

1 S.283

2 Introduced by Committee on Education

3 Date: January 27, 2022

4 Subject: Education; miscellaneous

5 Statement of purpose of bill as introduced: This bill proposes to make
6 miscellaneous changes to education laws.

7 An act relating to miscellaneous changes to education laws

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

9 ~~*** Community College of Vermont In-State Tuition for Refugees ***~~

10 Sec. 1. 16 V.S.A. § 2185 is amended to read:

11 § 2185. DETERMINATION OF RESIDENCY FOR TUITION PURPOSES

12 (a) The Board of Trustees shall adopt policies related to residency for
13 tuition purposes, consistent with State and federal requirements.

14 (b) Any member of the U.S. Armed Forces on active duty who is
15 transferred to Vermont for duty other than for the purpose of education shall,
16 upon transfer and for the period of active duty served in Vermont, be
17 considered a resident for in-state tuition purposes at the start of the next
18 semester or academic period.

1 ~~(c) For determination of residency for tuition purposes for the Community~~
2 ~~College of Vermont, a person who resides in Vermont and meets the definition~~
3 ~~of "refugee" under 8 U.S.C. § 1101(a)(42) shall, upon arrival in Vermont and~~
4 ~~for the period of residency in Vermont, be considered a resident for in-state~~
5 ~~tuition purposes at the start of the next semester or academic period.~~

6 * * * Suspension or Expulsion of Students * * *

7 Sec. 2. 16 V.S.A. § 1162 is amended to read:

8 § 1162. SUSPENSION OR EXPULSION OF STUDENTS

9 (a) A superintendent or principal may, pursuant to policies adopted by the
10 school board that are consistent with State Board rules, suspend a student for
11 up to 10 school days or, with the approval of the board of the school district,
12 expel a student for up to the remainder of the school year or up to 90 school
13 days, whichever is longer, for misconduct:

14 (1) on school property, on a school bus, or at a school-sponsored activity
15 when the misconduct makes the continued presence of the student harmful to
16 the welfare of the school;

17 (2) not on school property, on a school bus, or at a school-sponsored
18 activity where direct harm to the welfare of the school can be demonstrated; or

19 (3) not on school property, on a school bus, or at a school-sponsored
20 activity where the misconduct can be shown to pose a clear and substantial

21 ~~interference with another student's equal access to educational programs.~~

1 ~~(b) Nothing contained in this section shall prevent a superintendent or~~
2 principal, subject to subsequent due process procedures, from removing
3 immediately from a school a student who poses a continuing danger to persons
4 or property or an ongoing threat of disrupting the academic process of the
5 school, or from expelling a student who brings a weapon to school pursuant to
6 section 1166 of this title.

7 (c) Principals, superintendents, and school boards are authorized and
8 encouraged to provide alternative education services or programs to students
9 during any period of suspension or expulsion authorized under this section.

10 (d) Notwithstanding anything to the contrary in this chapter, a student
11 enrolled in a public school, approved independent school, or prequalified
12 private prekindergarten program who is under eight years of age shall not be
13 suspended or expelled from the school; provided, however, that the school may
14 suspend or expel the student if the student poses an imminent threat of harm or
15 danger to others in the school.

16 * * * Entrance Age Threshold for Public School Kindergarten * * *

17 Sec. 3. REPORT AND RECOMMENDATIONS ON THE IMPACT OF
18 STANDARDIZING THE ENTRANCE AGE THRESHOLD FOR
19 PUBLIC SCHOOL KINDERGARTEN

20 On or before December 15, 2022, the Agency of Education shall issue a
21 written report to the Senate and House Committees on Education on the

1 ~~impact of standardizing the entrance age threshold for public school~~
2 kindergarten attendance. In preparing the report, the Agency of Education
3 shall consult with the Vermont Department for Children and Families, the
4 Vermont Department of Health, the Vermont School Boards Association, the
5 Vermont Principals' Association, the Vermont Superintendents Association,
6 and the Vermont National Education Association. The report shall include any
7 recommendations for legislative action.

8 * * * Statewide Uniform School Calendar * * *

9 Sec. 4. REPORT AND RECOMMENDATIONS FOR A STATEWIDE
10 UNIFORM SCHOOL CALENDAR

11 On or before January 15, 2023, the Agency of Education shall issue a
12 written report to the Senate and House Committees on Education on the
13 impact of creating a statewide uniform school calendar that shall include
14 student attendance days, periods of vacation, holidays, and teacher in-service
15 education days. The report shall include any recommendations for legislative
16 action.

17 * * * Effective Date * * *

18 Sec. 5. EFFECTIVE DATE

19 ~~This act shall take effect on passage.~~

** * * Community College of Vermont In-State Tuition for Refugees * * **

Sec. 1. 16 V.S.A. § 2185 is amended to read:

§ 2185. DETERMINATION OF RESIDENCY FOR TUITION PURPOSES

(a) The Board of Trustees shall adopt policies related to residency for tuition purposes, consistent with State and federal requirements.

