

1 H.140

2 Introduced by Representative Webb of Shelburne

3 Referred to Committee on

4 Date:

5 Subject: Education; Advisory Council on Special Education

6 Statement of purpose of bill as introduced: This bill proposes to change the
7 composition and duties of the Advisory Council on Special Education to
8 conform with federal law.

9 An act relating to the Advisory Council on Special Education

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

11 Sec. 1. 16 V.S.A. § 2945 is amended to read:

12 § 2945. ADVISORY COUNCIL ON SPECIAL EDUCATION

13 (a) There is created the Advisory Council on Special Education that shall
14 consist of ~~19~~ members who are representative of the State population and
15 involved with, or concerned with, the education of children with disabilities.

16 All members of the Council shall serve for a term of three years or until their
17 successors are appointed. Terms shall begin on April 1 of the year of
18 appointment. A majority of the members shall be either individuals with
19 disabilities or parents of children with disabilities (ages birth through 26 years
20 of age).

1 (1) ~~Seventeen of the~~ All members shall be appointed by the Governor
2 with the advice of the Secretary of Education. ~~Among the gubernatorial~~ The
3 appointees shall be:

4 (A) teachers;

5 (B) representatives of State agencies involved in the financing or
6 delivery of related services to children with disabilities;

7 (C) ~~a representative~~ representatives of independent schools;

8 (D) at least one representative of a vocational, community, or
9 business organization concerned with the provision of transition services to
10 children with disabilities;

11 (E) ~~a representative~~ representatives from the State juvenile and adult
12 corrections agency;

13 (F) individuals with disabilities;

14 (G) parents of children with disabilities, ~~provided the child shall be~~
15 ~~younger than 26 years old at the time his or her parent is appointed to the~~
16 Council (ages birth through 26 years of age);

17 (H) State and local education officials, including officials who carry
18 out activities under subtitle B of title VII of the McKinney-Vento Homeless
19 Assistance Act;

20 (I) ~~a representative~~ representatives of higher education who ~~prepares~~
21 prepare special education and related services personnel;

1 (J) a representative from the State child welfare department
2 responsible for foster care;

3 (K) special education administrators; ~~and~~

4 (L) ~~two at-large members~~ a representative of the designated parent
5 training and information organization; and

6 (M) a representative or designee of the State protection and advocacy
7 system.

8 (2) In addition, two members of the General Assembly shall be
9 appointed, one from the House of Representatives and one from the Senate.
10 The Speaker shall appoint the House member and the Committee on
11 Committees shall appoint the Senate member.

12 (b) The Council shall elect its own chair from among its membership. The
13 Council shall meet annually at the call of the Chair, and other meetings may be
14 called by the Chair at such times and places as he or she may determine to be
15 necessary.

16 (c) The members of the Council who are employees of the State shall
17 receive no additional compensation for their services, but actual and necessary
18 expenses shall be allowed State employees, and shall be charged to their
19 departments or institutions. The members of the Council who are not
20 employees of the State shall receive a per diem compensation as provided

1 under 32 V.S.A. § 1010 for each day of official business and reimbursement
2 for actual and necessary expenses at the rate allowed State employees.

3 (d) The Council shall:

4 (1) ~~assume all responsibilities required of the State advisory panel by~~
5 ~~federal law~~ advise the Agency of Education and State Board of Education of
6 the unmet needs within the State in the education of children with disabilities;

7 (2) ~~review periodically the rules, regulations, standards, and guidelines~~
8 ~~pertaining to special education and recommend to the State Board any changes~~
9 ~~it finds necessary~~ comment publicly on any rules or regulations proposed by
10 the State Board of Education regarding the education of children with
11 disabilities;

12 (3) ~~comment on any new or revised rules, regulations, standards, and~~
13 ~~guidelines proposed for issuance~~ advise the Agency of Education and State
14 Board of Education in developing evaluations and reporting data to the
15 Secretary under 20 U.S.C. § 1418; and

16 (4) ~~advise the State Board in the development of any State plan for~~
17 ~~provision of special education~~ Agency of Education and State Board of
18 Education in developing corrective action plans to address findings identified
19 in federal monitoring reports under 20 U.S.C. chapter 33, subchapter II; and

1 (5) advise the Agency of Education and State Board of Education in
2 developing and implementing policies relating to coordination of services for
3 children with disabilities.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on passage.