

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred Senate Bill No. 164
3 entitled “An act relating to miscellaneous changes in education law”
4 respectfully reports that it has considered the same and recommends that the
5 House propose to the Senate that the bill be amended by striking out all after
6 the enacting clause and inserting in lieu thereof the following:

7 * * * Small School Support * * *

8 Sec. 1. 16 V.S.A. § 4015 is amended to read:

9 § 4015. SMALL SCHOOL SUPPORT

10 (a) ~~In~~ As used in this section:

11 * * *

12 (2) “Enrollment” means the number of students who are enrolled in a
13 school operated by the district on October 1. A student shall be counted as one
14 whether the student is enrolled as a full-time or part-time student. Students
15 enrolled in prekindergarten programs shall not be counted.

16 * * *

17 * * * Electoral Functions; Unified Union School District * * *

18 Sec. 2. ELECTIONS; UNIFIED UNION SCHOOL DISTRICT

19 (a) Notwithstanding any provision of law to the contrary, the election of a
20 director to the board of a unified union school district who is to serve on the
21 board after the expiration of the term for an initial director shall be held at the

1 unified union school district’s annual meeting unless otherwise provided in the
2 district’s articles of agreement.

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

13 (c) This section is repealed on July 1, 2022.

14 Sec. 3. ELECTORAL FUNCTIONS; UNION SCHOOL DISTRICT;
15 MEMBER DISTRICT THAT IS ALSO A UNION SCHOOL
16 DISTRICT

17 (a) If a union elementary or union high school district has a member district
18 that is also a union school district, then the legislative body or appropriate
19 officer of each city, town, or incorporated village within the member union
20 school district shall perform electoral functions on behalf of the union
21 elementary or union high school district, including accepting nominations,

1 warning meetings, and conducting elections and the voting process on other
2 matters, when those functions are ordinarily performed by and in member town
3 districts on behalf of a union school district.

4 (b) This section is repealed on July 1, 2022.

5 * * * Special Education; Technical Changes * * *

6 Sec. 4. 16 V.S.A. § 2961 is amended to read:

7 § 2961. CENSUS GRANT

8 (a) As used in this section:

9 * * *

10 (3) “Long-term membership” of a supervisory union in any school year
11 means the average of the supervisory union’s average daily membership over
12 the most recent three school years for which data are available.

13 (4) “Uniform base amount” means an amount determined by:

14 (A) dividing an amount:

15 (i) equal to the average State appropriation for fiscal years 2018,
16 2019, and 2020 for special education under sections 2961 (standard
17 mainstream block grants), 2963 (special education expenditures
18 reimbursement), and 2963a (exceptional circumstances) of this title; and

19 (ii) increased by the annual change in the National Income and
20 Product Accounts (NIPA) Implicit Price Deflator for State and Local

1 Government Consumption Expenditures and Gross Investment as reported by
2 the U.S. Department of Commerce, Bureau of Economic Analysis; by

3 (B) the statewide ~~average daily membership for prekindergarten~~
4 ~~through grade 12 for the 2019–2020 school year~~ long-term membership.

5 * * *

6 (d)(1)(A) For fiscal year ~~2021~~ 2022, the amount of the census grant for a
7 supervisory union shall be:

8 (i) the average amount it received for fiscal years 2017, 2018, and
9 2019 from the State for special education under sections 2961 (standard
10 mainstream block grants), 2963 (special education expenditures
11 reimbursement), and 2963a (exceptional circumstances) of this title; increased
12 by

13 (ii) the annual change in the National Income and Product
14 Accounts (NIPA) Implicit Price Deflator for State and Local Government
15 Consumption Expenditures and Gross Investment as reported by the U.S.
16 Department of Commerce, Bureau of Economic Analysis.

17 (B) The amount determined under subdivision (A) of this subdivision
18 (1) shall be divided by the supervisory union's long-term membership, to
19 determine the base amount of the census grant, which is the amount of the
20 census grant calculated on a per student basis.

1 (2) For fiscal year ~~2025~~ 2026 and subsequent fiscal years, the amount of
2 the census grant for a supervisory union shall be the uniform base amount
3 multiplied by the supervisory union’s long-term membership.

4 (3) For fiscal years ~~2022, 2023, and 2024~~ 2023, 2024, and 2025, the
5 amount of the census grant for a supervisory union shall be determined by
6 multiplying the supervisory union’s long-term membership by a base amount
7 established under this subdivision. The base amounts for each supervisory
8 union for fiscal years ~~2022, 2023, and 2024~~ 2023, 2024, and 2025 shall move
9 gradually the supervisory union’s fiscal year ~~2021~~ 2022 base amount to the
10 fiscal year ~~2025~~ 2026 uniform base amount by prorating the change between
11 the supervisory union’s fiscal year ~~2021~~ 2022 base amount and the fiscal year
12 ~~2025~~ 2026 uniform base amount over this three-fiscal-year period.

13 Sec. 5. 16 V.S.A. § 2967 is amended to read:

14 § 2967. AID PROJECTION

15 (a) On or before December 15, the Secretary shall publish an estimate, by
16 each supervisory union, of its anticipated State special education ~~expenditures~~
17 funding under this chapter for the ensuing school year.

18 (b) As used in this section, State special education ~~expenditures~~ funding
19 shall include:

20 (1) ~~costs~~ funds eligible for grants and reimbursements under sections
21 2961 and 2962 of this title;

1 (2) ~~costs~~ funds for services for persons who are visually impaired;

2 (3) ~~costs~~ funds for persons who are deaf or hard of hearing;

3 (4) ~~costs~~ funds for the interdisciplinary team program;

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

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

8 Sec. 6. 16 V.S.A. § 2975 is amended to read:

9 § 2975. UNUSUAL SPECIAL EDUCATION COSTS; FINANCIAL

10 ASSISTANCE

11 The Secretary may use ~~up to two percent of the funds appropriated for~~
12 ~~allowable special education expenditures, as that term is defined in State Board~~
13 ~~of Education rules, to directly assist supervisory unions with special education~~
14 ~~expenditures of an unusual or unexpected nature~~ funds for allowable special
15 education expenditures, as defined in State Board of Education rules, to
16 directly assist supervisory unions with special education expenditures of an
17 unusual or unexpected nature. These funds shall be appropriated in the amount
18 of two percent times the Census Grant as defined in section 2961 of this title.

19 The Secretary's decision regarding a supervisory union's eligibility for and
20 amount of assistance shall be final.

21 Sec. 7. 2018 Acts and Resolves No. 173, Sec. 17 is amended to read:

1 This act shall take effect on passage, except that Secs. 4–6 shall take effect
2 on July 1, 2021.

3

4

5

6 (Committee vote: _____)

7

8

Representative _____

9

FOR THE COMMITTEE