

1 H.630

2 An act relating to improving access to high-quality education through
3 community collaboration

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

5 * * * Findings and Intent * * *

6 Sec. 1. FINDINGS; INTENT

7 (a) Findings. The General Assembly finds that:

8 (1) Vermont's school districts are small by national and regional
9 standards, which denies them some of the benefits of scale. As of 2021,
10 Vermont was one of approximately nine states that did not have an established
11 system of cooperative educational service agencies.

12 (2) Some specialized education services are higher in cost or intensity
13 but lower in incidence. Collaborating to ensure quality education is more
14 regionally available to serve students in the least restrictive environment, with
15 a focus of reintegration into the classroom, may make providing such services
16 more efficient and affordable.

17 (3) Students should be in the least restrictive setting to reach success.
18 Some students require a higher level of care and access to peers that would not
19 be available in an inclusive setting. Some students who are currently placed in
20 substantially separate programs are not able to access their community, peers,
21 or inclusive activities. Vermont is currently sending many of these students to
22 programs that are geographically far away or out of state. Working

1 cooperatively could prevent these students from being transported such long
2 distances. Staying closer to home will also afford these students greater
3 opportunities for afterschool or community-based activities.

4 (4) Market concentration means single districts cannot always rely on
5 competitive bidding to reduce costs and improve quality. Districts often all
6 have separate contracts for the same service, with the same vendor or vendors,
7 which is an avoidable duplicative cost.

8 (5) For services that all districts need, such as professional development
9 and specialized settings for students with extraordinary needs, collaboration
10 statewide ensures that the highest quality expertise and programming can be
11 shared at scale in ways that benefit all students and districts.

12 (6) Collaborative management of some functions would yield the same
13 outcome but at a lower price and with fewer demands on administrative time,
14 such that districts can spend proportionally less of every dollar on
15 noninstructional administrative tasks or duplicative services and capabilities.

16 (7) Examples of functions that can be challenging or less affordable
17 given the small size of Vermont's districts are:

18 (A) applying for State, federal, and other grants;

19 (B) supporting staff and educator development, recruitment, and
20 retention;

1 (C) supporting transformation of operations or implementation of
2 new State initiatives or quality standards;

3 (D) providing high-quality, evidence- and science-based professional
4 development in a coherent and consistent way;

5 (E) providing or ensuring access to regionally available specialized
6 settings for students with unique needs or highly specialized needs in the least
7 restrictive environment, with a focus on reintegration and early intervention;

8 (F) managing prekindergarten programs to ensure equitable access to
9 high-quality prekindergarten programs;

10 (G) procurement of services to support education, from food service
11 to transportation, given the lack of enough vendors to ensure competitive
12 bidding;

13 (H) providing skilled facilities planning and management; and

14 (I) providing appropriate support and instruction for English learners.

15 (8) Additionally, community schools also facilitate the coordination of
16 comprehensive programs and services that are carefully selected to meet the
17 unique needs of students and families and build on the assets they bring to their
18 schools and communities. Community schools combine challenging and
19 culturally inclusive learning opportunities with the academic and social
20 supports every student needs to reach their potential.

1 (9) According to the Learning Policy Institute, “establishing community
2 schools” is one of 10 recommended strategies for restarting and rethinking the
3 role of public education in the wake of the COVID-19 pandemic. Community
4 schools serve as resource hubs that provide a broad range of easily accessed,
5 well-coordinated supports and services that help students and families with
6 increasingly complex needs. These schools, at their core, are about investing
7 in children, through quality teaching; challenging, engaging, and culturally
8 responsive curricula; wrap around supports; safe, just, and equitable school
9 climate; strong ties to family and community; and a clear focus on student
10 achievement and well-being.

11 (10) Community schools are important centers for building community
12 connection and resilience. When learning extends beyond the walls of the
13 school through active engagement with community partners as with place-
14 based learning, relationships expand and deepen, community strengths are
15 highlighted, and opportunities for building vitality surface through shared
16 learning.

17 (11) Community schools provide another framework to encourage and
18 support supervisory unions to be creative as they develop learning
19 communities that integrate student supports, expand and enrich learning
20 opportunities, engage families and communities, develop collaborative
21 leadership, and ensure safe, inclusive, and equitable learning environments.

