1	TO THE HOUSE OF REPRESENTATIVES:
2	The Committee on Education to which was referred Senate Bill No. 115
3	entitled "An act relating to making 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	* * * Libraries in Vermont * * *
8	Sec. 1. WORKING GROUP ON THE STATUS OF LIBRARIES IN
9	VERMONT; REPORT
10	(a) Creation. There is created the Working Group on the Status of
11	Libraries in Vermont to study and report on the statewide status of Vermont's
12	libraries. The Working Group is formed with the intent of strengthening and
13	supporting libraries of all sizes and improving library services for the public.
14	(b) Membership. The Working Group shall be composed of the following
15	members:
16	(1) the State Librarian;
17	(2) the President of the Vermont Library Association or designee;
18	(3) the Executive Director of the Vermont Humanities Council or
19	designee:

1	(4) three representatives of public libraries, who shall be from libraries
2	of different sizes and from different regions of the State, appointed by the State
3	Librarian;
4	(5) two representatives of public school libraries, who shall be from
5	schools of different sizes and from different regions of the State, appointed by
6	the Secretary of Education;
7	(6) two representatives of college and university libraries, appointed by
8	the President of the College and Special Libraries Section of the Vermont
9	Library Association; and
10	(7) one public library trustee, appointed by the President of the Friends
11	and Trustees Section of the Vermont Library Association.
12	(c) Powers and duties. The Working Group shall study:
13	(1) library services for specific segments of the Vermont population,
14	including senior citizens, individuals with disabilities, youths and children,
15	immigrant and migrant communities, and people living in poverty;
16	(2) the role that libraries play in emergency preparedness, cultural
17	diversity and inclusion, public health and safety, community identity and
18	resiliency, economic development, and access to public programs and services;
19	(3) the impact of the COVID-19 pandemic on library operations and
20	services; and

1	(4) the current overall status of Vermont libraries, which may include
2	information related to programming, collections, facilities, technology, and
3	staffing.
4	(A) Programming. The Working Group may study the types and
5	frequency of library programs, attendance at library programs, and whether
6	library programs are meeting community needs. The study of programming
7	may include an assessment of public engagement and outreach surrounding
8	library programming as well as the opportunities for nonlibrary programs and
9	groups to access Vermont libraries.
10	(B) Collections. The Working Group may study the size and
11	diversity of library holdings and assess the strengths and gaps in materials
12	available to Vermonters. The study of collections may include an assessment
13	of how libraries may best share resources across differing libraries and
14	communities, whether libraries offer community-specific resources, and
15	whether libraries maintain special collections or historical artifacts.
16	(C) Facilities. The Working Group may study whether library
17	facilities and buildings could be improved with regard to energy efficiency,
18	accessibility, flexibility, human health and safety, historic preservation, and
19	intergenerational needs.
20	(D) Technology. The Working Group may study whether Vermont
21	libraries have sufficient access to basic technological resources, cyber-security
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1	resources, high-speed Internet, electronic catalogs, interlibrary loan and other
2	interoperable systems, and appropriate hardware and software.
3	(E) Staff. The Working Group may study staffing levels at Vermont
4	libraries, whether staffing levels are sufficient to meet community needs,
5	whether library staff compensation and benefits are sufficient, how libraries
6	rely on volunteers, and what resources are available for workforce
7	development and training of library staff.
8	(d) Public input. As part of the study and report, the Working Group shall
9	solicit feedback from the general public and library users around the State.
10	The Working Group may examine models for library management and
11	organization in other states, including the formation of statewide service
12	networks.
13	(e) Data to be used. The data used in the analysis of library services and
14	operations may be from 2019, prior to the COVID-19 pandemic.
15	Postpandemic data may also be used to assess the status of library services and
16	operations.
17	(f) Consultation with the Board of Libraries. The Working Group may
18	solicit feedback from the Board of Libraries.
19	(g) Assistance. The Working Group shall have the administrative,
20	technical, and legal assistance of the Department of Libraries.

