

**S.130 - Side by Side Comparison of:**

- S.130
- House Education Committee Report  
Proposing Amendments to S.130
- House Appropriations Committee  
Proposal of Amendment to House Education Committee Report

*Prepared by Jim DesMarais, Vermont Legislative Council  
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Subject	S.130	House Education Committee Report Proposing Amendments to S.130	House Appropriations Committee Proposal of Amendment to House Education Committee Report
<p><b>Sec.1</b></p> <p>Approved Independent Schools Study Committee</p>	<ul style="list-style-type: none"> <li>• Creates the Approved Independent Schools Study Committee to consider and make recommendations on the criteria to be used by the State Board of Education for the approval of an independent school, including:               <ul style="list-style-type: none"> <li>○ the school’s enrollment policy and any limitation on a student’s ability to enroll</li> <li>○ how the school should be required to deliver special education services and which categories of these services</li> <li>○ the scope and nature of financial information and special education information that should be required to be reported by the school to the State Board or Agency of Education.</li> </ul> </li> <li>• Ten members:               <ul style="list-style-type: none"> <li>○ one current member of the House of Representatives who shall be appointed</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• No change from S.130</li> </ul>	<ul style="list-style-type: none"> <li>• No change from House Education Committee Report</li> </ul>

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	<ul style="list-style-type: none"> <li>by the Speaker of the House;</li> <li>○ one current member of the Senate who shall be appointed by the Committee on Committees;</li> <li>○ the Chair of the State Board of Education or designee;</li> <li>○ the Secretary of Education or designee;</li> <li>○ the Executive Director of the Vermont Superintendent’s Association or designee;</li> <li>○ the Executive Director of the Vermont School Boards Association or designee;</li> <li>○ the Executive Director of the Vermont Independent Schools Association or designee;</li> <li>○ two representatives of approved independent schools, who shall be chosen by the Executive Director of the Vermont Independent Schools Association; and</li> <li>○ the Executive Director of the Vermont Council of Special Education Administrators or designee.</li> <li>● Report on or before January 15, 2018</li> </ul>		
<p><b>Sec. 2</b> Educational and Training Programs for College Credit</p>	<ul style="list-style-type: none"> <li>● Provides \$20,000 from the Next Generation Initiative Fund to the Vermont State Colleges to evaluate or reevaluate educational and training programs for college credit at no cost</li> </ul>	<ul style="list-style-type: none"> <li>● Struck</li> </ul>	<ul style="list-style-type: none"> <li>● No change from House Education Committee Report</li> </ul>

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	<p>or at a reduced cost to the programs being evaluated</p>		
<p><b>Sec. 3</b> Student Enrollment; Small School Grant</p>	<ul style="list-style-type: none"> <li>Eliminates prekindergarten students from the count used to determine eligibility for small school grants</li> </ul>	<ul style="list-style-type: none"> <li>Struck</li> </ul>	<ul style="list-style-type: none"> <li>No change from House Education Committee Report</li> </ul>
<p><b>Secs. 4-5</b> Vermont Standards Board for Professional Educators</p>	<ul style="list-style-type: none"> <li>Requires that one member of the 13 member board of the Vermont Standards Board for Professional Educators be a superintendent</li> <li>Provides that the superintendent appointment be upon the next expiration of the term of a member who is serving on the Board as an administrator (there are two administrators on the Board)</li> </ul>	<ul style="list-style-type: none"> <li>Renumbered Secs. 2-3</li> </ul>	<ul style="list-style-type: none"> <li>No change from House Education Committee Report</li> </ul>
<p><b>Secs. 6-8</b> Speech language pathologists</p>	<ul style="list-style-type: none"> <li>Provides that AOE is responsible for the licensure of a speech-language pathologist who is employed by a supervisory union or public school district in Vermont or an independent school approved for special education purposes for the purpose of providing speech-language pathology</li> <li>Provides that OPR is responsible for the licensure of a speech-language pathologist who is employed outside of a school environment</li> <li>A speech-language pathologist who works in</li> </ul>	<ul style="list-style-type: none"> <li>Struck</li> </ul>	<ul style="list-style-type: none"> <li>No change from House Education Committee Report</li> </ul>

