

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 Vermont School Library Association;

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. [Deleted.]

16 Sec. 4. 16 V.S.A. § 212 is amended to read:

17 § 212. SECRETARY'S DUTIES GENERALLY

18 The Secretary shall execute those policies adopted by the State Board in the
19 legal exercise of its powers and shall:

20 * * *

1 (7) Arrange conferences and summer schools for superintendents and
2 teachers and employ suitable speakers, lecturers, and instructors for the same;
3 fix the amount of tuition for the instruction; provide for educational gatherings,
4 institutes, summer schools, and other supplementary educational activities; and
5 provide for cooperation with the Board of Libraries established by 22 V.S.A.
6 § 602 or the State Librarian.

7 * * *

8 Sec. 5. [Deleted.]

9 Sec. 6. 29 V.S.A. § 1108 is amended to read:

10 § 1108. ACCEPTANCE OR REJECTION OF BIDS; CONDITIONS OF
11 CONTRACTS

12 The Commissioner of Buildings and General Services may require
13 satisfactory bonds from bidders and contractors, ~~and shall specify in each~~
14 ~~contract for printing that, in case the matter contracted for is not delivered to~~
15 ~~the State Librarian or in accordance with his or her written order to such other~~
16 ~~person as may be specified in the contract, on or before the date specified in~~
17 ~~the contract for such delivery, \$25.00 of the contract price shall be deducted~~
18 ~~for every day such delivery is delayed, and, in case the delay exceeds 10 days,~~
19 ~~there shall be deducted in addition to the above amount \$10.00 for each day's~~
20 ~~delay over 10 days; and he or she shall also specify in each contract that all~~
21 ~~public documents and printed matter shall be delivered to the State Librarian at~~

1 ~~the State Library unless otherwise directed in writing by him or her or the State~~
2 ~~Librarian. The provisions of this section and section 1107 of this title relating~~
3 ~~to advertising and bids shall not apply to a contract for printing where the~~
4 ~~amount of the contract does not exceed \$50.00.~~

5 Sec. 7. REPEALS

6 The following are repealed:

7 (1) 4 V.S.A. § 16 (briefs and other papers kept in State Library);

8 (2) 29 V.S.A. § 1156 (distribution of documents by State Librarian); and

9 (3) 29 V.S.A. § 1161 (distribution of documents to schools).

10 * * * Cultural Liaisons * * *

11 Sec. 8. 16 V.S.A. § 4029 is amended to read:

12 § 4029. USE OF FUNDS FOR EDUCATION

13 (a) Funds received by a school district may be used only for legitimate
14 items of current education expense and shall not be used for municipal
15 services.

16 (b) Funds received by a municipality other than a school district may not be
17 used directly or indirectly for education expenses.

18 * * *

19 (g) Notwithstanding anything to the contrary in this section or otherwise in
20 law, a school district and the town or city municipality or municipalities in
21 which the school district operates may jointly fund the services of one or more

1 cultural liaisons to support students and families who have limited English
2 proficiency (LEP). A cultural liaison provides language translation and
3 interpretation services to help facilitate educational and municipal services for
4 LEP students and families; facilitates communication among school and
5 municipal staff, LEP students and families, and community organizations; and
6 assists in reconciling differing cultural perspectives and understandings.

7 * * * Wellness Program * * *

8 Sec. 9. 16 V.S.A. § 136 is amended to read:

9 § 136. WELLNESS PROGRAM; ADVISORY COUNCIL ON WELLNESS

10 AND COMPREHENSIVE HEALTH

11 (a) As used in this section:

12 * * *

13 (5) “Wellness program” means a program that includes physical fitness
14 and ~~nutrition~~ comprehensive health education as defined in section 131 of this
15 title.

16 (b) The Secretary ~~with the approval of the State Board~~ shall establish an
17 Advisory Council on Wellness and Comprehensive Health that shall include at
18 least three members ~~associated with the health services field~~ with expertise in
19 health services, health education, or health policy, at least one member who is
20 a school counselor, and at least one member who is a school social worker.

21 The members shall serve without compensation ~~but shall receive their actual~~

1 ~~expenses incurred in connection with their duties relating to wellness and~~
2 ~~comprehensive health programs.~~ The Council shall assist the Agency to plan,
3 coordinate, and encourage wellness and comprehensive health programs in the
4 public schools and shall meet not less than twice a year. The Council shall
5 also examine and coordinate state health wellness polices and federal wellness
6 policies to identify and, if possible, eliminate any redundancies.

7 (c) The Secretary shall collaborate with other agencies and councils
8 working on childhood wellness to:

9 (1) Supervise the preparation of appropriate ~~nutrition and fitness~~
10 wellness program curricula for use in the public schools, promote programs for
11 the preparation of teachers to teach these curricula, and assist in the
12 development of wellness programs.

