

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.

1       Sec. 3. TRANSITION

2           Notwithstanding any provision to the contrary in Sec. 2 of this act, a school  
3           district may pay tuition on behalf of a student to a school located in another  
4           country or to an approved independent school that is located in a state that is  
5           not contiguous to Vermont if, during the 2017-2018 school year, the student  
6           attended that school; provided, however, that tuition shall be paid for not more  
7           than four years after enactment of this act.

8                               \* \* \* Dual Enrollment; Parochial Schools \* \* \*

9       Sec. 4. 16 V.S.A. § 944 is amended to read:

10       § 944. DUAL ENROLLMENT PROGRAM

11           (a) Program creation. There is created a the statewide Dual Enrollment  
12           Program to be a potential component of a student's flexible pathway. The  
13           Program shall include college courses offered on the campus of an accredited  
14           postsecondary institution and college courses offered by an accredited  
15           postsecondary institution on the campus of a secondary school. The Program  
16           may include online college courses or components.

17           (b) Students.

18               (1) A Vermont resident who has completed grade 10 but has not  
19           received a high school diploma is eligible to participate in the Program if:

20               (A) the student:

21                   (i) is enrolled in:

1 (I) a Vermont public school, including a Vermont career  
2 technical center;

3 (II) a public school in another state or an approved independent  
4 school that is designated as the public secondary school for the student's  
5 district of residence; or

6 (III) an approved independent school in Vermont ~~to which the~~  
7 ~~student's district of residence pays publicly funded tuition on behalf of the~~  
8 ~~student;~~

9 (ii) is assigned to a public school through the High School  
10 Completion Program; or

11 (iii) is a home study student;

12 \* \* \*

13 \* \* \* U.S. Citizenship Civics Test \* \* \*

14 Sec. 5. 16 V.S.A. § 914 is added to read:

15 § 914. CITIZENSHIP TEST

16 The U.S. citizenship civics test, produced by the U.S. Citizenship and  
17 Immigration Services, shall be used as a resource for the teaching of  
18 citizenship, history, and government in Vermont and the United States as  
19 required under subsection 906(b) of this title, and may be used as a resource  
20 for the educational program on the U.S. Constitution that each educational

1 institution receiving federal funds is required to hold in September each year,  
2 under Pub. L. No. 108-447, Division J, Title I, Sec. 111(b).

3 \* \* \* Elections; Unified Union School District \* \* \*

4 Sec. 6. ELECTIONS; UNIFIED UNION SCHOOL DISTRICT

5 (a) Notwithstanding any provision of law to the contrary, the election of a  
6 director on the board of a unified union school district who is to serve on the  
7 board after expiration of the term for an initial director shall be held at the  
8 unified union school district's annual meeting unless otherwise provided in the  
9 district's articles of agreement.

10 (b) Notwithstanding any provision of law to the contrary, if a vacancy  
11 occurs on the board of a unified union school district and the vacancy is in a  
12 seat that is allocated to a specific town, the clerk of the unified union district  
13 shall immediately notify the selectboard of the town. Within 30 days after the  
14 receipt of that notice, the unified union school district board, in consultation  
15 with the selectboard, shall appoint a person who is otherwise eligible to serve  
16 as a member of the unified union school district board to fill the vacancy until  
17 an election is held at an annual or special meeting, unless otherwise provided  
18 in accordance with the unified union school district's articles of agreement.

19 (c) Notwithstanding any provision of law to the contrary, the clerk,  
20 treasurer, and moderator of a unified union school district elected at an annual  
21 meeting shall enter upon their duties on July 1 following their election and

1 shall serve a term of three years or until their successors are elected and  
2 qualified, except that if the voters at an annual meeting so vote, moderators  
3 elected at an annual meeting shall assume office upon election and shall serve  
4 for a term of three years or until their successors are elected and qualified.

5 (d) This section is repealed on July 1, 2020.

6 \* \* \* School Radon Mitigation Study Committee \* \* \*

7 Sec. 7. SCHOOL RADON MITIGATION STUDY COMMITTEE

8 (a) Creation. There is created the School Radon Mitigation Study  
9 Committee to explore funding opportunities for the mitigation of elevated  
10 radon concentrations in schools and contingency plans for the loss of related  
11 federal funding.

12 (b) Membership. The Committee shall be composed of the following six  
13 members:

14 (1) the Secretary of Education or designee;

15 (2) the Commissioner of Health or designee;

16 (3) a member appointed by the State School Boards Association;

17 (4) a member appointed by the Vermont Superintendents Association;

18 (5) a member appointed by the Vermont Independent Schools

19 Association; and

1           (6) a radon mitigation professional certified for testing and mitigation by  
2           the National Radon Proficiency Program, appointed by the Director of the  
3           Department of Labor’s Workers’ Compensation and Safety Division.

4           (c) Assistance. The Committee shall have the administrative, technical, and  
5           legal assistance of the Agency of Education.

6           (d) Report. On or before December 15, 2018, the Committee shall submit a  
7           written report to the House and Senate Committees on Education containing  
8           viable options for funding the mitigation of elevated radon concentrations in  
9           schools.

10          (e) Meetings.

11           (1) The Secretary of Education or designee shall call the first meeting of  
12           the Committee to occur on or before October 1, 2018.

13           (2) The Committee shall select a chair from among its members at the  
14           first meeting.

15           (3) The Committee shall cease to exist on December 31, 2018.

16           (f) Compensation and reimbursement. Members of the Committee who are  
17           not employees of the State of Vermont and who are not otherwise compensated  
18           or reimbursed for their attendance shall be entitled to per diem compensation  
19           and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than  
20           four meetings. These payments shall be made from monies appropriated to the  
21           Agency of Education.

