalified private provider or the other district; and
(B) concurrent enrollment of the prekindergarten child in the district
of residence for purposes of budgeting and determining average daily
membership.
(2) In addition to any direct costs of operating a prekindergarten
education program, a district of residence shall include anticipated tuition
payments and any administrative, quality assurance, quality improvement,
transition planning, or other prekindergarten-related costs in its annual budget
presented to the voters.

(3) Pursuant to subdivision 4001(1)(C) of this title, the district of

residence may include within its average daily membership any

1	prekindergarten child for whom it has provided prekindergarten education or
2	on whose behalf it has paid tuition pursuant to this section.
3	(4)(A) A prequalified private provider, or a prequalified public provider
4	that is not the child's district of residence, may receive additional payment
5	directly from the parent or guardian only for prekindergarten education in
6	excess of the hours paid for by the district pursuant to this section or for child
7	care services, or both.
8	(B) A prequalified public provider that is the child's district of residence
9	may receive payment directly from the parent or guardian only for
10	prekindergarten education in excess of the publicly funded hours credited
	1
11	toward the district's average daily membership under subdivision (3) of this
11	toward the district's average daily membership under subdivision (3) of this
11 12	toward the district's average daily membership under subdivision (3) of this subsection (d) or for child care services, or both.
111213	toward the district's average daily membership under subdivision (3) of this subsection (d) or for child care services, or both. (C) The provider receiving additional payment under this subdivision
11 12 13 14	toward the district's average daily membership under subdivision (3) of this subsection (d) or for child care services, or both. (C) The provider receiving additional payment under this subdivision (4) is not bound by the statewide rate established in this subsection when
11 12 13 14 15	toward the district's average daily membership under subdivision (3) of this subsection (d) or for child care services, or both. (C) The provider receiving additional payment under this subdivision (4) is not bound by the statewide rate established in this subsection when determining the rates it will charge the parent or guardian for these excess
11 12 13 14 15	toward the district's average daily membership under subdivision (3) of this subsection (d) or for child care services, or both. (C) The provider receiving additional payment under this subdivision (4) is not bound by the statewide rate established in this subsection when determining the rates it will charge the parent or guardian for these excess hours. A provider shall not impose additional fees for the publicly funded
11 12 13 14 15 16	toward the district's average daily membership under subdivision (3) of this subsection (d) or for child care services, or both. (C) The provider receiving additional payment under this subdivision (4) is not bound by the statewide rate established in this subsection when determining the rates it will charge the parent or guardian for these excess hours. A provider shall not impose additional fees for the publicly funded hours.

(1) To permit private providers that are not prequalified pursuant to
subsection (c) of this section to create new or continue existing partnerships
with school districts through which the school district provides supports that
enable the provider to fulfill the requirements of subdivision (c) $\frac{(2) \text{ or } (3)}{(2) \text{ or } (3)}$
(1)(B), and through which the district may or may not make in-kind payments
as a component of the statewide tuition established under this section.

- (2) To authorize a district to begin or expand a school-based prekindergarten education program only upon prior approval obtained through a process jointly overseen by the Secretaries of Education and of Human Services, which shall be based upon analysis of the number of prekindergarten children residing in the district and the availability of enrollment opportunities with prequalified private providers in the region. Where the data are not clear or there are other complex considerations, the Secretaries may choose to conduct a community needs assessment. [Repealed.]
- (3) To require that the school district provides opportunities for effective parental participation in the prekindergarten education program.
 - (4) To establish a process by which:
- (A) a parent or guardian notifies the district that the prekindergarten child is or will be admitted to a prekindergarten education program not operated by the district and concurrently enrolls the child in the district pursuant to subdivision (d)(1) of this section;

1	(B) a district:
2	(i) pays tuition pursuant to a schedule that does not inhibit the
3	ability of a parent or guardian to enroll a prekindergarten child in a
4	prekindergarten education program or the ability of a prequalified private
5	provider to maintain financial stability; and
6	(ii) enters into an agreement with any provider to which it will pay
7	tuition regarding quality assurance, transition, and any other matters:
8	agreements entered into on or after August 1, 2018 shall be in a form
9	prescribed by the Secretary of Education; and
10	(C) a provider that has received tuition payments under this section
11	on behalf of a prekindergarten child notifies a district that the child is no longer
12	enrolled.
13	(5) To establish a process to calculate an annual statewide tuition rate
14	that is based upon the actual cost of delivering ten hours per week of
15	prekindergarten education that meets all established required quality standards
16	and to allow for regional adjustments to the rate.
17	(6) [Repealed.]
18	(7) To require a district to include identifiable costs for prekindergarten
19	programs and essential early education services in its annual budgets and
20	reports to the community.

