

1 TO THE HONORABLE SENATE:

2 The Committee on Education to which was referred House Bill No. 140
3 entitled “An act relating to the State Advisory Panel on Special Education”
4 respectfully reports that it has considered the same and recommends that the
5 Senate propose to the House that the bill be amended by striking out all after
6 the enacting clause and inserting in 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 Advisory Council on Special Education that shall~~
11 ~~consist of 19 members. All members of the Council shall serve for a term of~~
12 ~~three years or until their successors are appointed. Terms shall begin on April 1~~
13 ~~of the year of appointment. A majority of the members shall be either~~
14 ~~individuals with disabilities or parents of children with disabilities.~~

15 ~~(1) Seventeen of the members shall be appointed by the Governor with~~
16 ~~the advice of the Secretary. Among the gubernatorial appointees shall be:~~

17 ~~(A) teachers;~~

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

20 ~~(C) a representative of independent schools;~~

1 ~~(D) at least one representative of a vocational, community, or~~
2 ~~business organization concerned with the provision of transition services to~~
3 ~~children with disabilities;~~

4 ~~(E) a representative from the State juvenile and adult corrections~~
5 ~~agency;~~

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

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

10 ~~(H) State and local education officials, including officials who carry~~
11 ~~out activities under the McKinney Vento Homeless Assistance Act;~~

12 ~~(I) a representative of higher education who prepares special~~
13 ~~education and related services personnel;~~

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

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

17 ~~(L) two at large members.~~

18 ~~(2) In addition, two members of the General Assembly shall be~~
19 ~~appointed, one from the House of Representatives and one from the Senate.~~

20 ~~The Speaker shall appoint the House member and the Committee on~~
21 ~~Committees shall appoint the Senate member.~~

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

5 ~~(c) The members of the Council who are employees of the State shall~~
6 ~~receive no additional compensation for their services, but actual and necessary~~
7 ~~expenses shall be allowed State employees, and shall be charged to their~~
8 ~~departments or institutions. The members of the Council who are not~~
9 ~~employees of the State shall receive a per diem compensation as provided~~
10 ~~under 32 V.S.A. § 1010 for each day of official business and reimbursement~~
11 ~~for actual and necessary expenses at the rate allowed State employees.~~

12 ~~(d) The Council shall:~~

13 ~~(1) assume all responsibilities required of the State advisory panel by~~
14 ~~federal law;~~

15 ~~(2) review periodically the rules, regulations, standards, and guidelines~~
16 ~~pertaining to special education and recommend to the State Board any changes~~
17 ~~it finds necessary;~~

18 ~~(3) comment on any new or revised rules, regulations, standards, and~~
19 ~~guidelines proposed for issuance; and~~

20 ~~(4) advise the State Board in the development of any State plan for~~
21 ~~provision of special education.~~

1 (a) Acting in accordance with federal law, the Governor shall:

2 (1) establish and maintain an advisory panel for the purpose of
3 providing guidance with respect to special education and related services for
4 children with disabilities in the State; and

5 (2) appoint members of the advisory panel.

6 (b) The advisory panel shall elect an executive committee from among its
7 members. The executive committee shall be composed of seven members of
8 the advisory panel, one of whom shall be the chair of the advisory panel. A
9 majority of the members of the executive committee shall be individuals with
10 disabilities or parents of children with disabilities (ages birth through 26 years
11 of age). The executive committee shall call meetings of the advisory panel and
12 shall direct the work of the advisory panel.

13 (c) The advisory panel shall advise both the Agency of Education and the
14 State Board of Education on those matters upon which the advisory panel is
15 required, under federal law, to advise the State Education Agency.

16 Sec. 2. TRANSITION

17 (a) On or before August 1, 2019, the Governor shall appoint members to
18 the advisory panel under 16 V.S.A. § 2945 to ensure that the membership of
19 the advisory panel complies with federal law.

20 (b) On or before September 1, 2019, the advisory panel shall, in
21 consultation with the Agency of Education, review and update its bylaws, and

1 shall include in its bylaws term limits for all or certain of its members, as the
2 advisory panel deems appropriate.

3 Sec. 3. EFFECTIVE DATE

4 This act shall take effect on passage.

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8 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE