

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

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

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~~
12 ~~be located in Montpelier: Division for Historic Preservation and Board of~~
13 ~~Libraries. [Repealed.]~~

14 * * *

15 Sec. 3. 12 V.S.A. § 1699 is amended to read:

16 § 1699. FOREIGN LAWS AND DECISIONS; DETERMINATION BY
17 COURT

18 The statutes, laws, and decisions of another state may be evidenced, prima
19 facie, in the courts of this State by a printed copy thereof, which purports to be
20 published by the authority of ~~such~~ the other state, or which is kept in the State

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 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

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 § 1432. MENSTRUAL PRODUCTS

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 * * *

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~~ 23 members:

11 (1) ~~40~~ 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 community;

15 * * *

16 (d) Appointment and operation.

17 (1) The Vermont Coalition for Ethnic and Social Equity in Schools
18 (Coalition) shall appoint the ~~40~~ 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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**Sec. 13. APPROPRIATION; VERMONT ETHNIC AND SOCIAL EQUITY
STANDARDS ADVISORY WORKING GROUP**

(a) The sum of \$1,500.00 is appropriated from the General Fund to the Vermont Ethnic and Social Equity Standards Advisory Working Group (Working Group) for fiscal year 2022 to cover per diem and reimbursement for the three members of the Working Group added under Sec. 12 of this act.

(b) Any unused portion of this appropriation shall, as of July 1, 2022, revert to the General Fund.

* * * School Finance and Financial Data Management System * * *

Sec. 14. FINDINGS AND PURPOSE

(a) Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves No. 11, as amended, requires that not later than July 1, 2022 all Vermont supervisory unions, supervisory districts, school districts, and independent technical center districts utilize the same school finance and financial data management system (eFinance), which shall be selected by the Agency of Education per State procurement guidelines.

(b) RHR Smith & Co. performs more than half of all school district audits in the State. In a letter dated October 6, 2020 from RHR Smith & Co. to a school district that was in the first round of eFinance implementation, RHR Smith & Co. found that “many basic accounting needs that any fiscal software

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 ~~teeh~~ 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 * * *

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 (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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* * * Effective Dates * * *

Sec. 19. EFFECTIVE DATES

This act shall take effect on passage, except that school districts and approved independent schools shall comply with the requirements of Sec. 11 (menstrual products) for the 2022–2023 school year and thereafter.

Committee vote: _____)

Representative _____

FOR THE COMMITTEE