

1 Introduced by Committee on Education

2 Date:

3 Subject: Education; prekindergarten education and child development
4 programs; career technical education; education weightings

5 Statement of purpose of bill as introduced: This bill proposes to: (1) facilitate
6 the ability of families to enroll a child, who is three or four years of age or is
7 five years of age but is not yet enrolled in kindergarten, in a public
8 prekindergarten education program or a private high-quality child development
9 program; (2) clearly establish the responsibility for regulatory oversight of
10 public prekindergarten education programs and private high-quality child
11 development programs; (3) create the CTE Innovation Grant Program to
12 support CTE programming for students in grade 7; (4) create the Education
13 Weighting Study Committee to consider and make recommendations on the
14 criteria used for the determining weighted long-term membership of a school
15 district; and (5) make an appropriation to the Expanded Learning Opportunities
16 Special Fund.

17 An act relating to prekindergarten education and child development
18 programs, career technical education, and education weightings

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 * * * Prekindergarten Education * * *

3 Sec. 1. REPEAL

4 16 V.S.A. § 829 (prekindergarten education) is repealed.

5 Sec. 2. 16 V.S.A. § 829 is added to read:

6 § 829. PREKINDERGARTEN EDUCATION

7 (a) Policy.

8 (1) It is the policy of the State of Vermont to facilitate the ability of
9 families to enroll a child, who is three or four years of age or is five years of
10 age but is not yet enrolled in kindergarten (eligible child), in a prekindergarten
11 education program or a high-quality child development program. Accordingly,
12 under the provisions of this section, a parent or guardian may choose to enroll
13 an eligible child at no cost in the public school of residence if the public school
14 offers prekindergarten education, or may choose to enroll an eligible child in
15 another public school that offers prekindergarten education on a space-
16 available basis. A parent may also, under the provisions of 33 V.S.A. chapter
17 35, subchapter 5, choose to enroll an eligible child in a high-quality child
18 development program operated by a private provider that is licensed or
19 registered by the Department for Children and Families, and depending on the
20 family's income level, may be eligible for a subsidy to cover part or all of the
21 cost of the program. A high-quality child development program is a program

1 operated by a private provider that has received five stars in the Department for
2 Children and Families' Step Ahead Recognition System (STARS) program.

3 (2) A public school that offers prekindergarten education shall be
4 subject to the oversight by the State Board of Education and the Agency of
5 Education, and rules adopted by the State Board.

6 (3) A private provider of a high-quality child development program
7 shall be subject to the oversight and rules adopted by the Department for
8 Children and Families.

9 (b) Definitions. As used in this section:

10 (1) "Eligible child" means a child who, as of the date established by the
11 district of residence for kindergarten eligibility, is three or four years of age or
12 is five years of age but is not yet enrolled in kindergarten.

13 (2) "Prekindergarten education" means services designed to provide to
14 an eligible child developmentally appropriate early development and learning
15 experiences based on Vermont's early learning standards.

16 (c) Prekindergarten education programs.

17 (1) A public school may offer a prekindergarten education program in
18 accordance with this section. A public school is not required to offer a
19 prekindergarten education program.

20 (2) If a public school offers a prekindergarten education program, the
21 following provisions shall apply:

1 (A) the public school shall:

2 (i) comply with applicable rules adopted by the State Board of
3 Education; and

4 (ii) enroll nonresident eligible children in its prekindergarten
5 education program on a space-available basis, and shall:

6 (I) define and announce its capacity to accept nonresident
7 eligible children under this section; and

8 (II) devise a nondiscriminatory lottery system for determining
9 which nonresident eligible children may enroll if more than the number of
10 nonresident eligible children for whom the school has capacity wish to enroll;

11 (B) the school district in which the public school operates shall:

12 (i) comply with applicable rules adopted by the State Board of
13 Education;

14 (ii) include any prekindergarten education-related costs in its
15 annual budget presented to the voters; and

16 (iii) pursuant to subdivision 4001(1)(C) of this title, include within
17 its average daily membership any eligible child who is a legal resident of the
18 school district for whom it has provided prekindergarten education.

