

H.716, An act relating to miscellaneous changes in education laws
Section-by-section summary of Senate Proposal of Amendment and House further proposal of amendment

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May 11, 2022

Overview. This bill makes several miscellaneous changes to education laws. This is a section-by-section summary of the Senate's Proposal of Amendment and the **House's further proposal of amendment**

Section 1. Amendment to 16 V.S.A. § 2961 Census Grant; change to 1st year funding Calculation

- This section remains the same as passed by the House.
- H.716 proposes to make a change to the calculation of the amount of special education funding supervisory unions receive in the 1st year under the census grant system, which is fiscal year 2023.
 - Act 173 changed special education funding from standard mainstream block grants to a census grant system. This change was achieved by amending 16 V.S.A. § 2961. The change goes into effect on July 1, 2022, with a 4-year transition built in before SUs reach their standard census grant amount in 2027. This allows SUs to plan for and adjust to the change in funding models/amounts.
 - Currently, special education funding will be calculated for FY23 by taking the average amount the SU received in special education funding in years 2018, 2019, and 2020 (under the old mainstream block grant system) and increasing it by an inflator. The FY23 amount is also used to calculate the base amount of the census grant for years 2, 3, and 4, which is the amount of the census grant calculated on a per student basis. The base amount is the FY23 amount divided by an SU's long term membership.
 - For years 2 (FY24), 3 (FY25), and 4 (FY26), special education funding is calculated by an SU's long-term membership multiplied by the prorated base amount. The change between the SU's FY23 base amount and its eventual FY27 uniform base amount is prorated each year to gradually move the SU's FY23 base amount towards the eventual FY27 uniform base amount over 3 years.
 - For year 5 (FY27) and subsequent fiscal years, the census grant for an SU is the uniform base amount multiplied by the SU's long-term membership. The uniform base amount calculation is spelled out in statute and stands alone from the calculations used to derive the first 4 years of grants.
 - H.716 only makes a change to how the census grant for an SU will be calculated in year 1 (FY23) (and therefore the base amount calculation used for years 2, 3, and 4). Sec. 1 amends 16 V.S.A. § 2961(d)(1)(A) and allows SUs to use the **greater of** either the average of fiscal years 2018, 2019, and 2020 OR the **average of fiscal years 2019, 2020, 2021** to calculate their FY23 census grant.

Section 2. Holocaust Education Report

- This section was added through the Senate's Proposal of Amendment
- This section of the bill is a piece of session law that requires the Agency of Education to issue a written report to the Senate and House Committees on Education regarding the status of Holocaust education in public schools and its recommendations to ensure that Holocaust education is included in educational programs. In preparing the report, the Agency shall work with the Vermont Holocaust Memorial.

Section 3.

- The House further proposal of amendment strikes Sec. 3 as proposed by the Senate (amendment to 16 V.S.A. § 492, bond language). The bond language update also appears in S.283.
- The House further proposal of amendment adds a new Sec. 3 to delay the implementation of two rules in the 2360 State Board of Education Rule Series.
 - The new Sec. 3 delays the implementation of Rules 2362 (Eligibility for Children Ages Six Years through 21) and 2362.2.5 (Additional Procedures for Identifying Children with SLD) of the special education rules to July 1, 2023.

Section. 4. Peer Review Support Grant Program

- This section was added through the Senate's Proposal of Amendment.
- The House further proposal of amendment strikes this section.
- [Deleted.]

Section. 5. Income-Based Education Tax; Study Committee

- This section was added through the Senate's Proposal of Amendment

Section 6. Effective date

- Act takes effect on July 1, 2022.