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H.513

Representative Conlon of Cornwall moves that the House concur in the Senate proposal of amendment with a further proposal of amendment by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Criminal Record Checks * * *

Sec. 1. 16 V.S.A. § 255(k) and (l) are added to read:

(k) The requirements of this section shall not apply to persons operating or employed by a child care facility that is prequalified to provide prekindergarten education pursuant to section 829 of this title and that is required to be licensed by the Department for Children and Families pursuant to 33 V.S.A § 3502.

(l) The requirements of this section shall not apply with respect to a school district's partners in any program authorized or student placement created by chapter 23, subchapter 2 of this title. It is provided, however, that superintendents are not prohibited from requiring a fingerprint supported record check pursuant to district policy with respect to its partners in such programs.

* * * Education Weighting Report * * *

Sec. 2. EDUCATION WEIGHTING REPORT

(a) The Agency of Education, the Joint Fiscal Office, and the Office of Legislative Council, in consultation with the Secretary of Human Services, the

1 Vermont Superintendent’s Association, the Vermont School Boards
2 Association, and the Vermont National Education Association, shall consider
3 and make recommendations on the criteria used for determining weighted
4 long-term membership of a school district under 16 V.S.A. § 4010, including
5 the following.

6 (1) The current weighting factors and any supporting evidence or basis
7 in the historical record for these factors.

8 (2) The relationship between each of the current weighting factors and
9 the quality and equity of educational outcomes for students.

10 (3) Whether any of the weighting factors, including the weighting
11 factors for students from economically deprived backgrounds and for students
12 for whom English is not the primary language, should be modified, and if so,
13 how the weighting factors should be modified and if the modification would
14 further the quality and equity of educational outcomes for students.

15 (4) Whether to add any weighting factors, including a school district
16 population density factor, and if so, why the weighting factor should be added
17 and if the weighting factor would further the quality and equity of educational
18 outcomes for students. In considering whether to recommend the addition of a
19 school district population density factor, the Agency of Education shall
20 consider the practices of other states, information from the National Council

1 for State Legislatures, and research conducted by higher education institutions
2 working on identifying rural or urban education financing factors.

3 (b) In addition to considering and making recommendations on the criteria
4 used for the determining weighted long-term membership of a school district
5 under subsection (a) of this section, the Agency of Education may consider and
6 make recommendations on other methods that would further the quality and
7 equity of educational outcomes for students.

8 (c) Report. On or before December 15, 2017, the Agency of Education
9 shall submit a written report to the House and Senate Committees on
10 Education, the House Committee on Ways and Means, and the Senate
11 Committee on Finance with its findings and any recommendations.

12 * * * Surety Bond; Postsecondary Institutions * * *

13 Sec. 3. 16 V.S.A. § 175 is amended to read:

14 § 175. POSTSECONDARY EDUCATIONAL INSTITUTIONS; CLOSING

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

19 (1) promptly inform the State Board;

1 shall acquire and maintain a bond from a corporate surety licensed to do
2 business in Vermont in the amount of \$50,000.00 to cover costs that may be
3 incurred by the State under subsection (e) of this section due to the institution's
4 failure to comply with the requirements of subsection (a) of this section, and
5 the institution shall provide evidence of the bond to the Secretary within 30
6 days of receipt. The State shall be entitled to recover up to the full amount of
7 the bond in addition to the other remedies provided in subsection (e) of this
8 section.

9 (2) AVIC shall maintain a memorandum of understanding with each of
10 its member colleges under which each member college agrees to:

11 (A) upon the request of AVIC, properly administer the student
12 records of a member college that fails to comply with the requirements of
13 subsection (a) of this section; and

14 (B) contribute on an equitable basis and in a manner determined in
15 the sole discretion of AVIC to the costs of another AVIC member or other
16 entity selected by AVIC maintaining the records of a member college that fails
17 to comply with the requirements of subsection (a) of this section.

18 * * * Prekindergarten Education Recommendations * * *

19 Sec. 4. PREKINDERGARTEN EDUCATION RECOMMENDATIONS

20 On or before November 1, 2017, the Secretaries of Human Services and of
21 Education shall jointly present recommendations to the House and Senate

1 Committees on Education that will ensure equity, quality, and affordability,
2 and reduce duplication and complexity, in the current delivery of
3 prekindergarten services.

4 * * * High School Completion Program * * *

5 Sec. 5. 16 V.S.A. § 942(6) is amended to read:

6 (6) ~~“Contracting agency”~~ “Local adult education and literacy provider”
7 means an entity that ~~enters into a contract with the Agency to provide~~ “flexible
8 pathways to graduation” ~~services itself or in conjunction with one or more~~
9 ~~approved providers in Vermont~~ is awarded Federal or State grant funds to
10 conduct adult education and literacy activities.

11 Sec. 6. 16 V.S.A. § 943 is amended to read:

12 § 943. HIGH SCHOOL COMPLETION PROGRAM

13 (a) There is created a High School Completion Program to be a potential
14 component of a flexible pathway for any Vermont student who is at least
15 16 years ~~old~~ of age, who has not received a high school diploma, and who may
16 or may not be enrolled in a public or approved independent school.

17 (b) If a person who wishes to work on a personalized learning plan leading
18 to graduation through the High School Completion Program is not enrolled in a
19 public or approved independent school, then the Secretary shall assign the
20 prospective student to a high school district, which shall be the district of
21 residence whenever possible. The school district in which a student is enrolled

1 or to which a nonenrolled student is assigned shall work with the ~~contracting~~
2 ~~agency~~ local adult education and literacy provider that serves the high school
3 district and the student to develop a personalized learning plan. The school
4 district shall award a high school diploma upon successful completion of the
5 plan.

6 (c) The Secretary shall reimburse, and net cash payments where possible, a
7 school district that has agreed to a personalized learning plan developed under
8 this section in an amount:

9 (1) established by the Secretary for the development and ongoing
10 evaluation and revision of the personalized learning plan and for other
11 educational services typically provided by the assigned district or an approved
12 independent school pursuant to the plan, such as counseling, health services,
13 participation in cocurricular activities, and participation in academic or other
14 courses; provided, however, that this amount shall not be available to a school
15 district that provides services under this section to an enrolled student; and

16 (2) negotiated by the Secretary and the ~~contracting agency~~ local adult
17 education and literacy provider, with the approved provider, for services and
18 outcomes purchased from the approved provider on behalf of the student
19 pursuant to the personalized learning plan.

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* * * Effective Dates * * *

Sec. 7. EFFECTIVE DATES

(a) This section and Secs. 2 and 4–6 shall take effect on passage.

(b) Sec. 1 (criminal record checks) shall take effect on passage and shall apply to persons hired or contracted with after June 30, 2017 and to persons who apply for or renew child care provider license after June 30, 2017.

(c) Sec. 3 (surety bond; postsecondary institutions) shall take effect on October 1, 2017.