1	(h) Report. On or before November 1, 2023, the Working Group shall
2	submit a report to the House and Senate Committees on Education. The report
3	shall contain:
4	(1) specific and detailed findings and proposals concerning the issues set
5	forth in subsection (c) of this section;
6	(2) recommendations for updating the statutes, rules, standards, and the
7	governance structures of Vermont libraries to ensure equitable access for
8	Vermont residents, efficient use of resources, and quality in the provision of
9	services;
10	(3) recommendations related to the funding needs of Vermont libraries,
11	including capital, ongoing, and special funding; and
12	(4) any other information or recommendations that the Working Group
13	may deem necessary.
14	(i) Meetings.
15	(1) The State Librarian shall be the Chair of the Working Group.
16	(2) The Chair shall call the first meeting of the Working Group to occur
17	within 45 days after the effective date of this act.
18	(3) A majority of the membership shall constitute a quorum.
19	(4) The Working Group shall cease to exist on December 1, 2023.
20	(j) Compensation and reimbursement. Members of the Working Group
21	shall be entitled to per diem compensation and reimbursement of expenses as
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1	permitted under 32 V.S.A. § 1010 for not more than 12 meetings. These
2	payments shall be made from monies appropriated to the Department of
3	Libraries.
4	(k) Appropriation. The sum of \$4,000.00 is appropriated to the Department
5	of Libraries from the General Fund in fiscal year 2022 for per diem
6	compensation and reimbursement of expenses for members of the Working
7	Group.
8	Sec. 2. 3 V.S.A. § 260 is amended to read:
9	§ 260. LOCATION OF OFFICES
10	* * *
11	(c) The principal office of each of the following boards and divisions shall
11 12	(c) The principal office of each of the following boards and divisions shall be located in Montpelier: Division for Historic Preservation and Board of
12	be located in Montpelier: Division for Historic Preservation and Board of
12 13	be located in Montpelier: Division for Historic Preservation and Board of Libraries. [Repealed.]
12 13 14	be located in Montpelier: Division for Historic Preservation and Board of Libraries. [Repealed.] * * *
12 13 14 15	be located in Montpelier: Division for Historic Preservation and Board of Libraries. [Repealed.] * * * Sec. 3. 12 V.S.A. § 1699 is amended to read:
12 13 14 15 16	be located in Montpelier: Division for Historic Preservation and Board of Libraries. [Repealed.] *** Sec. 3. 12 V.S.A. § 1699 is amended to read: § 1699. FOREIGN LAWS AND DECISIONS; DETERMINATION BY
12 13 14 15 16 17	be located in Montpelier: Division for Historic Preservation and Board of Libraries. [Repealed.] *** Sec. 3. 12 V.S.A. § 1699 is amended to read: § 1699. FOREIGN LAWS AND DECISIONS; DETERMINATION BY COURT

1	Library at Montpelier. The determination of such the laws shall be made by
2	the court and not by the jury, and shall be reviewable.
3	Sec. 4. 16 V.S.A. § 212 is amended to read:
4	§ 212. SECRETARY'S DUTIES GENERALLY
5	The Secretary shall execute those policies adopted by the State Board in the
6	legal exercise of its powers and shall:
7	* * *
8	(7) Arrange conferences and summer schools for superintendents and
9	teachers and employ suitable speakers, lecturers, and instructors for the same;
10	fix the amount of tuition for the instruction; provide for educational gatherings,
11	institutes, summer schools, and other supplementary educational activities; and
12	provide for cooperation with the Board of Libraries established by 22 V.S.A.
13	§ 602 or the State Librarian.
14	* * *
15	Sec. 5. 22 V.S.A. § 605 is amended to read:
16	§ 605. DUTIES AND FUNCTIONS OF THE DEPARTMENT OF
17	LIBRARIES
18	The duties and functions of the Department of Libraries shall be to provide,
19	administer, and maintain:
20	* * *

1	(2) A collection of State documents and of documents relating to other
2	states and local and federal governments documents. It shall arrange for and
3	designate depositories of State documents which designation is to include
4	Bailey Howe Library at the University of Vermont. The Department may
5	acquire reports and documents published by federal agencies and by other
6	states and countries, and may arrange for the exchange of official reports and
7	publications with federal agencies, and with governmental agencies in other
8	states and countries.
9	* * *
10	(4) A general library collection of a sufficient size and scope to
11	reinforce and supplement the resources of local and regional libraries. All
12	materials of the Department of Libraries shall be available for free circulation
13	to all citizens, institutions, and organizations under regulations of the State
14	Librarian except that the State Librarian may restrict rare or reference-type
15	materials to one location. The Department shall arrange, classify, and catalog
16	all materials in its custody and provide for their safekeeping and shall rebind
17	books as needed. The Department shall provide service to other libraries in the
18	State, schools, and individuals and may provide service by mail or book wagon
19	or otherwise.

