

1 Introduced by Committee on Education

2 Date:

3 Subject: Education; COVID-19; miscellaneous

4 Statement of purpose of bill as introduced: This bill proposes to make

5 miscellaneous changes in education law to address the COVID-19 pandemic.

6 An act relating to making miscellaneous changes in education law to  
7 address the COVID-19 pandemic

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

9 Sec. 1. LENGTH OF 2020–2021 SCHOOL YEAR

10 Notwithstanding 16 V.S.A. § 1071(a), for the 2020–2021 school year, each  
11 public school shall be maintained and operated for not less than 170 student  
12 attendance days, except as provided in subsection (g) of that section, which  
13 allows for waivers of this requirement.

14 Sec. 2. REGIONAL CAREER TECHNICAL CENTER SCHOOL

15 DISTRICTS; ELIGIBILITY FOR CARES FUNDING

16 A regional career technical center school district, as defined in 16 V.S.A.  
17 § 1571, shall be considered a “school district” for purposes of 2020 Acts and  
18 Resolves No. 120 (Pre-K–12 education pandemic costs: Coronavirus Relief  
19 Fund appropriations), Sec. A.50(c), and shall therefore be eligible for CARES  
20 Act funding under that subsection on the same basis as other school districts.

1       Sec. 3. ADM ADJUSTMENT; DECLINE IN STUDENT ENROLLMENT

2                   DUE TO HOME STUDY

3           (a) If a student was counted in a school district’s average daily membership  
4           (ADM) for the 2019–2020 school year and would not be counted in the school  
5           district’s ADM for the 2020–2021 school year due to the student’s enrollment  
6           in a home study program, then, notwithstanding 16 V.S.A. § 4001(1)  
7           (definition of “average daily membership”), the student shall be counted  
8           toward the school district’s average daily membership for the 2020–2021  
9           school year.

10          (b) As used in this section, “school district” means a school district, as  
11          defined in 16 V.S.A. § 11(11), or a regional career technical center school  
12          district, as defined in 16 V.S.A. § 1571.

13       Sec. 4. 2020–2021 SCHOOL YEAR; AUSTRALIAN BALLOT

14          (a) Notwithstanding the provisions of 17 V.S.A. § 2680(a) and 16 V.S.A.  
15          § 711e that require the voters of a school district to vote to apply the provisions  
16          of the Australian ballot system to its annual meeting or special meetings, any  
17          school district may apply the Australian ballot system to any or all of its annual  
18          meeting and special meetings held in the 2020–2021 school year by vote of its  
19          school board. [per AOE recommendation, should this be a State mandate to  
20          require school districts to use Australian ballot?]

21          (b) The Secretary of State may waive statutory deadlines or other statutory

1 provisions, or provisions set forth in a school district’s articles of agreement,  
2 related to a municipal election as necessary in order for a municipality to apply  
3 the Australian ballot system in accordance with subsection (a) of this section.

4 This waiver authority applies to statutory provisions set forth in a municipal  
5 charter or provisions set forth in a school district’s articles of agreement if the  
6 waiver is requested by that municipality.

7 (c) As used in this section, “school district” means a school district, as  
8 defined in 16 V.S.A. § 11(11), or a regional career technical center school  
9 district, as defined in 16 V.S.A. § 1571.

10 Sec. 5. 2021–2022 [2020–2021? per AOE recommendation] SCHOOL  
11 YEAR; WAIVER OF ONLINE TEACHING ENDORSEMENT

12 Notwithstanding 16 V.S.A. § 1694, for the 2021–2022 [2020–2021?] school  
13 year, the Standards Board for Professional Educators (SBPE) shall waive its  
14 requirement for a teacher to hold an endorsement for online teaching in order  
15 to teach online or implement remote learning.

16 Sec. 6. ELECTIONS; UNIFIED UNION SCHOOL DISTRICT

17 (a) Notwithstanding any provision of law to the contrary, the election of a  
18 director on the board of a unified union school district who is to serve on  
19 the board after expiration of the term for an initial director shall be held at the  
20 unified union school district’s annual meeting unless otherwise provided in the  
21 district’s articles of agreement.

1        (b) Notwithstanding any provision of law to the contrary, if  
2        a vacancy occurs on the board of a unified union school district and  
3        the vacancy is in a seat that is allocated to a specific town, the clerk of the  
4        unified union school district shall immediately notify the selectboard of the  
5        town. Within 30 days after the receipt of that notice, the unified  
6        union school district board, in consultation with the selectboard, shall appoint a  
7        person who is otherwise eligible to serve as a member of the unified  
8        union school district board to fill the vacancy until an election is held at an  
9        annual or special meeting unless otherwise provided in accordance with the  
10       unified union school district’s articles of agreement.

11       (c) This section is repealed on July 1, 2022.

12       Sec. 7. EFFECTIVE DATE

13       This act shall take effect on passage.