(b) Any member of the U.S. Armed Forces on active duty who is transferred to Vermont for duty other than for the purpose of education shall, upon transfer and for the period of active duty served in Vermont, be considered a resident for in-state tuition purposes at the start of the next semester or academic period.

(c) For determination of residency for tuition to the Community College of Vermont, a person who resides in Vermont shall be considered a resident for in-state tuition purposes, beginning at the start of the next semester or academic period after arrival in Vermont, if that person:

(1) qualifies as a refugee pursuant to 8 U.S.C. 1101(a)(42);

(2) is granted parole to enter the United States pursuant to 8 U.S.C. 1182(d)(5); or

(3) is issued a special immigrant visa pursuant to the Afghan Allies Protection Act of 2008, as amended.

** * * Suspension or Expulsion of Students * * **

Sec. 2. 16 V.S.A. § 1162 is amended to read:

§ 1162. SUSPENSION OR EXPULSION OF STUDENTS

(a) A superintendent or principal may, pursuant to policies adopted by the school board that are consistent with State Board rules, suspend a student for up to 10 school days or, with the approval of the board of the school district, expel a student for up to the remainder of the school year or up to 90 school days, whichever is longer, for misconduct:

(1) on school property, on a school bus, or at a school-sponsored activity when the misconduct makes the continued presence of the student harmful to the welfare of the school;

(2) not on school property, on a school bus, or at a school-sponsored activity where direct harm to the welfare of the school can be demonstrated; or

(3) not on school property, on a school bus, or at a school-sponsored activity where the misconduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs.

(b) Nothing contained in this section shall prevent a superintendent or principal, subject to subsequent due process procedures, from removing immediately from a school a student who poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process of the school, or from expelling a student who brings a weapon to school pursuant to section 1166 of this title.

(c) Principals, superintendents, and school boards are authorized and encouraged to provide alternative education services or programs to students during any period of suspension or expulsion authorized under this section.

(d) Notwithstanding anything to the contrary in this chapter, a student enrolled in a public school, approved independent school, or prequalified private prekindergarten program who is under eight years of age shall not be suspended or expelled from the school; provided, however, that the school may suspend or expel the student if the student poses an imminent threat of harm or danger to others in the school.

*Sec. 3. REPORT AND RECOMMENDATIONS ON SUSPENSION,
EXPULSION, AND EXCLUSIONARY PRACTICES IN EARLY
CHILDHOOD EDUCATION SETTINGS*

The Building Bright Futures Council, established in 33 V.S.A. § 4602, shall collaborate with the Agencies of Human Services and Education to define suspension, expulsion, and exclusionary practices in early childhood education settings and to establish best practices for supporting children who face such measures. The work of the Council shall include reviewing available data on exclusionary practices. On or before January 15, 2023 the Building Bright Futures Council shall issue a written report to the Senate and House Committees on Education, the Senate Committee on Health and Welfare, and the House Committee on Human Services detailing its work and findings and making recommendations for legislative action.

** * * Entrance Age Threshold for Public School Kindergarten * * **

*Sec. 4. REPORT AND RECOMMENDATIONS ON THE IMPACT OF
STANDARDIZING THE ENTRANCE AGE THRESHOLD FOR
PUBLIC SCHOOL KINDERGARTEN*

On or before December 15, 2022, the Agency of Education shall issue a written report to the Senate and House Committees on Education on the impact of standardizing the entrance age threshold for public school kindergarten attendance. In preparing the report, the Agency of Education shall consult with the Vermont Department for Children and Families, the Vermont Department of Health, the Vermont School Boards Association, the Vermont Principals' Association, the Vermont Superintendents Association,

and the Vermont National Education Association. The report shall include any recommendations for legislative action.

** * * Statewide Uniform School Calendar * * **

*Sec. 5. REPORT AND RECOMMENDATIONS FOR A STATEWIDE
UNIFORM SCHOOL CALENDAR*

On or before January 15, 2024, the Agency of Education shall issue a written report to the Senate and House Committees on Education with a proposed statewide uniform school calendar; created to improve high-quality learning opportunities for all Vermont students. In creating the calendar, the Agency shall consider the impact on attendance at regional career and technical education centers as well as the impact on families and educators. The uniform calendar shall include student attendance days, periods of vacation, holidays, and teacher in-service education days.

** * * Remote Learning * * **

*Sec. 6. REPORT AND RECOMMENDATIONS FOR STATEWIDE
REMOTE LEARNING POLICY*

On or before January 15, 2023, the Agency of Education, in consultation with the State Board of Education, shall issue a written report to the Senate and House Committees on Education with recommendations for a statewide remote learning policy that incorporates remote learning into the requirements for student attendance, school days, and cumulative instructional hours. The report shall define remote learning and recommend statewide quality standards to ensure substantially equal access to quality basic education. The report shall also include any recommendations for legislative action.

** * * Effective Date * * **

Sec. 7. EFFECTIVE DATE

This act shall take effect on passage.