1 (1) “Educator” means any:

2 (A) individual licensed under chapter 51 of this title, the majority of
3 whose employed time in a public school district, supervisory union, or board of
4 cooperative education services is assigned to furnish to students direct
5 instructional or other educational services, as defined by rule of the Standards
6 Board, or who is otherwise subject to licensing as determined by the Standards
7 Board; or

8 (B) individual licensed under chapter 51 of this title, the majority of
9 whose employed time in a public school, school district, or supervisory union
10 is assigned to developing and managing school curriculum, evaluating and
11 disciplining personnel, or supervising and managing a public school system or
12 public school program.

13 (2) “Supervisory union” means an administrative, planning, and
14 educational service unit created by the State Board under section 261 of this
15 title that consists of two or more school districts. This term also means a
16 supervisory district.

17 § 603. CREATION OF BOARD OF COOPERATIVE EDUCATION

18 SERVICES; ORGANIZATION; SECRETARY APPROVAL

19 (a) Establishment of boards of cooperative education services. When the
20 boards of two or more supervisory unions vote to explore the advisability of
21 entering into a written agreement to provide shared programs and services, the

1 interested boards shall meet and discuss the terms of any such agreement. At
2 this meeting or a subsequent meeting, the participating boards may enter into a
3 proposed agreement to form an association of supervisory unions to deliver
4 shared programs and services to complement the educational programs of
5 member supervisory unions in a cost-effective manner. An association formed
6 pursuant to this chapter shall be known as a board of cooperative education
7 services (BOCES) and shall be a body politic and corporate with the powers
8 and duties afforded them under this chapter.

9 (b) Articles of agreement. Agreements to form a BOCES pursuant to this
10 chapter shall take the form of articles of agreement and shall serve as the
11 operating agreement for a BOCES. Agreements shall include a cost-benefit
12 analysis outlining the projected financial savings or enhanced outcomes, or
13 both, that the parties expect to realize through shared services or programs. No
14 agreement or subsequent amendments shall take effect unless approved by the
15 member supervisory union boards and the Secretary of Education. The
16 Secretary shall approve articles of agreement if the Secretary finds that the
17 formation of the proposed BOCES is in the best interests of the State, the
18 students, and the member supervisory unions and aligns with the policy set
19 forth in section 601 of this title, subject to the limitations of subsection (d) of
20 this section. At a minimum, the articles of agreement shall state:

21 (1) the names of the participating supervisory unions;

1 (2) the mission, purpose, and focus of the BOCES;

2 (3) the programs or services to be offered by the BOCES;

3 (4) the financial terms and conditions of membership of the BOCES,
4 including any applicable membership fee;

5 (5) the service fees for member supervisory unions and the service fees
6 for nonmember supervisory unions, as applicable;

7 (6) the detailed procedure for the preparation and adoption of an annual
8 budget with carryforward provisions;

9 (7) the method of termination of the BOCES and the withdrawal of
10 member supervisory unions, which shall include the apportionment of assets
11 and liabilities;

12 (8) the procedure for admitting new members and for amending the
13 articles of agreement;

14 (9) the powers and duties of the board of directors of the BOCES to
15 operate and manage the association, including:

16 (A) board meeting attendance requirements;

17 (B) consequences for failure to attend a board meeting;

18 (C) a conflict-of-interest policy; and

19 (D) a policy regarding board member salaries or stipends; and

20 (10) any other matter not incompatible with law that the member
21 supervisory unions consider necessary to the formation of the BOCES.

1 (c) Board of directors. A BOCES shall be managed by a board of directors,
2 which shall be composed of one person appointed annually by each member
3 supervisory union board. Appointed persons shall be members of a member
4 supervisory union board or the superintendent or designee of the member
5 supervisory union. Each member of the BOCES board of directors shall be
6 entitled to a vote. No member of the board of directors of a BOCES shall
7 serve as a member of a board of directors or as an officer or employee of any
8 related for-profit or nonprofit organization. The board of directors shall elect a
9 chair from its members and provide for such other officers as it may determine
10 are necessary. The board of directors may also establish subcommittees and
11 create board policies and procedures as it may determine are necessary. The
12 board of directors shall meet not fewer than four times annually. Each member
13 of the board of directors shall provide updates on the activities of the BOCES
14 on a quarterly basis to the member's appointing supervisory union board at an
15 open board meeting.

16 (d) Number of BOCESs. There shall be not more than seven BOCESs
17 statewide. Supervisory unions shall not be a member of more than one
18 BOCES but may seek services as a nonmember from other BOCESs.

1 § 604. POWERS OF BOARDS OF COOPERATIVE EDUCATION

2 SERVICES

3 (a) In addition to any other powers granted by law, a BOCES shall have the
4 power to provide educational programs, services, facilities, and professional
5 and other staff that, in its discretion, best serve the needs of its members. A
6 BOCES shall follow all applicable State and federal laws in its provision of
7 services, including Section 504 of the Rehabilitation Act of 1973,
8 29 U.S.C. § 794, and the Individuals with Disabilities Education Act,
9 20 U.S.C. §§ 1400–1482.

10 (b) A BOCES may employ an executive director who shall serve under the
11 general direction of the board and who shall be responsible for the care and
12 supervision of the BOCES. The board shall annually evaluate the executive
13 director’s performance and effectiveness in implementing the programs,
14 policies, and goals of the BOCES. The executive director shall not serve as a
15 board member, officer, or employee of any related for-profit or nonprofit
16 organization.

17 (c) A BOCES shall be a body politic and corporate and shall have standing
18 to sue and be sued to the same extent as a school district. A BOCES may enter
19 into contracts for the purchase of supplies, materials and services and for the
20 purchase or leasing of land, buildings, and equipment as considered necessary
21 by the board of directors. Section 559 of this title shall apply to the

1 procurement of services or items with costs that exceed \$40,000.00, as well as
2 high-cost construction contracts, as defined by subsection 559(b) of this title.

3 (d) The board of directors of a BOCES may apply for State, federal, or
4 private grants, for which a BOCES may be otherwise eligible, to obtain funds
5 necessary to carry out the purpose for which the BOCES is established.

6 Nothing in this chapter is intended to create an entitlement to federal funds
7 distributed by the Agency of Education to local education agencies.

8 § 605. FINANCING, BUDGETING, AND ACCOUNTING

9 (a) Education cooperative fund. A BOCES shall establish and manage a
10 fund to be known as an education cooperative fund. All monies contributed by
11 the member school districts and all grants or gifts from the federal government,
12 State government, charitable foundations, private corporations, or any other
13 source shall be deposited into the fund.

14 (b) Treasurer.

15 (1) A BOCES shall appoint a treasurer who may be a treasurer of a
16 member school district and who shall be sworn in before entering the duties of
17 the office.

18 (2) The treasurer may, subject to the direction of the board of directors,
19 receive and disburse all money belonging to the board without further
20 appropriation.

1 (3) The treasurer shall keep financial records of cash receipts and
2 disbursements and shall make those records available to the board of directors
3 upon request.

4 (4) The board of directors shall ensure that its blanket bond covers a
5 newly appointed treasurer before the treasurer enters upon the duties of the
6 office. In lieu of a blanket bond, a BOCES may choose to provide suitable
7 crime insurance coverage. The board of directors may pay reasonable
8 compensation to the treasurer for services rendered and shall evaluate the
9 treasurer's performance annually.

10 (c) Financial accounting system. A BOCES shall use the uniform chart of
11 accounts and financial reporting requirements used by supervisory unions as its
12 financial accounting system.

13 (d) Audit. Annually, a BOCES shall cause an independent audit to be
14 made of its financial statements consistent with generally accepted
15 governmental auditing standards and shall discuss and vote to accept the audit
16 report at an open meeting of the board. The board shall transmit a copy of
17 each audit to the boards of its member supervisory unions.

18 (e) Annual statement. Annually, a BOCES shall prepare financial
19 statements, including:

20 (1) a statement of net assets; and

21 (2) a statement of revenues, expenditures, and changes in net assets.

1 (f) Budget. A board of cooperative education services shall adopt a budget
2 prior to the beginning of the fiscal year for which the budget is adopted.

3 (g) Loans. A BOCES may, upon approval of its members, negotiate or
4 contract with any person, corporation, association, or company for a loan not to
5 exceed the difference between the anticipated revenues for the current fiscal
6 year for the budget of the BOCES and the amount credited to date to said
7 budget in order to pay current obligations. Such loan shall be liquidated within
8 six months thereafter from monies subsequently credited to said budget. The
9 total principal, interest, and fees to be paid on such loan shall not exceed the
10 total amount of the authorized budget for the same length of time.

11 § 606. ANNUAL REPORT; PUBLIC INFORMATION

12 (a) The board of a BOCES shall prepare an annual report concerning the
13 affairs of the BOCES and have it printed and distributed to the boards of the
14 member supervisory unions. The annual report shall include, at a minimum:

15 (1) information on the programs and services offered by the BOCES,
16 including information on the cost-effectiveness of such programs and services
17 and progress made towards achieving the objectives and purposes set forth in
18 the articles of agreement; and

19 (2) audited financial statements and the independent auditor's report.

20 (b) A BOCES shall maintain an internet website that makes the following
21 information available to the public at no cost:

- 1 (1) a list of the members of the board of directors of the BOCES;
2 (2) copies of approved minutes of open meetings held by the board of
3 the BOCES;
4 (3) a copy of the articles of agreement and any subsequent amendments;
5 and
6 (4) a copy of the annual report required under subsection (a) of this
7 section.

8 § 607. EMPLOYMENT

- 9 (a) A BOCES shall be considered to be a public employer and may employ
10 personnel, including educators, to carry out the purposes and functions of the
11 board. Annually, the board of a BOCES shall conduct an area survey of the
12 salaries of the educators and staff employed by the BOCES's member
13 supervisory unions and school districts.
14 (b) No person shall be eligible for employment by a BOCES as an educator
15 unless the person is appropriately licensed by the Standards Board for
16 Professional Educators pursuant to chapter 51 of this title.
17 (c) A person employed by a BOCES as an educator shall be a participant in
18 the Vermont State Teachers' Retirement System pursuant to chapter 55 of this
19 title.

1 (d) A person who is employed by a BOCES and who is not educator shall
2 be a participant in the Vermont Municipal Employees' Retirement System
3 pursuant to 24 V.S.A. chapter 125.

4 (e) Educators employed by a BOCES shall be entitled to organize pursuant
5 to chapter 57 of this title.

6 (f) Employees employed by a BOCES and who are not educators shall be
7 entitled to organize pursuant to 21 V.S.A. chapter 22.

8 (g) Educators and employees who are employed by a BOCES shall be
9 provided health care benefits pursuant to chapter 61 of this title.

10 Sec. 3. TRANSITION; REPORT

11 (a) On or before July 1, 2026, each supervisory union board shall consider
12 and vote on the desirability of establishing a board of cooperative education
13 services pursuant to 16 V.S.A. chapter 10. There shall be not more than seven
14 boards of cooperative education services established statewide. Supervisory
15 union boards that vote to establish a board of cooperative education services
16 shall hold an organizational meeting pursuant to 16 V.S.A. § 603 on or before
17 July 1, 2027.

18 (b) On or before July 1, 2028, the Secretary of Education shall review the
19 boards of cooperative education services as they exist, or are anticipated to
20 exist, on that date. On or before November 1, 2028, the Secretary shall issue a

1 written report to the General Assembly and the State Board of Education with
2 the following information and recommendations:

3 (1) the number of boards of cooperative education services in existence
4 on July 1, 2028, including the names of member supervisory unions and
5 services provided;

6 (2) the number of supervisory unions that are not members of boards of
7 cooperative education services and information on why such supervisory
8 unions have not joined a board of cooperative education services; and

9 (3) recommendations for expansion of the membership and powers of
10 boards of cooperative education services, including recommendations for
11 whether membership in such boards shall be mandatory.

12 Sec. 4. BOCES GRANT PROGRAM; APPROPRIATION

13 (a) There is established the Boards of Cooperative Education Services
14 Start-up Grant Program, to be administered by the Agency of Education, from
15 funds appropriated for this purpose, to award grants to boards of cooperative
16 education services (BOCES) formed pursuant to 16 V.S.A. chapter 10 after
17 July 1, 2024. BOCES shall be eligible for a single \$10,000.00 grant after the
18 Secretary of Education approves the applicant's initial articles of agreement
19 pursuant to 16 V.S.A. § 603(b). Grants may be used for start-up costs and may
20 include reimbursement to member supervisory unions for costs incurred during
21 the exploration and formation of the BOCES and articles of agreement.

1 (b) Notwithstanding any provision of 16 V.S.A. § 4025 to the contrary, the
 2 sum of \$70,000.00 is appropriated from the Education Fund to the Agency of
 3 Education in fiscal year 2025 to fund the Boards of Cooperative Education
 4 Services Start-up Grant Program created in subsection (a) of this section.
 5 Unexpended appropriations shall carry forward into the subsequent fiscal year
 6 and remain available for use for this purpose.