* * *

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1	Sec. 6. 29 V.S.A. § 1108 is amended to read:
2	§ 1108. ACCEPTANCE OR REJECTION OF BIDS; CONDITIONS OF
3	CONTRACTS
4	The Commissioner of Buildings and General Services may require
5	satisfactory bonds from bidders and contractors, and shall specify in each
6	contract for printing that, in case the matter contracted for is not delivered to
7	the State Librarian or in accordance with his or her written order to such other
8	person as may be specified in the contract, on or before the date specified in
9	the contract for such delivery, \$25.00 of the contract price shall be deducted
10	for every day such delivery is delayed, and, in case the delay exceeds 10 days,
11	there shall be deducted in addition to the above amount \$10.00 for each day's
12	delay over 10 days; and he or she shall also specify in each contract that all
13	public documents and printed matter shall be delivered to the State Librarian at
14	the State Library unless otherwise directed in writing by him or her or the State
15	Librarian. The provisions of this section and section 1107 of this title relating
16	to advertising and bids shall not apply to a contract for printing where the
17	amount of the contract does not exceed \$50.00.
18	Sec. 7. REPEALS
19	The following are repealed:
20	(1) 4 V.S.A. § 16 (briefs and other papers kept in State Library);
21	(2) 29 V.S.A. § 1156 (distribution of documents by State Librarian); and
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1	(3) 29 V.S.A. § 1161 (distribution of documents to schools).
2	* * * Cultural Liaisons * * *
3	Sec. 8. 16 V.S.A. § 4029 is amended to read:
4	§ 4029. USE OF FUNDS FOR EDUCATION
5	(a) Funds received by a school district may be used only for legitimate
6	items of current education expense and shall not be used for municipal
7	services.
8	(b) Funds received by a municipality other than a school district may not be
9	used directly or indirectly for education expenses.
10	* * *
11	(g) Notwithstanding anything to the contrary in this section or otherwise in
12	law, a school district and the town or city municipality or municipalities in
13	which the school district operates may jointly fund the services of one or more
14	cultural liaisons to support students and families who have limited English
15	proficiency (LEP). A cultural liaison provides language translation and
16	interpretation services to help facilitate educational and municipal services for
17	LEP students and families; facilitates communication among school and
17	ELI students and families, facilitates communication among school and
18	municipal staff, LEP students and families, and community organizations; and

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1	* * * Wellness Program * * *
2	Sec. 9. 16 V.S.A. § 136 is amended to read:
3	§ 136. WELLNESS PROGRAM; ADVISORY COUNCIL ON WELLNESS
4	AND COMPREHENSIVE HEALTH
5	(a) As used in this section:
6	* * *
7	(5) "Wellness program" means a program that includes physical fitness
8	and nutrition comprehensive health education as defined in section 131 of this
9	<u>title</u> .
10	(b) The Secretary with the approval of the State Board shall establish an
11	Advisory Council on Wellness and Comprehensive Health that shall include at
12	least three members associated with the health services field with expertise in
13	health services, health education, or health policy. The members shall serve
14	without compensation but shall receive their actual expenses incurred in
15	connection with their duties relating to wellness and comprehensive health
16	programs. The Council shall assist the Agency to plan, coordinate, and
17	encourage wellness and comprehensive health programs in the public schools
18	and shall meet not less than twice a year.
19	(c) The Secretary shall collaborate with other agencies and councils
20	working on childhood wellness to:

1	(1) Supervise the preparation of appropriate nutrition and fitness
2	wellness program curricula for use in the public schools, promote programs for
3	the preparation of teachers to teach these curricula, and assist in the
4	development of wellness programs.
5	* * *
6	(5) Create a process for schools to share with the Department of Health
7	any data collected about the height and weight of students in kindergarten
8	through grade six. The Commissioner of Health may report any data compiled
9	under this subdivision on a countywide basis. Any reporting of data must
10	protect the privacy of individual students and the identity of participating
11	schools.
12	* * *
13	Sec. 10. SCHOOL WELLNESS POLICY
14	On or before January 15, 2022, the Agency of Education, in collaboration
15	with the Advisory Council on Wellness and Comprehensive Health created
16	under 16 V.S.A. § 136, shall update and distribute to school districts a model
17	wellness program policy, using the expanded definition of "wellness program"
18	under 16 V.S.A. § 136, as amended by this act, that shall:
19	(1) be in compliance with all relevant State and federal laws; and
20	(2) reflect nationally accepted best practices for comprehensive health
21	education and school wellness policies, such as guidance from the Centers for
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1	Disease Control and Prevention's Whole School, Whole Community, Whole		
2	Child Model.		
3	* * * Menstrual Products * * *		
4	Sec. 11. 16 V.S.A. § 1432 is added to read:		
5	<u>§ 1432. MENSTRUAL PRODUCTS</u>		
6	(a) By enacting this statute, the General Assembly intends to ensure that all		
7	students attending a public school or an approved independent school have		
8	access to menstrual products at no cost and without the embarrassment of		
9	having to request them.		
10	(b)(1) A school district and an approved independent school shall make		
11	menstrual products available at no cost for each school within the district or		
12	under the jurisdiction of the board of the independent school in:		
13	(A) a majority of gender-neutral bathrooms and bathrooms		
14	designated for females that are generally used by females in any of grades five		
15	through 12; and		
16	(B) the school nurse's office.		
17	(2) The school district or independent school, in consultation with the		
18	school nurse who provides services to the school, shall determine which of the		
19	gender-neutral bathrooms and bathrooms designated for females to stock with		
20	menstrual products and which brands to use.		

1	(c) School districts and approved independent schools shall bear the cost of	
2	supplying menstrual products and may seek grants or partner with a nonprofit	
3	or community-based organization to fulfill this obligation.	
4	* * * Vermont Ethnic and Social Equity Standards Advisory Working	
5	Group * * *	
6	Sec. 12. 2019 Acts and Resolves No. 1 is amended to read:	
7	<mark>* * *</mark>	
8	(c) Creation and composition. The Ethnic and Social Equity Standards	
9	Advisory Working Group is established. The Working Group shall comprise	
10	the following 20 <u>23</u> members:	
11	(1) $\frac{10}{13}$ members who are members of, and represent the interests of,	
12	ethnic groups and social groups, two four of whom shall be high school	
13	students and two of whom shall be members of Vermont's Indigenous	
14	<u>community;</u>	
15	<mark>* * *</mark>	
16	(d) Appointment and operation.	
17	(1) The Vermont Coalition for Ethnic and Social Equity in Schools	
18	(Coalition) shall appoint the 10 13 members who represent ethnic groups and	
19	social groups and the member identified under subdivision (c)(2) of this	
20	section. Appointments of members to fill vacancies to these positions shall be	
21	made by the Coalition.	

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1	<mark>* * *</mark>
2	Sec. 13. APPROPRIATION; VERMONT ETHNIC AND SOCIAL EQUITY
3	STANDARDS ADVISORY WORKING GROUP
4	(a) The sum of \$1,500.00 is appropriated from the General Fund to the
5	Vermont Ethnic and Social Equity Standards Advisory Working Group
6	(Working Group) for fiscal year 2022 to cover per diem and reimbursement for
7	the three members of the Working Group added under Sec. 12 of this act.
8	(b) Any unused portion of this appropriation shall, as of July 1, 2022, revert
9	to the General Fund.
10	* * * School Finance and Financial Data Management System * * *
11	Sec. 14. FINDINGS AND PURPOSE
12	(a) Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves No. 11, as amended,
13	requires that not later than July 1, 2022 all Vermont supervisory unions,
14	supervisory districts, school districts, and independent technical center districts
15	utilize the same school finance and financial data management system
16	(eFinance), which shall be selected by the Agency of Education per State
17	procurement guidelines.
18	(b) RHR Smith & Co. performs more than half of all school district audits
19	in the State. In a letter dated October 6, 2020 from RHR Smith & Co. to a
20	school district that was in the first round of eFinance implementation, RHR
21	Smith & Co. found that "many basic accounting needs that any fiscal software
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1	should be able to handle, are just not available in eFinance. This increases the
2	burden on staff to manually complete accounting work increasing risk for
3	errors and staff burnout. Additionally, it requires more staff time and overall
4	makes the daily fiscal routine more cumbersome when compared to other fiscal
5	software we see or that are currently utilized by your peers."
6	(c) Because eFinance is designed to be a finance and financial data
7	management system used by all school districts, these comments raise concern
8	that its functionality should be examined and improved prior to being
9	implemented across the State.
10	(d) The purpose of Secs. 15-17 of this act is to:
11	(1) extend the deadline to December 31, 2022 for implementation of
12	eFinance;
13	(2) suspend until January 1, 2022 the further implementation of
14	eFinance to provide time for further evaluation of the system, provided that:
15	(A) the Agency of Education and its contractor for implementation of
16	the system shall continue to support users of the system; and
17	(B) a supervisory union, supervisory district, school district, or
18	independent technical center district that does not use the system may opt into
19	using the system during this period; and
20	(3) require the Agency of Education to issue status reports to the
21	General Assembly.

