

1 H.716

2 Introduced by Committee on Education

3 Date:

4 Subject: Education; miscellaneous

5 Statement of purpose of bill as introduced: This bill proposes to (1) adjust the
6 methodology for computing the first year special education grant payment
7 under 2018 Acts and Resolves No. 173; and (2) delay implementation of State
8 Board of Education rules 2362 and 2362.2.5 until July 1, 2023.

9 An act relating to making miscellaneous changes in education law

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

11 ~~*** Special Education Funding ***~~

12 Sec. 1. 16 V.S.A. § 2961 is amended to read:

13 § 2961. CENSUS GRANT

14 ***

15 (d)(1)(A) For fiscal year 2023, the amount of the census grant for a
16 supervisory union shall be:

17 ~~(i) the average amount it received for fiscal years 2018, 2019, and~~

18 ~~2020, and 2021 from the State for special education under sections 2961~~

19 ~~(standard mainstream block grants), 2965 (special education expenditures~~

1 reimbursement), and 2963a (exceptional circumstances) of this title; increased
2 by

3 *(i) the average amount it received for fiscal years 2018, 2019, and*
4 *2020, or the average amount it received for fiscal years 2019, 2020, and 2021,*
5 *whichever amount is greater, from the State for special education under*
6 *sections 2961 (standard mainstream block grants), 2963 (special education*
7 *expenditures reimbursement), and 2963a (exceptional circumstances) of this*
8 *title; increased by*

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

13 * * *

14 * * * Special Education Rule Change; Delay * * *

15 Sec. 2. STATE BOARD OF EDUCATION 2360 RULE SERIES; PARTIAL
16 DELAY

17 It is the intent of the General Assembly to allow educators and staff time to
18 adequately prepare for the delivery of special education services as required
19 under the State Board of Education special education rules series 2360, which
20 takes effect on July 1, 2022. Therefore, notwithstanding any provision to the
21 contrary under 16 V.S.A. § 164, the State Board of Education shall suspend the

1 ~~implementation of rules 2362 and 2362.2.5 until July 1, 2023. The remaining~~
2 ~~rules under the 2360 rule series shall take effect on July 1, 2022.~~

3 * * * Effective Date * * *

4 Sec. 3. EFFECTIVE DATE

5 ~~This act shall take effect on July 1, 2022.~~

* * * *Special Education Funding* * * *

Sec. 1. 16 V.S.A. § 2961 is amended to read:

§ 2961. CENSUS GRANT

* * *

(d)(1)(A) For fiscal year 2023, the amount of the census grant for a supervisory union shall be:

(i) the average amount it received for fiscal years 2018, 2019, and 2020, or the average amount it received for fiscal years 2019, 2020, and 2021, whichever amount is greater, from the State for special education under sections 2961 (standard mainstream block grants), 2963 (special education expenditures reimbursement), and 2963a (exceptional circumstances) of this title; increased by

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

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* * * *Holocaust Education; Report* * * *

*Sec. 2. HOLOCAUST EDUCATION; REPORT AND
RECOMMENDATIONS*

On or before January 15, 2023, the Agency of Education shall issue a written report to the Senate and House Committees on Education on the status of Holocaust education in public schools and its recommendations to ensure that Holocaust education is included in the educational programs provided to students in public schools. In preparing the report and recommendations, the Agency of Education shall work with the Vermont Holocaust Memorial to avail themselves of that organization's knowledge of the subject and experience in Vermont schools.

~~* * * *Crime Insurance Coverage for School Districts* * * *~~

Sec. 3. 16 V.S.A. § 492 is amended to read:

§ 492. POWERS, DUTIES, AND LIABILITIES; BONDS

(a) The powers, duties, and liabilities of the collector, treasurer, prudential committee, and clerk shall be like those of a town collector, treasurer, board of school directors, and the school board clerk, respectively.

(b) Before entering upon their duties, the collector and treasurer shall give a bond to the district conditioned for the faithful performance of their duties, in such sum as may be required. ~~When~~ In lieu of taking a bond from a

~~collector or treasurer, or both, a school district may choose to provide suitable crime insurance covering the collector or treasurer, or both. If a school district has not provided suitable crime insurance in lieu of a bond and a collector or treasurer for 10 days neglects to give a bond as required, his or her that office shall be vacant.~~