7 * * * Conforming Revisions * * *

8 Sec. 5. 16 V.S.A. § 261a is amended to read:

9 § 261a. DUTIES OF SUPERVISORY UNION BOARD

10 * * *

11 (b) Virtual merger. In order to ~~promote the efficient use of financial and~~
 12 ~~human resources~~ maximize the impact of available funding and resources, and
 13 to reduce duplication of educational programs, personnel, and services, and
 14 whenever legally permissible, supervisory unions are encouraged to reach
 15 agreements with other supervisory unions jointly to provide any service or
 16 perform any duty under this section pursuant to section 267 of this title, or to
 17 form boards of cooperative education services pursuant to chapter 10 of this
 18 title. Agreements between supervisory unions are not subject to the waiver
 19 requirement of subdivision (a)(8) of this section. Agreements shall include a
 20 cost-benefit analysis outlining the projected financial savings or enhanced

1 outcomes, or both, that the parties expect to realize through shared services or
2 programs.

3 * * *

4 Sec. 6. 16 V.S.A. § 1691a is amended to read:

5 § 1691a. DEFINITIONS

6 As used in this chapter:

7 (1) “Administrator” means an individual licensed under this chapter the
8 majority of whose employed time in a public school, school district, ~~or~~
9 supervisory union, or board of cooperative education services is assigned to
10 developing and managing school curriculum, evaluating and disciplining
11 personnel, or supervising and managing a public school system or public
12 school program.

13 * * *

14 (10) “Teacher” means an individual licensed under this chapter the
15 majority of whose employed time in a public school district ~~or~~, supervisory
16 union, or board of cooperative education services is assigned to furnish to
17 students direct instructional or other educational services, as defined by rule of
18 the Standards Board, or who is otherwise subject to licensing as determined by
19 the Standards Board.

1 Sec. 7. 16 V.S.A. § 1931(20) is amended to read:

2 (20) “Teacher” ~~shall mean~~ means any licensed teacher, principal,
3 supervisor, superintendent, or any professional licensed by the Vermont
4 Standards Board for Professional Educators who is regularly employed, or
5 otherwise contracted if following retirement, for the full normal working time
6 for ~~his or her~~ the teacher’s position in a public day school or school district
7 within the State, or in any school or teacher-training institution located within
8 the State, controlled by the State Board of Education, and supported wholly by
9 the State; or in certain public independent schools designated for such purposes
10 by the Board in accordance with section 1935 of this title; or who is regularly
11 employed by a board of cooperative education services created in accordance
12 with chapter 10 of this title. In all cases of doubt, the Board shall determine
13 whether any person is a teacher as defined in this chapter. It ~~shall~~ does not
14 mean a person who is teaching with an emergency license.

15 Sec. 8. 24 V.S.A. § 5051(10) is amended to read:

16 (10) “Employee” means the following persons employed on a regular
17 basis by a school district ~~or~~, by a supervisory union, or by a board of
18 cooperative education services for ~~no~~ not fewer than 1,040 hours in a year and
19 for ~~no~~ not fewer than 30 hours a week for the school year, as defined in
20 16 V.S.A. § 1071, or for ~~no~~ not fewer than 1,040 hours in a year and for ~~no~~ not
21 fewer than 24 hours a week year-round; provided, however, that if a person

1 who was employed on a regular basis by a school district as either a special
2 education or transportation employee and who was transferred to and is
3 working in a supervisory union or a board of cooperative education services in
4 the same capacity pursuant to 16 V.S.A. § 261a(a)(6) or (8)(E) and if that
5 person is also employed on a regular basis by a school district within the
6 supervisory union, then the person is an “employee” if these criteria are met by
7 the combined hours worked for the supervisory union and school district. The
8 term ~~shall~~ also ~~mean~~ means persons employed on a regular basis by a
9 municipality other than a school district for ~~no~~ not fewer than 1,040 hours in a
10 year and for ~~no~~ not fewer than 24 hours per week, including persons employed
11 in a library at least one-half of whose operating expenses are met by municipal
12 funding:

13 * * *

14 Sec. 9. 16 V.S.A. § 1981 is amended to read:

15 § 1981. DEFINITIONS

16 As used in this chapter unless the context requires otherwise:

17 * * *

18 (8) “School board negotiations council” means, for a supervisory
19 district, its school board, and, for school districts within a supervisory union or
20 board of cooperative education services, the body comprising representatives
21 designated by each school board within the supervisory union or board of

1 cooperative education services and by the supervisory union board or board of
2 cooperative education services to engage in professional negotiations with a
3 teachers' or administrators' organization.