I	(8) To require a district to report to the Agency of Education annual
2	expenditures made in support of prekindergarten education, with distinct
3	figures provided for expenditures made from the General Fund, from the
4	Education Fund, and from all other sources, which shall be specified.
5	(9) To provide an administrative process for:
6	(A) a parent, guardian, or provider to challenge an action of a school
7	district or the State when the complainant believes that the district or State is in
8	violation of State statute or rules regarding prekindergarten education; and
9	(B) a school district to challenge an action of a provider or the State
10	when the district believes that the provider or the State is in violation of State
11	statute or rules regarding prekindergarten education.
12	(10) To establish a system by which the Agency of Education and
13	Department for Children and Families shall jointly monitor and evaluate
14	prekindergarten education programs to promote optimal results for children
15	that support the relevant population-level outcomes set forth in 3 V.S.A.
16	§ 2311 and to collect data that will inform future decisions. The Agency and
17	Department shall be required to report annually to the General Assembly in
18	January. At a minimum, the system shall monitor and evaluate:
19	(A) programmatic details, including the number of children served,
20	the number of private and public programs operated, and the public financial

investment made to ensure access to quality prekindergarten education;

1	(B) the quality of public and private prekindergarten education
2	programs and efforts to ensure continuous quality improvements through
3	mentoring, training, technical assistance, and otherwise; and
4	(C) the results for children, including school readiness and
5	proficiency in numeracy and literacy.
6	(11) To establish a process for documenting the progress of children
7	enrolled in prekindergarten education programs and to require public and
8	private providers to use the process to:
9	(A) help individualize instruction and improve program practice; and
10	(B) collect and report child progress data to the Secretary of
11	Education on an annual basis.
12	(12) To establish safety and quality requirements for prequalified public
13	providers.
14	(f) Other provisions of law. Section 836 of this title shall not apply to this
15	section.
16	(g) Limitations. Nothing in this section shall be construed to permit or
17	require payment of public funds to a private provider of prekindergarten
18	education in violation of Chapter I, Article 3 of the Vermont Constitution or in
19	violation of the Establishment Clause of the U.S. Constitution.
20	(h) Geographic limitations.

- (1) Notwithstanding the requirement that a district pay tuition to any prequalified public or private provider in the State, a school board may choose to limit the geographic boundaries within which the district shall pay tuition by paying tuition solely to those prequalified providers in which parents and guardians choose to enroll resident prekindergarten children that are located within the district's "prekindergarten region" as determined in subdivision (2) of this subsection.
- (2) For purposes of this subsection, upon application from the school board, a district's prekindergarten region shall be determined jointly by the Agencies Agency of Education and of Human Services in consultation with the school board, private providers of prekindergarten education, parents and guardians of prekindergarten children, and other interested parties pursuant to a process adopted by rule under subsection (e) of this section. A prekindergarten region:
- (A) shall not be smaller than the geographic boundaries of the school district;
- (B) shall be based in part upon the estimated number of prekindergarten children residing in the district and in surrounding districts, the availability of prequalified private and public providers of prekindergarten education, commuting patterns, and other region-specific criteria; and

1	(C) shall be designed to support existing partnerships between the
2	school district and private providers of prekindergarten education.
3	(3) If a school board chooses to pay tuition to providers solely within its
4	prekindergarten region, and if a resident prekindergarten child is unable to
5	access publicly funded prekindergarten education within that region, then the
6	child's parent or guardian may request and in its discretion the district may pay
7	tuition at the statewide rate for a prekindergarten education program operated
8	by a prequalified provider located outside the prekindergarten region.
9	(4) Except for the narrow exception permitting a school board to limit
10	geographic boundaries under subdivision (1) of this subsection, all other
11	provisions of this section and related rules shall continue to apply.
12	Sec. 10. 16 V.S.A. § 4010 is amended to read:
13	§ 4010. DETERMINATION OF WEIGHTED MEMBERSHIP
14	(a) On or before the first day of December during each school year, the
15	Secretary shall determine the average daily membership of each school district
16	for the current school year. The determination shall list separately:
17	(1) resident prekindergarten children;
18	(2) resident students being provided elementary or kindergarten
19	education, excluding prekindergarten children; and
20	(3) resident students being provided secondary education.
21	* * *

1	(c) The Secretary shall determine the weighted long-term membership for
2	each school district using the long-term membership from subsection (b) of
3	this section and the following weights for each class:
4	Prekindergarten 0.46
5	Elementary or kindergarten, excluding prekindergarten 1.0
6	Secondary 1.13
7	* * *
8	Sec. 11. 33 V.S.A. § 3502 is amended to read:
9	§ 3502. CHILD CARE FACILITIES; SCHOOL AGE CARE IN PUBLIC
10	SCHOOLS; 21ST CENTURY FUND
11	(a) Unless exempted under subsection (b) of this section, a person shall not
12	operate a child care facility without a license, or operate a family child care
13	home without registration from the Department.
14	(b) The following persons are exempted from the provisions of
15	subsection (a) of this section:
16	* * *
17	(5) an after-school program that serves students in one or more grades
18	from kindergarten through secondary school, that receives funding through the
19	21st Century Community Learning Centers program, and that is overseen by
20	the Agency of Education, unless the after-school program asks to participate in
21	the child care subsidy program; and

1	(6) a public provider of prekindergarten education, as defined under
2	16 V.S.A. § 829(a)(4), unless the public provider participates in the child care
3	subsidy program.
4	* * *
5	Sec. 12. 16 V.S.A. § 11 is amended to read:
6	§ 11. CLASSIFICATIONS AND DEFINITIONS
7	(a) As used in this title, unless the context otherwise clearly requires:
8	* * *
9	(31) "Early childhood education," "early education," or
10	"prekindergarten education" means services designed to provide
11	developmentally appropriate early development and learning experiences
12	based on Vermont's early learning standards to ehildren a child who are three
13	to four years of age and to five-year-old children who are not eligible for or
14	enrolled in kindergarten is:
15	(A) three or four years of age or is five years of age but is not yet
16	eligible to be enrolled in kindergarten; or
17	(B) five years of age but is not yet enrolled in kindergarten if the
18	child is on an individualized education program or a plan under Section 504 of
19	the Rehabilitation Act of 1973 and the child's individualized education
20	program team or evaluation and planning team recommends that the child
21	receive prekindergarten education services.