~~*** Special Education Rule Change; Delay ***~~

~~Sec. 3. STATE BOARD OF EDUCATION 2360 RULE SERIES; PARTIAL
DELAY~~

~~It is the intent of the General Assembly to allow educators and staff time to adequately prepare for the delivery of special education services as required under the State Board of Education special education rules series 2360, which takes effect on July 1, 2022. Therefore, notwithstanding any provision of law to the contrary under 16 V.S.A. § 164 and 3 V.S.A. § 845(d), the State Board of Education shall suspend the implementation of rules 2362 and 2362.2.5 until July 1, 2023. The remaining rules under the 2360 rule series shall take effect on July 1, 2022.~~

~~*** Poor Review Support Grant Program ***~~

~~Sec. 4. EDUCATOR WORKFORCE DEVELOPMENT; APPROPRIATION;
REPORT~~

~~(a) Purpose. The purpose of this section is to encourage and support the development and retention of qualified and effective Vermont educators. To~~

combat the growing educator shortage throughout the State and meet the needs of Vermont students, it is necessary to invest in nontraditional educator training programs.

(b) Grant program.

(1) Program creation. In fiscal year 2023, there is established the Peer Review Support Grant Program, to be administered by the Agency of Education, to provide grants to expand support, mentoring, and professional development to prospective educators seeking licensure through the Agency of Education's peer review process, with the goal of increased program completion rates.

(2) Program administration. The Agency shall adopt policies, procedures, and guidelines necessary for implementation of the Program described in subdivision (1) of this subsection.

(3) Eligibility criteria. The Agency shall issue grants to organizations or school districts with programs designed to provide prospective educators in the peer review program the support necessary for successful completion of the peer review process by providing:

(A) support through the Praxis exam process;

(B) local educator lead seminars designed around the Vermont licensure portfolio themes;

(C) local educator mentors,

~~(D) support in completing the peer review portfolio and licensing process; and~~

~~(E) continued professional development support within the first year of licensure.~~

~~(4) Report. On or before January 15, 2023, the Agency of Education shall report to the Senate and House Committees on Education on the status of the implementation of the Peer Review Support Grant Program and a summary and performance review of the programs to which grants were awarded. The report shall include any metrics used in the performance review, the number of program participants, endorsement areas of participants, feedback from participants and mentors, and any recommendation for legislative action.~~

~~(c) Appropriation. Notwithstanding 16 V.S.A. § 4025(d), the sum of \$712,500.00 is appropriated from the Education Fund to the Agency of Education in fiscal year 2023 for the purpose of funding the Peer Review Support Grant Program.~~

Sec. 4. [Deleted.]

* * * Income-Based Education Tax Study Committee * * *

Sec. 5. INCOME-BASED EDUCATION TAX; STUDY COMMITTEE

(a) Creation. There is created the Income-Based Education Tax Study Committee to study and make recommendations regarding the creation and

implementation of an income-based education tax system to replace the homestead property tax system for education funding in this State.

(b) Membership. The Study Committee shall be composed of the following members:

(1) three current members of the House of Representatives, not all from the same political party, who shall be appointed by the Speaker of the House;

and

(2) three current members of the Senate, not all from the same political party, who shall be appointed by the Committee on Committees.

(c) Powers and duties. The Study Committee shall study the creation and implementation of an income-based education tax system, including the following issues:

(1) restructuring the renter credit under 32 V.S.A. chapter 154 or creating a new credit or other mechanisms to ensure that Vermonters who rent a primary residence participate fairly in the education income tax system;

(2) transitioning from the current homestead property tax system to a new income-based education tax system;

(3) accurate modeling, given the differences between household income for homestead property tax purposes and adjusted gross income for income tax purposes;

(4) whether there should be a limit to the amount of income subject to a new income-based education tax;

(5) challenges or other considerations for administering a new proposed education income tax system;

(6) with regard to income as a tax base, the impact of a new proposed education income tax on the State's taxing capacity, including the impact on the General Fund; and

(7) any other relevant considerations.

(d) Assistance. The Study Committee shall have the administrative, technical, and legal assistance of the Agency of Education, the Department of Taxes, the Joint Fiscal Office, the Office of Legislative Counsel, and the Office of Legislative Operations and shall consult with the Vermont League of Cities and Towns and any other interested stakeholders.

(e) Report. On or before December 30, 2022, the Study Committee shall submit a written report to the House Committees on Education and on Ways and Means and the Senate Committees on Education and on Finance with its findings and recommendations for legislative action, which shall include proposed legislative language.

(f) Meetings.

(1) The Joint Fiscal Office shall call the first meeting of the Study Committee to occur on or before July 15, 2022.

(2) The Study Committee shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Study Committee shall cease to exist on December 31, 2022.

(g) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, members of the Study Committee shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than six meetings. These payments shall be made from monies appropriated to the General Assembly.

** * * Effective Date * * **

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2022.