4 (9) "Teachers' organization negotiations council" or "administrators'
5 organization negotiations council" means the body comprising representatives
6 designated by each teachers' organization or administrators' organization
7 within a supervisory district ~~or~~ supervisory union, or board of cooperative
8 education services to act as its representative for professional negotiations.

9 Sec. 10. 21 V.S.A. § 1722 is amended to read:

10 § 1722. DEFINITIONS

11 As used in this chapter:

12 * * *

13 (18) "School board negotiations council" means, for a supervisory
14 district, its school board, and, for school districts within a supervisory union or
15 board of cooperative education services, the body comprising representatives
16 designated by each school board within the supervisory union or board of
17 cooperative education services and by the supervisory union board or board of
18 cooperative education services to engage in collective bargaining with their
19 school employees' negotiations council.

20 (19) "School employees' negotiations council" means the body
21 comprising representatives designated by each exclusive bargaining agent

1 within a supervisory district ~~or~~, supervisory union, or board of cooperative
2 education services to engage in collective bargaining with its school board
3 negotiations council.

4 (20) “Supervisory district” and “supervisory union” ~~shall~~ have the same
5 ~~meaning~~ meanings as in 16 V.S.A. § 11.

6 (21) “Municipal school employee” means an employee of a supervisory
7 union ~~or~~, school district, or board of cooperative education services who is not
8 otherwise subject to 16 V.S.A. chapter 57 (labor relations for teachers and
9 administrators) and who is not otherwise excluded pursuant to subdivision (12)
10 of this section.

11 * * *

12 Sec. 11. 16 V.S.A. § 2101 is amended to read:

13 § 2101. DEFINITIONS

14 As used in this chapter:

15 (1) “Participating employee” means a school employee who is eligible
16 for and has elected to receive health benefit coverage through a school
17 employer.

18 (2) “School employee”:

19 (A) includes the following individuals:

20 (i) an individual employed by a school employer as a teacher or
21 administrator as defined in section 1981 of this title;

1 (ii) a municipal school employee as defined in 21 V.S.A. § 1722;

2 (iii) an individual employed as a supervisor as defined in

3 21 V.S.A. § 1502;

4 (iv) a confidential employee as defined in 21 V.S.A. § 1722;

5 (v) a certified employee of a school employer; and

6 (vi) any other permanent employee of a school employer not

7 covered by subdivisions (i)-(v) of this subdivision (2); and

8 (B) notwithstanding subdivision (A) of this subdivision (2), excludes

9 individuals who serve in the role of superintendent.

10 (3) “School employer” means a supervisory union or school district as

11 those terms are defined in section 11 of this title, or a board of cooperative

12 education services formed pursuant to chapter 10 of this title.

13 * * * Community Schools * * *

14 Sec. 12. 2021 Acts and Resolves No. 67, Sec. 3 is amended to read:

15 Sec. 3. COMMUNITY SCHOOLS; FUNDING

16 * * *

17 (c) Funding administration.

18 (1) Subject to subdivision (2) of this subsection, the Secretary of

19 Education shall determine, using the Agency of Education’s equity lens tool,

20 which eligible recipients shall receive funding and the amount of funding, and

21 the Secretary shall provide the funding on or before September 1 ~~of each of~~

1 ~~2021, 2022, and 2023 to recipients.~~ The Secretary may deny or reduce ~~second-~~
2 ~~and third-year~~ funding after the initial year of funding if the Secretary finds
3 that the recipient has made insufficient progress towards developing and
4 implementing community school programs. In determining which eligible
5 recipients shall receive funding, the Secretary shall take into account relative
6 need, based on the extent to which community school program services are
7 needed and the extent to which the eligible recipient seeks to offer them.

8 (2) In determining which eligible recipients shall receive funding and
9 the amount of funding and to advance the principles for Vermont's trauma-
10 informed system of care under 33 V.S.A. § 3401, the Secretary of Education
11 shall collaborate with the Director of Trauma Prevention and Resilience
12 Development and the Vermont Child and Family Trauma Work Group.

13 (3) The Agency of Education shall inform all eligible recipients of the
14 availability of funding under this act and, for those eligible recipients most in
15 need of this funding, shall educate these eligible recipients on community
16 school programs and their benefits. The Agency of Education shall also advise
17 all eligible recipients of other sources of funding that may be available to
18 advance the purpose of this act.