1	* * *
2	Sec. 13. PREKINDERGARTEN ADVISORY COMMITTEE; REPORT
3	(a) Creation. There is created the Prekindergarten Advisory Committee to
4	make recommendations on how to improve the funding and delivery models
5	for prekindergarten education in Vermont.
6	(b) Membership. The Committee shall be composed of the following five
7	members:
8	(1) two current members of the House of Representatives, not from the
9	same political party, who shall be appointed by the Speaker of the House;
10	(2) two current members of the Senate, not from the same political
11	party, who shall be appointed by the Committee on Committees; and
12	(3) one member appointed by the Governor, which member shall serve
13	as the Committee's Chair.
14	(c) Powers and duties. The Committee shall study the funding and delivery
15	of prekindergarten education in Vermont, including the following issues:
16	(1) whether the current delivery and funding models are working
17	effectively to provide prekindergarten educational services, and if not, the
18	issues with the current models and proposals to enhance the quality and
19	effectiveness of these models;

1	(2) whether the statutory changes in Secs. 9–12 of this act adequately
2	address concerns with the current delivery and funding models for
3	prekindergarten educational services;
4	(3) whether to extend the publicly funded entitlement to prekindergarten
5	education beyond the 10 hours per week for 35 weeks a year that is currently
6	required by requiring public elementary schools to offer prekindergarten
7	education either directly or by contract;
8	(4) whether to extend kindergarten education to include children who
9	are four years of age;
10	(5) how to simplify regulatory oversight and administration of
11	prekindergarten education;
12	(6) how to ensure that funding for prekindergarten education is equitable
13	and does not create undesirable outcomes for prekindergarten students, their
14	parents or guardians, or providers of prekindergarten educational services or
15	child care services; and
16	(7) whether prekindergarten regions established under 16 V.S.A. § 829
17	serve the purpose for which they were designed and allow reasonable and
18	equitable access to prekindergarten education, and whether the authority to
19	create prekindergarten regions should continue.

1	(d) Assistance. The Committee shall have the administrative, technical,
2	and legal assistance of the Office of Legislative Council and the Joint Fiscal
3	Office.
4	(e) Report. On or before December 15, 2018, the Committee shall submit a
5	written report to the House and Senate Committees on Education, the House
6	Committee on Human Services, and the Senate Committee on Health and
7	Welfare with its findings and any recommendations for legislative action.
8	(f) Meetings.
9	(1) The Chair shall call the first meeting of the Committee to occur on or
10	before July 15, 2018.
11	(2) A majority of the membership shall constitute a quorum.
12	(3) The Committee shall cease to exist on December 16, 2018.
13	(g) Compensation, reimbursement, and appropriations.
14	(1) For attendance at meetings during adjournment of the General
15	Assembly, a legislative member of the Committee shall be entitled to per diem
16	compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for
17	not more than six meetings. The sum of \$5,256.00 is appropriated to the
18	General Assembly from the General Fund in fiscal year 2019 for the per diem
19	compensation and expense reimbursements authorized by this section to be
20	paid to the members of the Committee who are members of the General
21	Assembly.

1	(2) If the other member of the Committee is not an employee of the
2	State of Vermont and is not otherwise compensated or reimbursed for his or
3	her attendance, he or she shall be entitled to per diem compensation and
4	reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than six
5	meetings. The sum of \$732.00 is appropriated to the Governor's office from
6	the General Fund in fiscal year 2019 for per diem compensation and
7	reimbursement of expenses for the member of the Committee appointed by the
8	Governor.
9	* * * Educator Licensing Requirements * * *
10	Sec. 14. EDUCATOR LICENSING REQUIREMENTS
11	The Vermont Standards Board for Professional Educators shall consider
12	whether the educator licensing requirements are appropriate or should be
13	updated. As part of its review, the Board shall consider whether educator
14	licensing should be required for schools that have adopted a school-based
15	teacher quality and performance measurement program approved by the New
16	England Association of Schools and Colleges and whether other examination
17	options, other than the Praxis examination, should be available for educator
18	licensure, such as examinations offered by the Smarter Balanced Assessment
19	Consortium. On or before December 1, 2018, the Board shall report its
20	findings and recommendations to the House and Senate Committees on
21	Education.

1	* * * Ethnic and Social Equity Standards Advisory
2	Working Group * * *
3	Sec. 15. ETHNIC AND SOCIAL EQUITY STANDARDS ADVISORY
4	WORKING GROUP
5	(a) Findings.
6	(1) In 1999, the Vermont Advisory Committee to the U.S. Commission
7	on Civil Rights published a report titled Racial Harassment in Vermont Public
8	Schools and described the state of racism in public schools. The Committee
9	held various hearings and received reports from stakeholders and concluded
10	that "racial harassment" appeared "pervasive in and around the State's public
11	schools," and observed that "the elimination of this harassment" was "not a
12	priority among school administrators, school boards, elected officials, and
13	State agencies charged with civil rights enforcement."
14	(2) In 2003, the Commission released a follow-up report concluding
15	that, although some positive efforts had been made since the original report
16	was published, the problem persisted. One of the many problems highlighted
17	was the "curriculum issues in the State's public schools. In some instances,
18	teachers employ curriculum materials and lesson plans that promote racial
19	stereotypes." One of the conclusions was that there was a need for a bias-free
20	curriculum.

(3) On December 2017, the Act 54 report on Racial Disparities in State
Systems, issued by the Attorney General and Human Rights Commission Task
Force, was released. According to the report, education is one of the five State
systems in which racial disparities persist and need to be addressed. The
Attorney General and Human Rights Commission held three stakeholder
meetings and found "a surprising amount of coalescence around the most
important issues" and "the primary over-arching theme was that we will be
able to reduce racial disparities by changing the underlying culture of our state
with regard to race." One of the main suggestions for accomplishing this was
to "teach children from an integrated curriculum that fairly represents both the
contributions of People of Color (as well as indigenous people, women, people
with disabilities, etc.), while fairly and accurately representing our history of
oppression of these groups." The other suggestions were to educate State
employees about implicit bias, white privilege, white fragility, and white
supremacy, and increase the representation of people of color in the State and
school labor forces by focusing on recruitment, hiring, and retention, as well as
promotion of people of color into positions of authority and responsibility on
boards and commissions.
(4) The harassment of lesbian, gay, bisexual, transgender, queer,
questioning, intersex, asexual, and nonbinary communities; other students of
color; and students with disabilities and the lack of understanding of people in

1	power about the magnitude of the systemic impacts of harassment and bias
2	damage the whole community.
3	(b) Definitions. As used in this act:
4	(1) "Ethnic groups" means nondominant racial and ethnic groups in the
5	United States, including people who are indigenous and people of African,
6	Asian, Pacific Island, Chicanx, Latinx, or Middle Eastern descent.
7	(2) "Ethnic studies" means the instruction of students in prekindergarten
8	through grade 12 in the historical contributions and perspectives of ethnic
9	groups and social groups.
10	(3) "Social groups" means females, people with disabilities, immigrants,
11	refugees, and individuals who are lesbian, gay, bisexual, transgender, queer,
12	questioning, intersex, asexual, or nonbinary.
13	(c) Creation and composition. The Ethnic and Social Equity Standards
14	Advisory Working Group is established. The Working Group shall comprise
15	the following 17 members:
16	(1) eight members who are members of, and represent the interests of,
17	ethnic groups and social groups;
18	(2) a Vermont-based, college-level faculty expert in ethnic studies;
19	(3) the Secretary of Education or designee;
20	(4) the Executive Director of the Vermont-National Education
21	Association or designee;

1	(5) an Assistant Attorney General in the Office of the Vermont Attorney
2	General with experience working with the Agency of Education on racial and
3	social justice issues in schools;
4	(6) the Executive Director of the Vermont School Boards Association on
5	designee;
6	(7) a representative for the Vermont Principals' Association with
7	expertise in the development of school curriculum;
8	(8) a representative for the Vermont Curriculum Leaders Association;
9	(9) the Executive Director of the Vermont Superintendents Association
10	or designee; and
11	(10) the Executive Director of the Vermont Independent Schools'
12	Association or designee.
13	(d) Appointment and operation.
14	(1) The Vermont Coalition for Ethnic and Social Equity in Schools
15	(Coalition) shall appoint the eight members who represent ethnic groups and
16	social groups and the member identified under subdivision (c)(2) of this
17	section. Appointments of members to fill vacancies to these positions shall be
18	made by the Coalition.
19	(2) As a group, the Working Group shall represent the breadth of
20	geographic areas within the State and shall have experience in the areas of

1	ethnic standards or studies, social justice, inclusivity, and advocacy for the
2	groups they represent.
3	(3)(A) The Secretary of Education or designee shall call the first
4	meeting of the Working Group to occur on or before September 1, 2018.
5	(B) The Working Group shall select a chair from among its members
6	at the first meeting.
7	(C) A majority of the membership shall constitute a quorum.
8	(D) The Working Group shall cease to exist on July 1, 2021.
9	(e) Compensation and reimbursement. Members of the Committee who are
10	not employees of the State of Vermont and who are not otherwise compensated
11	or reimbursed for their attendance shall be entitled to per diem compensation
12	and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than
13	ten meetings per year. These payments shall be made from monies
14	appropriated to the Agency of Education.
15	(f) Appropriation. The sum of \$13,420.00 is appropriated to the Agency of
16	Education from the General Fund for fiscal year 2019 for the per diem
17	compensation and expense reimbursements authorized by this section to be
18	paid to the members of the Ethnic and Social Equity Standards Advisory
19	Working Group. The Agency shall include in its budget request to the General
20	Assembly for fiscal years 2020 and 2021 the amount of \$13,420.00 for the per

