

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Appropriations to which was referred House Bill No.
3 897 entitled “An act relating to enhancing the effectiveness, availability, and
4 equity of services provided to students who require additional support”
5 respectfully reports that it has considered the same and recommends that the
6 bill be amended as follows:

7 First: In Sec. 1, Findings, by striking out subsection (f) in its entirety and
8 inserting in lieu thereof a new subsection (f) to read:

9 (f) The General Assembly finds that:

10 (1) students who require additional support would be better served if
11 supervisory unions adopted the best practices recommended in the Delivery of
12 Services Report;

13 (2) the State’s current reimbursement model of funding special
14 education serves as an impediment to adopting these best practices, largely due
15 to the constraint on the use of funds and the misalignment with the policy
16 priorities of serving students who require additional support across the general
17 and special education service-delivery systems;

18 (3) the census-based model of funding for students who require
19 additional support would enable supervisory unions to adopt the best practices
20 recommended in the Delivery of Services Report, largely due to the flexibility

1 in how the funds could be used by supervisory unions and the alignment with
2 the policy priorities; and

3 (4) the census-based model of funding will result, over time, in cost
4 containment for special education services, which will be realized through
5 lower property tax rates or the ability for localities to use funds for other
6 educational purposes.

7 Second: In Sec. 4, 16 V.S.A. chapter 101, by striking out in 16 V.S.A.
8 § 2967 in its entirety and inserting in lieu thereof a new § 2967 to read:

9 § 2967. AID PROJECTION; ~~STATE SHARE~~

10 (a) On or before December 15, the Secretary shall publish an estimate, by
11 supervisory union and its member districts ~~to the extent they anticipate~~ of their
12 anticipated reimbursable special education expenditures under this chapter, ~~of~~
13 ~~the amount of State assistance necessary to fully fund sections 2961 through~~
14 ~~2963 of this title in~~ for the ensuing school year.

15 (b) ~~The total expenditures made by the State in any fiscal year pursuant to~~
16 ~~this chapter shall be 60 percent of the statewide total special education~~
17 ~~expenditures of funds that are not derived from federal sources. Special~~ As
18 used in this section, special education expenditures shall include:

19 (1) costs eligible for grants and reimbursements under ~~sections 2961~~
20 ~~through 2963a~~ section 2962 of this title;

1 (2) costs for services for persons who are visually impaired and persons
2 who are deaf and hard of hearing;

3 (3) costs for the interdisciplinary team program;

4 (4) costs for regional specialists in multiple disabilities;

5 (5) funds expended for training and programs to meet the needs of
6 students with emotional or behavioral problems under subsection 2969(c) of
7 this title; and

8 (6) funds expended for training under subsection 2969(d) of this title.

9 Third: In Sec. 9, Census-based Funding Advisory Group, by striking out
10 subsection (c) in its entirety and inserting in lieu thereof a new subsection (c)
11 to read:

12 (c) Powers and duties. The Advisory Group shall:

13 (1) advise the State Board of Education on the development of proposed
14 rules to implement this act prior to the submission of the proposed rules to the
15 Interagency Committee on Administrative Rules;

16 (2) advise the Agency of Education and supervisory unions on the
17 implementation of this act;

18 (3) recommend to the General Assembly any statutory changes it
19 determines are necessary or advisable to meet the goals of this act; and

20 (4) consider the State's special education maintenance of fiscal support
21 requirements under federal law and supervisory unions' maintenance of effort

1 requirements under federal law and recommend to the General Assembly and
2 the Agency of Education options that may allow State and local special
3 education spending in a manner that complies with these requirements while
4 containing costs.

5 Fourth: In Sec. 9, Census-based Funding Advisory Group, by striking out
6 subsection (h) in its entirety and inserting in lieu thereof a new subsection (h)
7 to read:

8 (h) Appropriation. Notwithstanding any provision to the contrary in
9 16 V.S.A. § 4025, the sum of \$6,400.00 is appropriated for fiscal year 2018
10 from the Education Fund to the Agency of Education to provide funding for the
11 purposes set forth in this section.

12 Fifth: In Sec. 11, Education Weighting Report, in subsection (c), by
13 striking out “February 15, 2019” and inserting in lieu thereof “March 15,
14 2019”

15 Sixth: In Sec. 11, Education Weighting Report, by striking out subsection
16 (e) in its entirety and inserting in lieu thereof a new subsection (e) to read:

17 (e) Notwithstanding any provision to the contrary in 16 V.S.A. § 4025, the
18 sum of \$300,000.00 is appropriated for fiscal year 2018 from the Education
19 Fund to the Agency of Education to provide funding for the purposes set forth
20 in this section. The Agency of Education shall contract with a contractor with
21 expertise in Vermont’s education funding system to assist the Agency in

1 producing the study required by this section. Any application of funds for the
2 purpose of administrative overhead shall be capped at ten percent of the total
3 sum allocated pursuant to this subsection.

4 Seventh: By striking out Sec. 12, Consulting services on the delivery of
5 special education services, and its reader assistance, in their entirety and
6 inserting in lieu thereof a new Sec. 12 with reader assistance, to read:

7 * * * Training and Technical Assistance on the Delivery of Special
8 Education Services * * *

9 Sec. 12. TRAINING AND TECHNICAL ASSISTANCE ON THE
10 DELIVERY OF SPECIAL EDUCATION SERVICES

11 (a) The Agency of Education shall, for the 2018-2019, 2019-2020, and
12 2020-2021 school years, assist supervisory unions to expand and improve their
13 delivery of services to students who require additional supports in accordance
14 with the report entitled “Expanding and Strengthening Best-Practice Supports
15 for Students who Struggle” delivered to the Agency of Education in November
16 2017 from the District Management Group. This assistance shall include the
17 training of teachers and staff and technical assistance.

18 (b) The sum of \$200,000.00 is appropriated from federal funds that are
19 available under the Individuals with Disabilities Education Act for fiscal
20 year 2019 to the Agency of Education, which the Agency shall administer in
21 accordance with this section. The Agency shall include in its budget request to

1 the General Assembly for each of fiscal years 2020 and 2021 the amount of
2 \$200,000.00 from federal funds that are available under the Individuals with
3 Disabilities Education Act for administration in accordance with this section.

4 (c) The Agency of Education shall present to the General Assembly on or
5 before December 15 in 2019, 2020, and 2021 a report describing what changes
6 supervisory unions have made to expand and improve their delivery of services
7 to students who require additional supports and describing the associated
8 delivery challenges. The Agency shall share each report with all supervisory
9 unions.

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12 (Committee vote: _____)

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Representative _____
FOR THE COMMITTEE