19 (d) The Secretary of Education shall oversee the operation of
20 prekindergarten programs in conformity with this section, and the Board of

1 Education shall adopt corresponding rules under 3 V.S.A. chapter 25, which
2 shall include rules:

3 (1) To require that a school district in which a public school operates a
4 prekindergarten education program provides opportunities for effective
5 parental participation in the program.

6 (2) To establish processes and requirements to facilitate the ability of a
7 parent or guardian to enroll a nonresident eligible child in a public school that
8 offers prekindergarten education on a space-available basis under subdivision
9 (c)(2)(A)(ii) of this section, including rules concerning:

10 (A) how to define capacity;

11 (B) the establishment of a lottery system;

12 (C) the application process and any required notifications;

13 (D) continued enrollment for nonresident eligible children who have
14 been previously enrolled by the school; and

15 (E) the provision of special education services.

16 (3) To require a school district in which a public school operates a
17 prekindergarten education program to include identifiable costs for
18 prekindergarten education programs and essential early education services in
19 its annual budgets and reports to the community.

1 (4) To require a school district in which a public school operates a
2 prekindergarten education program to report to the Agency of Education
3 annual expenditures made in support of prekindergarten education.

4 (5) To establish a system by which the Agency of Education shall
5 monitor and evaluate prekindergarten education programs to promote optimal
6 results for children that support the relevant population-level outcomes set
7 forth in 3 V.S.A. § 2311 and to collect data that will inform future decisions.
8 The Agency shall be required to report annually to the General Assembly in
9 January. At a minimum, the system shall monitor and evaluate:

10 (A) programmatic details, including the number of children served,
11 the number public programs operated, and the public financial investment
12 made to ensure access to prekindergarten education;

13 (B) the quality of public prekindergarten education programs and
14 efforts to ensure continuous quality improvements through mentoring, training,
15 technical assistance, and otherwise; and

16 (C) the results for children, including school readiness and
17 proficiency in numeracy and literacy.

18 (6) To establish a process for documenting the progress of children
19 enrolled in prekindergarten education programs and to require a school district
20 in which a public school operates a prekindergarten education program to use
21 the process to:

1 care program that maintains a five-star rating in the STARS program pursuant
2 to this subchapter and corresponding rules.

3 § 3542. DEFINITIONS

4 As used in this subchapter:

5 (1) “Center-based child care program” means a program and facility
6 approved to provide developmentally appropriate care, education, protection,
7 and supervision of children and is designed to ensure wholesome growth and
8 educational experiences for children outside of their home for periods of less
9 than 24 hours per day.

10 (2) “Child development program” means a developmentally-appropriate
11 early learning program for eligible children operated by a center-based child
12 care program that maintains a five-star rating in the STARS program.

13 (3) “Eligible child” has the same meaning as defined under 16 V.S.A.
14 § 829.

15 (4) “Prekindergarten education” has the same meaning as defined under
16 16 V.S.A. § 829.

17 (5) “STARS” means the Step Ahead Recognition System administered
18 by the Department for Children and Families.

19 § 3543. CHILD DEVELOPMENT PROGRAM

20 (a) Creation of child development program. A child development program
21 is established to provide high-quality, developmentally appropriate early

1 learning opportunities to eligible children. A parent or guardian may choose to
2 enroll an eligible child in a child development program under this subchapter
3 or a prekindergarten education program offered by a public school under
4 16 V.S.A. § 829, or neither.

5 (b) Operation and oversight of child development program. A child
6 development program shall be operated by a center-based child care program
7 that maintains a five-star rating in the STARS program. The Department's
8 Child Development Division shall regulate and oversee the operation of a child
9 development program in conformity with this subchapter and corresponding
10 rules.

11 (c) Child development program subsidy. Notwithstanding section 3512 of
12 this chapter and to the extent funds permit, an eligible child enrolled in a child
13 development program may qualify for a subsidy at market rate on a sliding
14 scale basis. The scale shall be established by the Commissioner by rule, and
15 shall bear a reasonable relationship to household income and family size. The
16 lower limit of the fee scale shall include families whose gross income is up to
17 and including 200 percent of the federal poverty guidelines. The upper income
18 limit of the fee scale shall be four times Vermont's median household income,
19 as published by the U.S. Census Bureau under American Community Survey
20 5-Year Estimates.