1	diem compensation and expense reimbursements authorized by this section to
2	be paid to members of the Working Group.
3	(g) Duties of the Working Group.
4	(1) The Working Group shall review statewide curriculum standards
5	adopted by the State Board of Education and, on or before June 30, 2020,
6	recommend to the State Board updates and additional standards to recognize
7	fully the history, contribution, and perspectives of ethnic groups and social
8	groups. These recommended additional standards shall be designed to:
9	(A) increase cultural competency of students in prekindergarten
10	through grade 12;
11	(B) increase attention to the history, contribution, and perspectives of
12	ethnic groups and social groups;
13	(C) promote critical thinking regarding the history, contribution, and
14	perspectives of ethnic groups and social groups;
15	(D) commit the school to eradicating any racial bias in its curriculum;
16	(E) provide, across its curriculum, content and methods that enable
17	students to explore safely questions of identity, race equality, and racism; and
18	(F) ensure the basic curriculum and extracurricular programs are
19	welcoming to all students and take into account parental concerns about
20	religion or culture.

1	(2) The Working Group may review all existing State statutes regarding
2	school policies and recommend to the General Assembly proposed statutory
3	changes with the following goals:
4	(A) Ensuring that the school curriculum:
5	(i) promotes critical thinking regarding the history, contribution,
6	and perspectives of ethnic groups and social groups;
7	(ii) includes content and related instructional materials and
8	methods that enable students to explore safely questions of identity and
9	membership in ethnic groups and social groups, race equality, and racism; and
10	(iii) facilitates a welcoming environment for all students while
11	taking into account parental concerns about bias or exclusion of ethnic groups
12	or social groups.
13	(B) Ensuring engagement opportunities that provide families a
14	welcoming means of raising any concern about their child's experience as it
15	bears on race or ethnic or social group identity at school.
16	(3) The Working Group shall include in its report to the General
17	Assembly under subdivisions (h)(2) and (3) of this section any statute, State
18	Board rule, or school district policy that it has identified as needing review or
19	amendment in order to:

1	(A) promote an overarching focus on preparing all students to
2	participate effectively in an increasingly racially, culturally, and socially
3	diverse Vermont and in global communities;
4	(B) ensure every student is in a safe, secure, and welcoming learning
5	and social environment in which bias, whether implicit or explicit, toward
6	others based on their membership in ethnic or social groups is acknowledged
7	and addressed appropriately;
8	(C) challenge racist, sexist, gender, or ability-based bias or bias based
9	on socioeconomic status when it occurs, using principles aligned with
10	restorative practice;
11	(D) specify prohibited conduct as it relates to racism, sexism,
12	ableism, and other social biases and refers to the process through which alleged
13	misconduct will be addressed, including disciplinary action as appropriate;
14	(E) establish disciplinary responses to racial or ethnic and social
15	group incidents that include the utilization of restorative practices where
16	appropriate; and
17	(F) ensure that the school provides all its personnel training in how
18	best to address bias incidents.
19	(h) Reports.
20	(1) The Working Group shall, on or before March 1, 2019, submit a
21	report to the General Assembly that includes:

1	(A) the membership of the Working Group and its meeting schedule;
2	(B) its plan to accomplish the work described in subdivision (g)(1) of
3	this section, including the timeline for reviewing all statewide curriculum
4	standards and for its recommendation to the State Board of additional
5	standards to recognize fully the history, contribution, and perspectives of
6	ethnic groups and social groups; and
7	(C) its plan to accomplish the work described in subdivisions (g)(2)
8	and (3) of this section, including the timeline for reviewing all existing State
9	statutes regarding school policies and drafting proposed legislation.
10	(2) The Working Group shall, on or before December 15, 2019, submit a
11	report to the General Assembly, including:
12	(A) the membership of the Working Group and its meeting schedule;
13	(B) recommended statutory changes under subdivisions (g)(2) and (3)
14	of this section; and
15	(C) recommendations for training and appropriations to support
16	implementation of the recommended statutory changes.
17	(3) The Working Group shall, on or before July 1, 2021, submit a report
18	to the General Assembly, including:
19	(A) any further recommended statutory changes under subdivision
20	(g)(2) of this section; and

1	(B) recommendations for training and appropriations to support
2	implementation of the recommended changes.
3	(i) Duties of the State Board of Education. The Board of Education shall,
4	on or before June 30, 2021, consider adopting ethnic and social equity studies
5	standards into existing statewide curriculum standards for public school
6	students and approved independent school students in prekindergarten through
7	grade 12. The State Board shall consider the report submitted by the Working
8	Group under subdivision (g)(1) of this section when determining the standards
9	to adopt.
10	Sec. 16. 16 V.S.A. § 164 is amended to read:
11	§ 164. STATE BOARD; GENERAL POWERS AND DUTIES
12	The State Board shall evaluate education policy proposals, including timely
13	evaluation of policies presented by the Governor and Secretary; engage local
14	school board members and the broader education community; and establish
15	and advance education policy for the State of Vermont. In addition to other
16	specified duties, the Board shall:
17	* * *
18	(17) Report annually on the condition of education statewide and on a
19	school by school supervisory union and school district basis. The report shall
20	include information on attainment of standards for student performance
21	adopted under subdivision (9) of this section, number and types of complaints