1        (g) Appropriation. The sum of \$800.00 is appropriated from the General  
2        Fund to the Agency of Education to provide funding for the purposes set forth  
3        in this section.

4                                \* \* \* Technical Correction \* \* \*

5        Sec. 8. 16 V.S.A. § 4015 is amended to read:

6        § 4015. SMALL SCHOOL SUPPORT

7        (a) In this section:

8                                \* \* \*

9                (2) “Enrollment” means the number of students who are enrolled in a  
10        school operated by the district on October 1. A student shall be counted as one  
11        whether the student is enrolled as a full-time or part-time student. Students  
12        enrolled in prekindergarten programs shall not be counted.

13                                \* \* \*

14                                \* \* \* Prekindergarten Education \* \* \*

15        Sec. 9. AGENCY OF EDUCATION REPORT; PREKINDERGARTEN

16        EDUCATION

17        On or before December 1, 2018, the Agency of Education shall provide a  
18        report to the General Assembly on the costs, benefits, and feasibility of  
19        replacing prekindergarten education with a system that provides kindergarten  
20        education for children who are four or five years of age, and child care services  
21        for children who are age zero through age three.



\* \* \* Effective Date \* \* \*

Sec. 10. EFFECTIVE DATE

This act shall take effect on passage, and Sec. 6(c) shall apply to the subsequent election of district officers of a unified union school district.

(Committee vote: \_\_\_\_\_)

\_\_\_\_\_  
Representative \_\_\_\_\_

FOR THE COMMITTEE

PRELIMINARY COMMITTEE DISCUSSION TO DELETE THESE  
SECTIONS:

\* \* \* Child Abuse and Neglect Hotline \* \* \*

Sec. 5. 16 V.S.A. § 914 is added to read:

§ 914. CHILD ABUSE AND NEGLECT HOTLINE

Each public school and each independent school shall post, in a place clearly visible to students and on its website, the toll-free telephone number operated by the Department for Children and Families to receive reports of child abuse and neglect and directions for accessing the office of the

1 Department for Children and Families. The postings shall be in English,  
2 Spanish, and French.

3 \* \* \* Postsecondary Educational Institutions; Closing \* \* \*

4 Sec. 6. 16 V.S.A. § 175 is amended to read:

5 § 175. POSTSECONDARY EDUCATIONAL INSTITUTIONS; CLOSING

6 (a) When an institution of higher education, whether or not chartered in this  
7 State, proposes to discontinue the regular course of instruction, either  
8 permanently or for a temporary period other than a customary vacation period,  
9 the institution shall:

10 (1) promptly inform the State Board;

11 (2) prepare the academic record of each current and former student in a  
12 form satisfactory to the State Board and including interpretive information  
13 required by the Board; and

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

17 \* \* \*

18 (d) When an institution of higher education is unable or unwilling to  
19 comply substantially with the record preparation and delivery requirements of  
20 subsection (a) of this section, the State Board shall bring an action in Superior

1 Court to compel compliance with this section, and may in a proper case obtain  
2 temporary custody of the records.

3 (e) When an institution of higher education is unable or unwilling to  
4 comply with the requirements of subsection (a) of this section, the State Board  
5 may expend State funds necessary to ensure the proper storage and availability  
6 of the institution's records. The Attorney General shall then seek recovery  
7 under this subsection, in the name of the State, of all of the State's incurred  
8 costs and expenses, including attorney's fees, arising from the failure to  
9 comply. Claims under this subsection shall be a lien on all the property of a  
10 defaulting institution, until all claims under this subsection are satisfied. The  
11 lien shall take effect from the date of filing notice thereof in the records of the  
12 town or towns where property of the defaulting institution is located.

13 \* \* \*

14 ~~(g)(1) The Association of Vermont Independent Colleges (AVIC) shall~~  
15 ~~maintain a memorandum of understanding with each of its member colleges~~  
16 ~~under which each member college agrees to:~~

17 ~~(1) upon the request of AVIC, properly administer the student records of~~  
18 ~~a member college that fails to comply with the requirements of subsection (a)~~  
19 ~~of this section; and~~

20 ~~(2) contribute on an equitable basis and in a manner determined in the~~  
21 ~~sole discretion of AVIC to the costs of another AVIC member or other entity~~

1 ~~selected by AVIC maintaining the records of a member college that fails to~~  
2 ~~comply with the requirements of subsection (a) of this section.~~ If an institution  
3 of higher education is placed on probation for financial reasons by its  
4 accrediting agency, the institution shall, not later than two days after learning  
5 that it has been placed on probation, inform the State Board of Education of its  
6 status, and not later than 90 days after being place on probation, shall submit a  
7 student record plan to the State Board for approval.

8 (2) The student record plan shall include an agreement with an  
9 institution of higher education or other entity to act as a repository for the  
10 institution's records with funds set aside, if necessary, for the permanent  
11 maintenance of the student records.

12 (3) If the State Board does not approve the plan, the State may take  
13 action under subsections (d) and (e) of this section.

14 \* \* \* Interstate School District \* \* \*

15 Sec. 7. INTERSTATE SCHOOL DISTRICT

16 In order to increase educational opportunities for students in the Stamford  
17 school district, and given the geographic and other challenges involved in  
18 merging the Stamford school district with another Vermont school district, the  
19 General Assembly supports the creation of an interstate school district that  
20 would combine the Stamford school district with the Clarksburg,  
21 Massachusetts, school district.