1	Sec. 15. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.500.1, as amended
2	by 2019 Acts and Resolves No. 72, Sec. E.500.5, is further amended to read:
3	Sec. E.500.1. SCHOOL FINANCE AND FINANCIAL DATA
4	MANAGEMENT SYSTEM
5	(a) Not later than July 1 December 31, 2022, all Vermont supervisory
6	unions, supervisory districts, school districts, and independent tech technical
7	center districts shall utilize the same school finance and financial data
8	management system. The system shall be selected by the Agency of Education
9	per State procurement guidelines.
10	<mark>* * *</mark>
11	Sec. 16. SUSPENSION OF IMPLEMENTATION OF STATEWIDE
12	FINANCE AND FINANCIAL DATA MANAGEMENT SYSTEM
13	Notwithstanding Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves
14	No. 11, as amended, the implementation of the statewide school finance and
15	financial data management system shall be suspended until January 1, 2022,
16	provided that:
17	(1) the Agency of Education and its contractor for implementation of the
18	system shall continue to support users, as of the date of enactment of this act,
19	of the system: and

1	(2) a supervisory union, supervisory district, school district, or
2	independent technical center district that does not use the system may opt into
3	using the system during this period upon approval by its governing board.
4	Sec. 17. AGENCY OF EDUCATION; REPORTS
5	On or before each of June 1, September 1, and December 1, 2021, the
6	Agency of Education shall provide a written report to the General Assembly on
7	the status of improving and implementing the school finance and financial data
8	management system, including the status of:
9	(1) system outages;
10	(2) bank reconciliations;
11	(3) reporting enhancements;
12	(4) systems enhancements; and
13	(5) user training.
14	* * * State Board of Education; Agency of Education; Roles and
15	Responsibilities * * *
16	Sec. 18. STATE BOARD OF EDUCATION; AGENCY OF EDUCATION;
17	ROLES AND RESPONSIBILITIES
18	(a) On or before December 15, 2021, the State Board of Education and the
19	Agency of Education shall jointly report to the House and Senate Committees
20	on Education on how the roles and responsibilities of the State Board and the
21	Agency should be restructured to ensure that:

1	(1) the prekindergarten through grade 12 educational system meets the
2	needs of all students on a fair and equitable basis;
3	(2) federal and State statutory mandates are carried out in a professional
4	and timely manner, including the updating of rules;
5	(3) the State Board and the Agency have the resources necessary to
6	fulfill their roles and responsibilities, including an adequate number of
7	qualified and properly trained staff; and
8	(4) the State Board and the Agency maximize operational and
9	administrative efficiencies.
10	(b) As part of this process, the State Board and the Agency shall identify
11	and document all federal and State statutory mandates and rules for which they
12	are responsible and assess whether they are being carried out in a professional
13	and timely manner. The results of this analysis shall be included in the report
14	required under subsection (a) of this section.
15	(c) If the State Board and the Agency cannot agree on how the roles and
16	responsibilities of the State Board and the Agency should be restructured to
17	meet the goals under subsection (a) of this section, then they shall each identify
18	in the report the areas of agreement and disagreement and explain why its
19	proposal best achieves these goals. The report shall not include legislative
20	language, which shall be developed after the Committees have considered the
21	report.

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1	* * * Effective Da	ates * * *
2	Sec. 19. EFFECTIVE DATES	
3	This act shall take effect on passage, except that school districts and	
4	approved independent schools shall comply with the requirements of Sec. 11	
5	(menstrual products) for the 2022-2023 sch	ool year and thereafter.
6		
7		
8	Committee vote:)	
9		
10		Representative
11		FOR THE COMMITTEE