As used in this title:

of harassment, hazing, or bullying made pursuant to chapter 9, subchapter 5 of
this title and responses to the complaints, financial resources and expenditures
and community social indicators. The report shall be organized and presented
in a way that is easily understandable by the general public and that enables
each school, school district, and supervisory union to determine its strengths
and weaknesses. To the extent consistent with State and federal privacy laws
and regulations, data on student performance and hazing, harassment, or
bullying incidents shall be disaggregated by student groups, including ethnic
and racial groups, poverty status, disability status, English language learner
status, and gender. The Secretary shall use the information in the report to
determine whether students in each school, school district, and supervisory
<u>union</u> are provided educational opportunities substantially equal to those
provided in other schools, school districts, and supervisory unions pursuant to
subsection 165(b) of this title.
* * *
* * * Expanded Learning Opportunities * * *
Sec. 17. 16 V.S.A. chapter 100 is added to read:
CHAPTER 100. EXPANDED LEARNING OPPORTUNITIES
§ 2911. DEFINITIONS

1	(1) "Expanded Learning Opportunity (ELO)" means a structured
2	program designed to serve prekindergarten through secondary school-aged
3	children and youths outside the school day and year on a regular basis,
4	including before and after school and during the summer, by providing
5	opportunities for personal, emotional, and academic growth for children and
6	youths.
7	(2) "ELO Committee" means the Expanded Learning Opportunities
8	Committee created by section 2912 of this chapter.
9	(3) "ELO Special Fund" means the Vermont Expanded Learning
10	Opportunities Special Fund, under section 2913 of this chapter.
11	§ 2912. EXPANDED LEARNING OPPORTUNITIES
12	COMMITTEE; REPORT
13	(a) Creation; membership. There is created the Expanded Learning
14	Opportunities Committee, to be composed of the following 12 members:
15	(1) the Secretary of Education or designee;
16	(2) the Commissioner for Children and Families or designee;
17	(3) the Commissioner of Labor or designee;
18	(4) the Director of Vermont Afterschool, Inc. or designee;
19	(5) one current member of the House of Representatives, who shall be
20	appointed by the Speaker of the House;

1	(6) one current member of the Senate, who shall be appointed by the
2	Committee on Committees;
3	(7) one member representing private foundations or Vermont's
4	philanthropic community, one member representing the business community,
5	and one member representing the education community, appointed by the
6	Prekindergarten-16 Council; and
7	(8) three members representing ELO programs that have been in
8	operation since at least July 1, 2017, with one member to be appointed each by
9	the Governor, the Speaker of the House, and the Committee on Committees.
10	(b) Duties. The Committee shall:
11	(1) recommend to the Agency of Education grants to be awarded from
12	the ELO Special Fund; and
13	(2) work with the philanthropic and business communities in Vermont
14	to pursue and accept grants or other funding from any public or private source
15	for the ELO Special Fund.
16	(c) Terms. ELO Committee members shall serve, commencing on
17	January 1, three-year terms or until the member's earlier resignation or
18	removal, except for legislative members, who shall be appointed to two-year
19	terms that mirror their legislative terms. A nonlegislative ELO Committee
20	member may be appointed prior to January 1, 2019, in which case the initial
21	term of that member shall extend to January 1, 2022. A legislative ELO

1	Committee member may be appointed after the beginning of the legislator's
2	legislative term and prior to January 1, 2019, in which case the initial term of
3	that member shall extend to the end of the legislator's next two-year legislative
4	term. The respective appointing authority shall fill a vacancy for the remainder
5	of any unexpired term. An appointed member shall not serve more than three
6	full consecutive terms. A legislator's service on the ELO Committee shall
7	terminate on the date that the legislator no longer serves as a member of the
8	General Assembly.
9	(d) Officers; subcommittees; rules. The ELO Committee shall elect a chair
10	from among its members. It may elect other officers, establish subcommittees,
11	and adopt procedural rules as it determines necessary and appropriate to
12	perform its work.
13	(e) Quorum; voting; meetings.
14	(1) A majority of all members shall constitute a quorum.
15	(2) Action is taken by the ELO Committee if authorized by a majority of
16	the members present and voting at any regular or special meeting at which a
17	quorum is present.
18	(3) The ELO Committee may permit any or all members to participate
19	in a regular or special meeting by, or conduct the meeting through the use of,
20	any means of electronic communication by which all members participating
21	may simultaneously or sequentially communicate with each other during the

