
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 166 (S.283). Education; Community College of Vermont; suspension and expulsion; kindergarten entrance age; school calendar; remote learning; polychlorinated biphenyl and radon testing; interstate school district; prekindergarten

An act relating to miscellaneous changes to education laws

This act makes several miscellaneous changes to Vermont education laws. Specifically, this act:

- Allows a person who lives in Vermont and who qualifies as a refugee, is granted parole to enter the United States, or is issued a special immigrant visa pursuant to the Afghan Allies Protection Act of 2009 to be considered a resident for instate tuition purposes for the Community College of Vermont. This act also allows such a person to not be ineligible for the Vermont incentive grant program solely on account of that person's residence status.
- Applies 16 V.S.A. § 1162(d), which prohibits the suspension or expulsion of students under eight years of age, to approved independent schools and prequalified private kindergarten programs.
- Requires the Building Bright Futures Council to submit a report on or before January 15, 2023, to the Senate and House Committees on Education, the Senate Committee on Health and Welfare, and the House Committee on Human Services regarding suspension, expulsion, and exclusionary practices in early childhood education.
- Requires the Agency of Education to report to the Senate and House Committees on Education on or before December 15, 2022, on the impact of standardizing the entrance age threshold for public school kindergarten.
- Requires the Agency of Education to report to the Senate and House Committees on Education on or before January 15, 2024, with a proposed statewide uniform school calendar.
- Requires the Agency of Education to report to the Senate and House Committees on Education on or before January 15, 2023, with recommendations for a statewide remote learning policy.
- Extends the date by which schools need to test for polychlorinated biphenyls (PCBs) and radon to the year 2025.

- Requires the Secretary of Natural Resources, in consultation with the Secretary of Education and Commissioner of Health, to submit to the House Committees on Education and on Natural Resources, Fish, and Wildlife, and the Senate Committees on Education and on Natural Resources and Energy information on PCB testing process, results, costs, schedules, and response proposals on or before January 15, 2023.
- Allows an incorporated school district to provide crime insurance coverage for the positions of collector and treasurer in lieu of taking a personal bond.
- Allows a Vermont resident who is on an individualized education program (IEP) and enrolled in an interstate school district and not entitled to special education services in the interstate school district due to an age limitation to enroll in a Vermont public high school and receive special education services through 21 years of age. This section does not take effect if New Hampshire enacts legislation that extends the age through which a child is eligible to receive special education services to 21 years of age.
- Changes the responsibility for notifying and reviewing an approved independent school believed to lack financial capacity to meet its stated objectives from the State Board of Education to the Agency of Education.
- Eliminates the requirement for a prequalified program of prekindergarten education to have a plan to get to at least two points in each of the five arenas or at least two points in each of the five arenas in not more than three years and meet intermediate milestones in the Department for Children and Families' STARS system.
- Allows the Agency of Education to contract for the position created to implement 2021 Acts and Resolves No. 72 if the required expertise is not available through position recruitment.

Multiple effective dates, beginning on June 1, 2022