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	<p>both a school and a clinical environment would need to be licensed by both AOE and OPR</p> <ul style="list-style-type: none"> <li>• Provides transitional provision requested by AOE</li> </ul>		
<p><b>Sec. 9</b> Renewal of Principal's Contracts</p>	<ul style="list-style-type: none"> <li>• Requires that a school principal be given notice of his or her contract renewal status earlier (on or before February 1) than under current law (at least 90 days before contract expiration)</li> </ul>	<ul style="list-style-type: none"> <li>• Renumbered Sec. 4</li> </ul>	<ul style="list-style-type: none"> <li>• No change from House Education Committee Report</li> </ul>
<p><b>Sec. 10</b> Postsecondary Schools</p>	<ul style="list-style-type: none"> <li>• Deletes Burlington College from list of accredited postsecondary schools</li> </ul>	<ul style="list-style-type: none"> <li>• Renumbered Sec. 5</li> </ul>	<ul style="list-style-type: none"> <li>• No change from House Education Committee Report</li> </ul>
<p><b>Sec. 11</b> Educational Opportunities</p>	<ul style="list-style-type: none"> <li>• In order to conform to federal law (Every Student Succeeds Act), moves assessment of Vermont public schools by Secretary from every two years to annually</li> </ul>	<ul style="list-style-type: none"> <li>• Renumbered Sec. 6</li> </ul>	<ul style="list-style-type: none"> <li>• No change from House Education Committee Report</li> </ul>
<p><b>Sec. 12</b> Local Education Agency</p>	<ul style="list-style-type: none"> <li>• Eliminates the requirement that school districts carry out the duties of a local education agency (responsible for provision of special education services)</li> <li>• Act 46 moved this responsibility to supervisory unions; this is a conforming change</li> </ul>	<ul style="list-style-type: none"> <li>• Renumbered Sec. 7</li> </ul>	<ul style="list-style-type: none"> <li>• No change from House Education Committee Report</li> </ul>

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<p><b>Sec. 13</b></p> <p>State-placed and Homeless Students</p>	<ul style="list-style-type: none"> <li>• In order to conform to federal law (Every Student Succeeds Act), changes the presumption as to which school a State placed student in the custody of DCF or a child of homeless parents should attend, from the school of residence to the school of origin</li> <li>• School “school of origin” means the school in which the child was enrolled at the time of placement into custody of the Commissioner for Children and Families, or in the case of a student already in the custody of the Commissioner for Children and Families, the school the student most recently attended</li> <li>• Student may attend a school other than the school of origin, if determined to be in student’s best interest</li> </ul>	<ul style="list-style-type: none"> <li>• Renumbered Sec. 8</li> </ul>	<ul style="list-style-type: none"> <li>• No change from House Education Committee Report</li> </ul>
<p><b>Secs. 14–17</b></p> <p>Early College</p>	<ul style="list-style-type: none"> <li>• Moves the early college provisions within Title 16 from the funding chapter to the flexible pathways chapter</li> </ul>	<ul style="list-style-type: none"> <li>• Renumbered Secs. 9–12</li> </ul>	<ul style="list-style-type: none"> <li>• No change from House Education Committee Report</li> </ul>
<p><b>Sec. 18</b></p> <p>Advisory Council on Special Education</p>	<ul style="list-style-type: none"> <li>• Increases per diem compensation for members of the Advisory Council on Special Education from \$30 to \$50 by cross referencing statute that generally provides for compensation to members of State created boards</li> </ul>	<ul style="list-style-type: none"> <li>• Renumbered Sec. 13</li> </ul>	<ul style="list-style-type: none"> <li>• No change from House Education Committee Report</li> </ul>
<p><b>Sec. 19</b></p>	<ul style="list-style-type: none"> <li>• On passage, except,</li> </ul>	<ul style="list-style-type: none"> <li>• Struck</li> </ul>	<ul style="list-style-type: none"> <li>• No change from House Education Committee</li> </ul>

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Effective Dates	<ul style="list-style-type: none"> <li>○ Secs. 6–8 (speech-language pathologists) shall take effect on January 1, 2018</li> <li>○ Sec. 13 (State-placed students) shall take effect beginning with the 2017–2018 school year</li> </ul>		Report
<p><b>Secs. 14–15</b></p> <p>Criminal Record Checks</p>		<ul style="list-style-type: none"> <li>• Added</li> <li>• Sec. 14. Exempts superintendents and headmasters from the responsibility of performing criminal background checks on <u>private</u> PreK providers</li> <li>• Sec. 15. Exempts DCF from the responsibility of performing criminal background checks on <u>public</u> PreK providers</li> </ul>	<ul style="list-style-type: none"> <li>• Strikes Sec. 15</li> </ul>
<p><b>Sec. 16</b></p> <p>Educational Weighting Study Committee</p>		<ul style="list-style-type: none"> <li>• Added</li> <li>• Creates the Education Weighting Study Committee to consider and make recommendations on the criteria used for determining weighted long-term membership of a school district, including:               <ul style="list-style-type: none"> <li>○ the relationship between each of the current weighting factors and the quality and equity of educational outcomes for students;</li> <li>○ whether any of the weighting factors, including the weighting factors for students from economically deprived</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Changes the number of meetings the Committee may hold from no more than seven to no more than three meetings</li> </ul>

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		<p>backgrounds and for students for whom English is not the primary language, should be modified, and if so, how the weighting factors should be modified and if the modification would further the quality and equity of educational outcomes for students; and</p> <ul style="list-style-type: none"> <li>○ whether to add any weighting factors, including a school district population density factor, and if so, why the weighting factor should be added and if the weighting factor would further the quality and equity of educational outcomes for students.</li> </ul> <ul style="list-style-type: none"> <li>● Nine members: <ul style="list-style-type: none"> <li>○ two current members of the House of Representatives, not from the same party, who shall be appointed by the Speaker of the House;</li> <li>○ two current members of the Senate, not from the same party, who shall be appointed by the Committee on Committees;</li> <li>○ the Secretary of Education or designee;</li> <li>○ the Secretary of Human Services or designee;</li> <li>○ the Executive Director of the Vermont Superintendent’s Association or designee;</li> </ul> </li> </ul>	

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		<ul style="list-style-type: none"> <li>○ the Executive Director of the Vermont School Boards Association or designee; and</li> <li>○ the Executive Director of the Vermont National Education Association or designee.</li> <li>● Report on or before January 15, 2018</li> </ul>	
<p><b>Sec. 17</b></p> <p>Surety Bond; Postsecondary Institution</p>		<ul style="list-style-type: none"> <li>● Added</li> <li>● Requires accredited post-secondary institutions in Vt., except UVM, VSC, and institutions that are members of AVIC, to obtain a \$50,000 surety bond to cover costs that may be incurred by the State to maintain student records in the event of insolvency.</li> <li>● Requires members of AVIC to enter into a memorandum of understanding with AVIC under which each member college agrees to:               <ul style="list-style-type: none"> <li>○ upon the request of AVIC, properly administer the student records of a member college; and</li> <li>○ contribute on an equitable basis and in a manner determined in the sole discretion of AVIC to the costs of another AVIC member or other entity selected by AVIC maintaining the records of a member college.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● No change from House Education Committee Report</li> </ul>
<p><b>Sec. 18–19</b></p>		<ul style="list-style-type: none"> <li>● Added</li> </ul>	<ul style="list-style-type: none"> <li>● Strikes</li> </ul>



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Small School Support		<ul style="list-style-type: none"> <li>• Sec. 18, separates PreK and Kindergarten as separate grades, and counts PreK as two grades.</li> <li>• Sec. 19, same, but amends the version of this section that takes effect on July 1, 2019</li> </ul>	
<b>Sec. 20</b>  Prekindergarten Education Recommendations		<ul style="list-style-type: none"> <li>• Added</li> <li>• On or before November 1, 2017, the Secretaries of Human Services and of Education shall jointly present recommendations to the House and Senate Committees on Education that will ensure equity, quality, and affordability, and reduce duplication and complexity, in the current delivery of prekindergarten services.</li> </ul>	<ul style="list-style-type: none"> <li>• No change from House Education Committee Report</li> </ul>

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<p><b>Sec. 21</b> Effective Dates</p>		<ul style="list-style-type: none"> <li>• Added</li> <li>• On passage, except,               <ul style="list-style-type: none"> <li>○ Sec. 8 (State-placed students) shall take effect beginning with the 2017–2018 school year</li> <li>○ Secs. 14–15 (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 a teaching or child care provider license after June 30, 2017.</li> <li>○ Sec. 17 (surety bond; postsecondary institutions) shall take effect on October 1, 2017.</li> <li>○ Sec. 19 (small school support) shall take effect on July 1, 2019, and shall apply to grants made in fiscal year 2020 and after.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Strikes</li> <li>• Adds new Effective Dates section, which says effective on passage, except,               <ul style="list-style-type: none"> <li>○ Sec. 8 (State-placed students) shall take effect beginning with the 2017–2018 school year</li> <li>○ Sec. 14 (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 a teaching or child care provider license after June 30, 2017.</li> <li>○ Sec. 17 (surety bond; postsecondary institutions) shall take effect on October 1, 2017.</li> </ul> </li> </ul>