1	meeting. A member participating in a meeting by this means is deemed to be
2	present in person at the meeting.
3	(4) On or before September 1, 2018, two legislative members shall
4	convene the first meeting of the ELO Committee.
5	(f) Administrative support. The Office of Legislative Council shall provide
6	administrative support to the ELO Committee.
7	(g) Compensation, reimbursement, and appropriations.
8	(1) For attendance at meetings during adjournment of the General
9	Assembly, legislative members of the ELO Committee shall be entitled to
10	compensation and reimbursement for expenses pursuant to 2 V.S.A. § 406 for
11	not more than 12 meetings per year. The sum of \$2,628.00 is appropriated to
12	the General Assembly from the General Fund in fiscal year 2019 for the per
13	diem compensation and expense reimbursements authorized by this section to
14	be paid to the members of the Committee who are members of the General
15	Assembly.
16	(2) Other members of the Committee who are not employees of the
17	State of Vermont and who are not otherwise compensated or reimbursed for
18	their attendance shall be entitled to per diem compensation and reimbursement
19	of expenses pursuant to 32 V.S.A. § 1010 for not more than 12 meetings per
20	year. The sum of \$8,784.00 is appropriated to the Agency of Education from
21	the General Fund in fiscal year 2019 for the per diem compensation and

1	expense reimbursements authorized by this section to be paid to these members
2	of the Committee. The Agency shall include in its budget request to the
3	General Assembly for each subsequent fiscal year the amount of \$8,784.00 for
4	the per diem compensation and expense reimbursements authorized by this
5	section to be paid to these members of the Committee.
6	(h) Report. Notwithstanding 2 V.S.A. § 20(d), the ELO Committee shall
7	report to the House and Senate Committees on Education and on
8	Appropriations on or before January 15 annually regarding the ELO
9	Committee's activities, including:
10	(1) its recommendations to improve access to expanded learning
11	opportunities for children and youths from families with low income where
12	expanded learning opportunities are not readily available;
13	(2) its recommendations to build workforce readiness skills in the fields
14	of science, technology, engineering, and mathematics; and
15	(3) the extent to which transportation is a barrier to expanded learning
16	opportunities.
17	(i) Sunset. This section is repealed on July 1, 2023.
18	§ 2913: VERMONT EXPANDED LEARNING OPPORTUNITIES SPECIAL
19	<u>FUND</u>
20	(a) There is established the Vermont Expanded Learning Opportunities
21	Special Fund comprising grants, donations, and contributions from any private

1	or public source. Monies in the ELO Special Fund shall be available to the
2	Agency of Education for the purpose of increasing access to ELOs throughout
3	Vermont. The Commissioner of Finance and Management may draw warrants
4	for disbursements from the Fund in anticipation of receipts. The Fund shall be
5	administered pursuant to 32 V.S.A. chapter 7, subchapter 5, except that interest
6	earned and any remaining balance at the end of the fiscal year shall be retained
7	and carried forward in the Fund.
8	(b) The Agency of Education shall report annually in it budget presentation
9	to the House and Senate Committees on Education and on Appropriations on
10	the number and amount of ELO grants disbursed and the geographic locations
11	of the recipients.
12	Sec. 18. 16 V.S.A. § 2906 is amended to read:
13	§ 2906. VERMONT EXPANDED LEARNING OPPORTUNITIES SPECIAL
14	FUND ESTABLISHED
15	(a) As used in this section, "Expanded Learning Opportunity" means a
16	structured program designed to serve prekindergarten through secondary
17	school-age children and youth outside the school day and year on a regular
18	basis, including before and after school and during the summer, by providing
19	opportunities for personal, emotional, and academic growth for children and
20	youth.

I	(b) There is established a Vermont Expanded Learning Opportunities
2	Special Fund comprising grants, donations, and contributions from any private
3	or public source. Monies in the Fund shall be available to the Agency for the
4	purpose of increasing access to expanded learning opportunities throughout
5	Vermont. The Commissioner of Finance and Management may draw warrants
6	for disbursements from this Fund in anticipation of receipts. The Fund shall be
7	administered pursuant to 32 V.S.A. chapter 7, subchapter 5, except that interest
8	earned and any remaining balance at the end of the fiscal year shall be retained
9	and carried forward in the Fund. [Repealed.]
10	* * * Postsecondary Educational Institutions; Closing * * *
11	Sec. 19. 16 V.S.A. § 175 is amended to read:
12	§ 175. POSTSECONDARY EDUCATIONAL INSTITUTIONS; CLOSING
13	(a) When an institution of higher education, whether or not chartered in this
14	State, proposes to discontinue the regular course of instruction, either
15	permanently or for a temporary period other than a customary vacation period,
16	the institution shall:
17	(1) promptly inform the State Board;
18	(2) prepare the academic record of each current and former student in a
19	form satisfactory to the State Board and including interpretive information
20	required by the Board; and

(3) deliver the records to a person designated by the State Board to act as permanent repository for the institution's records, together with the reasonable cost of entering and maintaining the records.

* * *

- (d) When an institution of higher education is unable or unwilling to comply substantially with the record preparation and delivery requirements of subsection (a) of this section, the State Board shall bring an action in Superior Court to compel compliance with this section, and may in a proper case obtain temporary custody of the records.
- (e) When an institution of higher education is unable or unwilling to comply with the requirements of subsection (a) of this section, the State Board may expend State funds necessary to ensure the proper storage and availability of the institution's records. The Attorney General shall then seek recovery under this subsection, in the name of the State, of all of the State's incurred costs and expenses, including attorney's fees, arising from the failure to comply. Claims under this subsection shall be a lien on all the property of a defaulting institution, until all claims under this subsection are satisfied. The lien shall take effect from the date of filing notice thereof in the records of the town or towns where property of the defaulting institution is located.