13 * * *

14 ~~(5) Create a process for schools to share with the Department of Health~~
15 ~~any data collected about the height and weight of students in kindergarten~~
16 ~~through grade six. The Commissioner of Health may report any data compiled~~
17 ~~under this subdivision on a countywide basis. Any reporting of data must~~
18 ~~protect the privacy of individual students and the identity of participating~~
19 ~~schools.~~

20 * * *

21 Sec. 10. SCHOOL WELLNESS POLICY

1 On or before January 15, 2022, the Agency of Education, in collaboration
2 with the Advisory Council on Wellness and Comprehensive Health created
3 under 16 V.S.A. § 136 and the Vermont School Boards Association, shall
4 update and distribute to school districts a model wellness program policy,
5 using the expanded definition of “wellness program” under 16 V.S.A. § 136, as
6 amended by this act, that shall:

7 (1) be in compliance with all relevant State and federal laws; and

8 (2) reflect nationally accepted best practices for comprehensive health
9 education and school wellness policies, such as guidance from the Centers for
10 Disease Control and Prevention’s Whole School, Whole Community, Whole
11 Child Model.

12 * * * Menstrual Products * * *

13 Sec. 11. 16 V.S.A. § 1432 is added to read:

14 § 1432. MENSTRUAL PRODUCTS

15 (a) By enacting this statute, the General Assembly intends to ensure that all
16 students attending a public school or an approved independent school have
17 access to menstrual products at no cost and without having to request them.

18 (b)(1) A school district and an approved independent school shall make
19 menstrual products available at no cost for each school within the district or
20 under the jurisdiction of the board of the independent school in:

1 (A) a majority of gender-neutral bathrooms and bathrooms
2 designated for female students that are generally used by students who are
3 eight years old or older; and

4 (B) the school nurse’s office.

5 (2) The school district or independent school, in consultation with the
6 school nurse who provides services to the school, shall determine which of the
7 gender-neutral bathrooms and bathrooms designated for female students to
8 stock with menstrual products and which brands to use.

9 (c) School districts and approved independent schools shall bear the cost of
10 supplying menstrual products and may seek grants or partner with a nonprofit
11 or community-based organization to fulfill this obligation.

12 * * * Vermont Ethnic and Social Equity Standards Advisory Working
13 Group * * *

14 Sec. 12. 2019 Acts and Resolves No. 1 is amended to read:

15 * * *

16 (c) Creation and composition. The Ethnic and Social Equity Standards
17 Advisory Working Group is established. The Working Group shall comprise
18 the following ~~20~~ 23 members:

19 (1) ~~40~~ 13 members who are members of, and represent the interests of,
20 ethnic groups and social groups, ~~two~~ four of whom shall be high school

1 students and two of whom shall be members of Vermont’s Indigenous
2 community;

3 * * *

4 (d) Appointment and operation.

5 (1) The Vermont Coalition for Ethnic and Social Equity in Schools
6 (Coalition) shall appoint the ~~40~~ 13 members who represent ethnic groups and
7 social groups and the member identified under subdivision (c)(2) of this
8 section. Appointments of members to fill vacancies to these positions shall be
9 made by the Coalition.

10 * * *

11 (3)(A) The Secretary of Education or designee shall call the first meeting
12 of the Working Group to occur on or before September 1, 2019.

13 * * *

14 (E) The Working Group shall have the ~~assistance of the Agency of~~
15 ~~Education for the purposes of scheduling meetings and processing~~
16 ~~compensation and reimbursement pursuant to subsection (e) of this section~~
17 administrative, technical, and legal assistance of the Agency of Education. If
18 the Agency is unable to provide the Working Group with adequate support to
19 assist it with developing recommendations for updating educational standards
20 to recognize fully the history, contributions, and perspectives of ethnic groups
21 and social groups, then the Agency, in collaboration with the Working Group,

1 is authorized to retain a contractor with expertise in this area to assist the
2 Working Group.

3 * * *

4 (g) Duties of the Working Group.

5 (1) The Working Group shall review standards for student performance
6 adopted by the State Board of Education under 16 V.S.A. § 164(9) and, on or
7 before ~~June 30, 2021~~ December 31, 2021, recommend to the State Board
8 updates and additional standards to recognize fully the history, contributions,
9 and perspectives of ethnic groups and social groups. These recommended
10 additional standards shall be designed to:

11 * * *

12 (h) Reports.

13 (3) The Working Group shall, on or before ~~July 1, 2022~~ December 31,
14 2022, submit a report to the General Assembly that includes:

15 * * *

16 (i) Duties of the State Board of Education. The Board of Education shall,
17 on or before ~~June 30, 2022~~ December 31, 2022, consider adopting ethnic and
18 social equity studies standards into standards for student performance adopted
19 by the State Board under 16 V.S.A. § 164(9) for students in prekindergarten
20 through grade 12, taking into account the report submitted by the Working
21 Group under subdivision (g)(1) of this section.

