

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred House Bill No. 140  
3 entitled “An act relating to the Advisory Council on Special Education”  
4 respectfully reports that it has considered the same and recommends that the  
5 bill be amended by striking out all after the enacting clause and inserting in  
6 lieu thereof the following:

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

8 § 2945. STATE ADVISORY COUNCIL PANEL ON SPECIAL  
9 EDUCATION

10 (a) There is created the State Advisory Council Panel on Special Education  
11 that shall consist of 19 members who are representative of the State population  
12 and involved with, or concerned with, the education of children with  
13 disabilities. All members of the Council Panel shall serve for a term of three  
14 years ~~or until their successors are appointed~~ and shall not serve more than two  
15 consecutive terms. Terms shall begin on ~~April~~ July 1 of the year of  
16 appointment. ~~A majority of the members shall be either individuals with~~  
17 ~~disabilities or parents of children with disabilities.~~

18 (1) ~~Seventeen of the members shall be appointed by the~~ The Governor  
19 shall make the following appointments with the advice of the Secretary.  
20 ~~Among the gubernatorial appointees shall be~~ upon the recommendation of the  
21 indicated person or organization:

1           (A) a sufficient number of individuals with disabilities and parents of  
2 children with disabilities (ages birth through 26 years of age) to ensure that a  
3 majority of the members of the Panel are individuals with disabilities and  
4 parents of children with disabilities, including:

5                 (i) not less than two individuals with disabilities, at least one of  
6 whom shall be a student when appointed; and

7                 (ii) not less than two parents of children with disabilities (ages  
8 birth through 26 years of age) upon the recommendation of the designated  
9 parent training and information organization, Vermont Developmental  
10 Disabilities Council, or representatives of the State protection and advocacy  
11 system;

12           (B) one representative of the State protection and advocacy system;

13           (C) two teachers upon the recommendation of the Vermont National  
14 Education Association;

15           ~~(B)~~(D) two representatives of State agencies involved in the  
16 financing or delivery of related services to children with disabilities;

17           ~~(C)~~(E) a one representative of independent schools upon the  
18 recommendation of the Vermont Independent Schools Association;

19           ~~(D)~~(F) at least one representative of a vocational, community, or  
20 business organization concerned with the provision of transition services to  
21 children with disabilities;

1           ~~(E)~~(G) a one representative from the State juvenile and adult  
2           corrections agency upon the recommendation of the Commissioner of  
3           Corrections;

4           ~~(F)~~ individuals with disabilities;

5           ~~(G)~~ parents of children with disabilities, provided the child shall be  
6           younger than 26 years old at the time his or her parent is appointed to the  
7           Council;

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

11          (I) ~~a representative~~ two representatives of higher education who  
12          ~~prepares~~ prepare special education and related services personnel upon the  
13          recommendation of the Vermont Higher Education Collaborative;

14          (J) a one representative from the State child welfare department  
15          responsible for foster care; and

16          (K) two special education administrators upon the recommendation  
17          of the Vermont Council of Special Education Administrators; ~~and~~

18          ~~(L)~~ two at-large members.

19          (2) ~~In addition, two members of the General Assembly shall be~~  
20          ~~appointed, one from the House of Representatives and one from the Senate.~~  
21          ~~The Speaker shall appoint the House member and the Committee on~~

1 ~~Committees shall appoint the Senate member.~~ Appointees may be appointed  
2 to fill more than one role except that:

3 (A) individuals appointed to fill a role or roles pursuant to  
4 subdivision (A) or (B) of this subdivision (a)(1) shall not be appointed to fill  
5 any other role; and

6 (B) individuals appointed to fill a role or roles pursuant to  
7 subdivisions (C)–(K) of this subdivision (a)(1) shall not be appointed to fill  
8 roles pursuant to subdivision (A) or (B) of this subdivision (a)(1).

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

13 (c) The members of the ~~Council~~ Panel who are employees of the State shall  
14 receive no additional compensation for their services, but actual and necessary  
15 expenses shall be allowed State employees, and shall be charged to their  
16 departments or institutions. The members of the ~~Council~~ Panel who are not  
17 employees of the State shall receive a per diem compensation as provided  
18 under 32 V.S.A. § 1010 for each day of official business and reimbursement  
19 for actual and necessary expenses at the rate allowed State employees.

20 (d) The ~~Council~~ Panel shall:

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

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

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

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

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

19          Sec. 2. EFFECTIVE DATE

20          This act shall take effect on passage.

1           and that after passage the title of the bill be amended to read: “An act  
2 relating to the State Advisory Panel on Special Education”

3

4 (Committee vote: \_\_\_\_\_)

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\_\_\_\_\_

6

Representative \_\_\_\_\_

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FOR THE COMMITTEE