1 § 2311 and to collect data that will inform future decisions. The Department
2 shall be required to report annually to the General Assembly in January. At a
3 minimum, the system shall monitor and evaluate:

4 (A) programmatic details, including the number of children served,
5 the number child development programs operated, and the public financial
6 investment made to ensure access to child development programs;

7 (B) the quality of child development programs and efforts to ensure
8 continuous quality improvements through mentoring, training, technical
9 assistance, and otherwise; and

10 (C) the results for children, including school readiness and
11 proficiency in numeracy and literacy.

12 (3) Establish a process for documenting the progress of children
13 enrolled in child development programs and to require child development
14 programs to use the process to:

15 (A) help individualize instruction and improve program practice; and

16 (B) collect and report child progress data to the Department on an
17 annual basis.

1 administer in accordance with this section, and any unused funds shall revert to
2 the Education Fund.

3 (d) Reporting. On or before November 15, 2017 and January 15, 2018, the
4 Agency shall report to the House and Senate Committees on Education on the
5 status and results of the program.

6 * * * Education Weighting Study Committee * * *

7 **Sec. 7. EDUCATION WEIGHTING STUDY COMMITTEE**

8 (a) Creation. There is created the Education Weighting Study Committee
9 to consider and make recommendations on the criteria used for determining
10 weighted long-term membership of a school district under 16 V.S.A. § 4010.

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

13 (1) two current members of the House of Representatives who shall be
14 appointed by the Speaker of the House;

15 (2) two current members of the Senate who shall be appointed by the
16 Committee on Committees;

17 (3) the Secretary of Education or designee;

18 (4) the Executive Director of the Vermont Superintendent's Association
19 or designee;

20 (5) the Executive Director of the Vermont School Boards Association or
21 designee; and

1 (6) the Executive Director of the Vermont National Education
2 Association or designee.

3 (c) Powers and duties. The Committee shall consider and make
4 recommendations on the criteria used for the determining weighted long-term
5 membership of a school district under 16 V.S.A. § 4010, including the
6 following:

7 (1) the relationship between each of the current weighting factors and
8 their effect on the quality and equity of educational outcomes for students;

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

14 (3) whether to add any weighting factors, including a school district
15 population density factor, and if so, why the weighting factor should be added
16 and how the weighting factor would further the quality and equity of
17 educational outcomes for students.

18 (d) Assistance. The Committee shall have the administrative, technical,
19 and legal assistance of the Agency of Education.

1 (e) Report. On or before January 15, 2018, the Committee shall submit a
2 written report to the House and Senate Committees on Education with its
3 findings and any recommendations.

4 (f) Meetings.

5 (1) The Secretary of Education shall call the first meeting of the
6 Committee to occur on or before May 30, 2017.

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

9 (3) A majority of the membership shall constitute a quorum.

10 (4) The Committee shall cease to exist on January 16, 2018.

11 (g) Reimbursement.

12 (1) For attendance at meetings during adjournment of the General
13 Assembly, legislative members of the Committee shall be entitled to per diem
14 compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for
15 no more than seven meetings.

16 (2) Other members of the Committee who are not employees of the State
17 of Vermont and who are not otherwise compensated or reimbursed for their
18 attendance shall be entitled to per diem compensation and reimbursement of
19 expenses pursuant to 32 V.S.A. § 1010 for no more than seven meetings.

1 * * * Expanded Learning Opportunities Special Fund * * *

2 Sec. 8. APPROPRIATION FOR EXPANDED LEARNING

3 OPPORTUNITIES SPECIAL FUND

4 Notwithstanding any provision to the contrary in 16 V.S.A. § 4025, the sum
5 of \$1,000,000.00 is appropriated from the Education Fund for fiscal year 2018
6 to the Expanded Learning Opportunities Special Fund established under
7 16 V.S.A. § 2906, and shall be used for the purposes set forth in that section.

8 * * * Effective Date * * *

9 Sec. 9. EFFECTIVE DATE

10 This act shall take effect on passage.