20 ***

I	(g)(1) The Association of Vermont Independent Colleges (AVIC) shall
2	maintain a memorandum of understanding with each of its member colleges
3	under which each member college agrees to:
4	(1) upon the request of AVIC, properly administer the student records of
5	a member college that fails to comply with the requirements of subsection (a)
6	of this section; and
7	(2) contribute on an equitable basis and in a manner determined in the
8	sole discretion of AVIC to the costs of another AVIC member or other entity
9	selected by AVIC maintaining the records of a member college that fails to
10	comply with the requirements of subsection (a) of this section. If an institution
11	of higher education is placed on probation for financial reasons by its
12	accrediting agency, the institution shall, not later than two days after learning
13	that it has been placed on probation, inform the State Board of Education of its
14	status, and not later than 90 days after being place on probation, shall submit a
15	student record plan to the State Board for approval.
16	(2) The student record plan shall include an agreement with an
17	institution of higher education or other entity to act as a repository for the
18	institution's records with funds set aside, if necessary, for the permanent
19	maintenance of the student records.
20	(3) If the State Board does not approve the plan, the State may take
21	action under subsections (d) and (e) of this section.

1	* * * Statewide Negotiation of Health Care Benefits
2	for School Employees * * *
3	Sec. 20. STUDY COMMITTEE ON STATEWIDE NEGOTIATION OF
4	HEALTH CARE BENEFITS FOR SCHOOL EMPLOYEES
5	(a) The Study Committee on Statewide Negotiation of Health Care Benefits
6	for School Employee (Committee) is created to determine how to transition to
7	a single, statewide health benefit plan for all school employees of supervisory
8	unions and school districts.
9	(b)(1) The Committee shall comprise the following six members:
10	(A) three current members of the House of Representatives, not all
11	from the same political party, who shall be appointed by the Speaker of the
12	House of Representatives; and
13	(B) three current members of the Senate, not all from the same
14	political party, who shall be appointed by the Committee on Committees.
15	(2) If a member of the Committee ceases to serve as a member of the
16	General Assembly, a replacement appointee who is a member of the General
17	Assembly shall be appointed in the same manner as the initial appointment.
18	(c) The Committee shall propose draft legislation that addresses the
19	following matters concerning the transition to a single, statewide health benefit
20	plan for all school employees of supervisory unions and school districts:
21	(1) the structure and composition of parties to a statewide negotiation;

1	(2) a timeline for negotiations and impasse procedures;
2	(3) a process for statewide ratification of the agreement resulting from
3	the statewide negotiation; and
4	(4) how income sensitization will be decided as part of the negotiations.
5	(d) The Committee's draft legislation shall include a requirement that any
6	fact-finding required for impasse resolution shall give weight to:
7	(1) the financial capacity of the school district;
8	(2) the interest and welfare of the public and the financial ability of the
9	school board to pay for increased costs of public services, including the cost of
10	labor;
11	(3) comparisons of the wages, hours, and conditions of employment of
12	the employees involved in the dispute with the wages, hours, and conditions of
13	employment of State and municipal employees who are not employed by
14	supervisory unions or school districts;
15	(4) the overall compensation currently received by the employees,
16	including direct wages, fringe benefits, and continuity conditions and stability
17	of employment, and all other benefits received; and
18	(5) the rate of growth of the economy of the State of Vermont for the
19	year of negotiation as well as during the prior three-year period.
20	(e)(1) The Committee shall consult with the Secretary of Education and the
21	Vermont Education Health Initiative as necessary.

1	(2) The Committee shall have the administrative, technical, and legal
2	assistance of the Office of Legislative Council.
3	(f) On or before December 15, 2018, the Committee shall provide its
4	proposed legislation to the House Committees on Education, on General,
5	Housing, and Military Affairs, and on Ways and Means and the Senate
6	Committees on Education, on Economic Development, Housing and General
7	Affairs, and on Finance.
8	(g) The Speaker of the House shall call the first meeting of the Committee
9	to occur on or before July 1, 2018. The Committee shall select a chair from
10	among its members at the first meeting. A majority of the membership shall
11	constitute a quorum. The Committee shall cease to exist on December 16,
12	<u>2018.</u>
13	(h) For attendance at meetings during adjournment of the General
14	Assembly, members of the Committee shall be entitled to per diem
15	compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for
16	not more than ten meetings. The sum of \$13,140.00 is appropriated to the
17	General Assembly from the General Fund in fiscal year 2019 for the per diem
18	compensation and expense reimbursements authorized by this section to be
19	paid to the members of the Committee who are members of the General
20	Assembly.

1	(i) As used in this section, "supervisory union" and "school district" shall
2	have the same meanings as set forth in 16 V.S.A. § 11.
3	* * * Effective Dates * * *
4	Sec. 21. EFFECTIVE DATES
5	(a) Sec. 8 shall take effect on July 1, 2019.
6	(b) This section and the remaining sections shall take effect on passage,
7	and Secs. 4(c) and 5 shall apply to the subsequent election of district officers of
8	a unified union school district or a union school district.
9	
10	
11	(Committee vote:)
12	
13	Representative
14	FOR THE COMMITTEE
15	
16	