1 Sec. 13. APPROPRIATIONS; VERMONT ETHNIC AND SOCIAL EQUITY
2 STANDARDS ADVISORY WORKING GROUP

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

7 (b) The sum of \$50,000.00 is appropriated from the General Fund to the
8 Agency of Education in fiscal year 2022 for the cost of the contractor under
9 Sec. 12 of this act.

10 (c) Any unused portion of these appropriation shall, as of July 1, 2022,
11 revert to the General Fund.

12 * * * Shared School District Data Management System * * *

13 Sec. 14. FINDINGS AND PURPOSE

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

20 (b) The purpose of Secs. 15-17 of this act is to:

1 (1) extend the deadline to December 31, 2022 for state-wide adoption of
2 eFinancePlus;

3 (2) pause until January 1, 2022 the further implementation of
4 eFinancePlus to provide time for further evaluation of the system, provided
5 that:

6 (A) the Agency of Education and its contractor for implementation of
7 the system shall continue to support users of the system; and

8 (B) a supervisory union, supervisory district, school district, or
9 independent technical center district that does not use the system may join an
10 implementation round offered by the Agency of Education during the pause
11 period upon approval by its governing body; and

12 (3) require the Agency of Education to issue status reports to the
13 General Assembly.

14 Sec. 15. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.500.1, as amended
15 by 2019 Acts and Resolves No. 72, Sec. E.500.5, is further amended to read:

16 Sec. E.500.1. ~~SCHOOL FINANCE AND~~ SHARED SCHOOL DISTRICT
17 FINANCIAL DATA MANAGEMENT SYSTEM

18 (a) Not later than ~~July 1~~ December 31, 2022, all Vermont supervisory
19 unions, supervisory districts, school districts, and independent ~~tech~~ technical
20 center districts shall utilize the same school finance and financial data

1 management system. The system shall be selected by the Agency of Education
2 per State procurement guidelines.

3 * * *

4 Sec. 16. PAUSE OF IMPLEMENTATION OF SHARED SCHOOL
5 DISTRICT FINANCIAL DATA MANAGEMENT SYSTEM

6 Notwithstanding Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves
7 No. 11, as amended, the implementation of the Shared School District Data
8 Management System shall be paused until January 1, 2022, provided that:

9 (1) the Agency of Education and its contractor for implementation of the
10 system shall continue to support users, as of the date of enactment of this act,
11 of the system; and

12 (2) a supervisory union, supervisory district, school district, or
13 independent technical center district that does not use the system may join an
14 implementation round offered by the Agency of Education during the pause
15 period upon approval by its governing body.

16 Sec. 17. AGENCY OF EDUCATION; REPORTS

17 (a) On or before June 30, 2021 and quarterly thereafter until March 31,
18 2023, the Agency of Education shall provide a written report to the General
19 Assembly and the Vermont Association of School Business Officials on the
20 status of improving and implementing the Shared School District Data
21 Management System, including the status of:

- 1 (1) system outages;
- 2 (2) bank reconciliations;
- 3 (3) reporting enhancements;
- 4 (4) systems enhancements; and
- 5 (5) user training.

6 (b) In preparing the quarterly reports, the Agency shall collect input from
7 the Vermont Association of School Business Officials and professional
8 accounting firms engaged in the process of conducting school district audits in
9 Vermont.

10 * * * State Board of Education; Agency of Education; Roles and
11 Responsibilities * * *

12 Sec. 18. STATE BOARD OF EDUCATION; AGENCY OF EDUCATION;
13 ROLES AND RESPONSIBILITIES

14 (a) On or before December 15, 2021, the State Board of Education and the
15 Agency of Education shall jointly report to the House and Senate Committees
16 on Education on how the roles and responsibilities of the State Board and the
17 Agency should be restructured to ensure that:

18 (1) the prekindergarten through grade 12 educational system meets the
19 needs of all students on a fair and equitable basis;

20 (2) federal and State statutory mandates are carried out in a professional
21 and timely manner, including the updating of rules;

1 (3) the State Board and the Agency have the resources necessary to
2 fulfill their roles and responsibilities, including an adequate number of
3 qualified and properly trained staff; and

4 (4) the State Board and the Agency maximize operational and
5 administrative efficiencies.

6 (b) As part of this process, the State Board and the Agency shall identify
7 and document all federal and State statutory mandates and rules for which they
8 are responsible and assess whether they are being carried out in a professional
9 and timely manner. The results of this analysis shall be included in the report
10 required under subsection (a) of this section.

11 (c) If the State Board and the Agency cannot agree on how the roles and
12 responsibilities of the State Board and the Agency should be restructured to
13 meet the goals under subsection (a) of this section, then they shall each identify
14 in the report the areas of agreement and disagreement and explain why its
15 proposal best achieves these goals. The report shall not include legislative
16 language, which shall be developed after the Committees have considered the
17 report.

18 * * * Effective Dates * * *

19 Sec. 19. EFFECTIVE DATES

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

4

5

6 Committee vote: _____)

7

8

Representative _____

9

FOR THE COMMITTEE