

1 S.1

2 Introduced by Senators Ashe, Mullin, Kitchel, and Cummings

3 Referred to Committee on Education

4 Date: January 10, 2017

5 Subject: Education; determination of average daily membership and equalized
6 pupils

7 Statement of purpose of bill as introduced: This bill proposes to direct the
8 Secretary of Education to determine average daily membership for the
9 2016–2017 school year and the equalized pupil count for fiscal year 2018 by
10 dates that are later than required by statute. By using these later dates, students
11 in prekindergarten programs that did not timely complete required employee
12 criminal record checks will be included in these determinations.

13 An act relating to the determination of average daily membership for the
14 2016–2017 school year and equalized pupil count for fiscal year 2018

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

16 Sec. 1. DETERMINATION OF AVERAGE DAILY MEMBERSHIP FOR
17 THE 2016–2017 SCHOOL YEAR AND EQUALIZED PUPIL
18 COUNT FOR FISCAL YEAR 2018

19 (a) As used in this act:

1 (1) “Average daily membership” shall have the same meaning as used in
2 16 V.S.A. § 4001(1).

3 (2) “Census period” shall have the same meaning as used in 16 V.S.A.
4 § 4001(1)(A).

5 (3) “Criminal record check” shall mean the criminal record check
6 required under 16 V.S.A. § 255.

7 (4) “Equalized pupils” shall have the same meaning as used in
8 16 V.S.A. § 4001(3).

9 (5) “Prekindergarten child” shall have the same meaning as used in
10 16 V.S.A. § 4001(15).

11 (6) “Prequalified program” shall have the same meaning as used in
12 16 V.S.A. § 829.

13 (7) “School district” shall have the same meaning as used in 16 V.S.A.
14 § 11(a)(10).

15 (b) Notwithstanding the time frame in 16 V.S.A § 4010(a), on or before
16 February 15, 2017, the Secretary of Education shall determine the average
17 daily membership of each school district for the 2016–2017 school year. The
18 Secretary shall include in the average daily membership each prekindergarten
19 child who attended a prequalified program as of January 13, 2017 that fulfilled
20 required criminal record checks after the end of the census period. Any
21 determination by the Secretary of average daily membership on or before

1 December 1, 2016 for the 2016–2017 school year, as required by 16 V.S.A
2 § 4010(a), shall be considered a preliminary determination.

3 (c) Notwithstanding the time frame in 16 V.S.A § 4010(h), the Secretary
4 shall determine the count of equalized pupils for fiscal year 2018 on or before
5 February 16, 2017, which shall be final for that year. Any determination by
6 the Secretary of the count of equalized pupils for fiscal year 2018 on or before
7 December 15, 2016 for the 2018 fiscal year, as required by 16 V.S.A
8 § 4010(h), shall be considered a preliminary determination.

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on passage.