19 (d) Use of funding.

20 (1) A recipient of funding under this act shall use the funding to:

1 (A) if a needs and assets assessment has not been conducted within
2 the prior three years that substantially conforms with the requirements in this
3 subdivision, then, in collaboration with the site-based leadership team, conduct
4 a needs and assets assessment that includes:

5 (i) where available, and where applicable, student demographic,
6 academic achievement, and school climate data, disaggregated by major
7 demographic groups, including race, ethnicity, English language proficiency,
8 students with individualized education plans, and students eligible for free or
9 reduced-price lunch status;

10 (ii) access to and need for integrated student supports;

11 (iii) access to and need for expanded and enriched learning time
12 and opportunities;

13 (iv) school funding information, including federal, State, local,
14 and private education funding and per-pupil spending, based on actual salaries
15 of personnel assigned to the eligible school;

16 (v) information on the number, qualifications, and stability of
17 school staff, including the number and percentage of fully certified teachers
18 and rates of teacher turnover; and

19 (vi) active family and community engagement information,
20 including:

1 (I) family and community needs based on surveys, information
2 from public meetings, or information gathered by other means;

3 (II) measures of family and community engagement in the
4 eligible schools, including volunteering in schools, attendance at back-to-
5 school nights, and parent-teacher conferences;

6 (III) efforts to provide culturally and linguistically relevant
7 communication between schools and families; and

8 (IV) access to and need for family and community engagement
9 activities;

10 (B) hire a community school coordinator to, in collaboration with the
11 site-based leadership team, develop and implement community school
12 programs or designate a community school coordinator from existing
13 personnel and, in collaboration with the site-based leadership team, augment
14 work already being performed to develop and implement community school
15 programs; and

16 (C) if the recipient has not fully implemented positive behavioral
17 integrated supports under 16 V.S.A. § 2902, provide professional development
18 to staff on positive behavioral integrated supports and implement those
19 supports.

1 (2) A recipient of funding under this act may use the funding to, in
2 collaboration with the site-based leadership team, develop and implement a
3 plan to improve literacy outcomes and objectively assess those outcomes.

4 (3) If a needs and assets assessment has not been conducted under
5 subdivision (1)(A) of this subsection within the prior three years, the first year
6 of funding shall be used to conduct the needs and assets assessment of the
7 school to determine what is necessary to develop community school programs
8 and an action plan to implement community school programs. During ~~the~~
9 ~~second and third~~ subsequent years of ~~the~~ funding, the community school
10 coordinator shall, in collaboration with the site-based leadership team, oversee
11 the implementation of community school programs.

12 (e) Evaluation.

13 (1) At the end of each year of funding, each recipient shall undergo an
14 evaluation designed by the Agency of Education using its equity lens tool.

15 (2) On or before each of December 15, ~~2022 and 2024~~ and 2025, the
16 Agency of Education shall report to the General Assembly and the Governor
17 on the impact of the funding under this act. The report shall be made publicly
18 available on the Agency of Education's website.

19 (f) Ability to operate as a community school. Any school district or school,
20 regardless of whether it receives funding under this act, may function as a
21 community school as defined in this section.

1 Sec. 13. COMMUNITY SCHOOLS REPORT

2 On or before December 15, 2024, the Agency of Education, in consultation
3 with the Department of Mental Health, shall include in its report required
4 pursuant to 2021 Acts and Resolves No. 67, Sec. 3(e)(2) an evaluation of the
5 community schools program created under 2021 Acts and Resolves No. 67 and
6 make recommendations for further legislative action. The report and
7 recommendations shall address, at a minimum, the following questions:

8 (1) Does the community schools structure support schools in more
9 efficient implementation of the education quality standards contained in
10 16 V.S.A. § 165?

11 (2) Does the community schools structure improve access to and
12 efficiency in the provision of mental health services, social support services,
13 and health services?

14 Sec. 14. COMMUNITY SCHOOLS; APPROPRIATION

15 (a) Appropriations. Notwithstanding any provision of 16 V.S.A. § 4025 to
16 the contrary, the sum of \$1,000,000.00 is appropriated from the Education
17 Fund to the Agency of Education in fiscal year 2025 for the purpose of
18 providing funding to school districts for the community schools program
19 created under 2021 Acts and Resolves No. 67, Sec. 3, as amended by Sec. 12
20 of this act.

21 (b) Agency use of funds. The Agency of Education may set aside:

