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H.630

An act relating to boards of cooperative education services

The Senate proposes to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

\* \* \* Findings and Intent \* \* \*

Sec. 1. FINDINGS; INTENT

(a) Findings. The General Assembly finds that:

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

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

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

1 programs that are geographically far away or out of state. Working  
2 cooperatively could prevent these students from being transported such long  
3 distances. Staying closer to home will also afford these students greater  
4 opportunities for afterschool or community-based activities.

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

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

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

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

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

20 (B) supporting staff and educator development, recruitment, and  
21 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       (b) Intent. This act is one of the initial steps in ensuring the opportunity to  
2       transform Vermont’s educational system. It is the intent of the General  
3       Assembly to address the delivery, governance, and financing of Vermont’s  
4       education system, with the goal of transforming the educational system to  
5       ensure high-quality education for all Vermont students, sustainable and  
6       transparent use of public resources, and appropriate support and expertise from  
7       the Agency of Education.

8                       \* \* \* Boards of Cooperative Education Services \* \* \*

9       Sec. 2. 16 V.S.A. chapter 10 is added to read:

10       CHAPTER 10. BOARDS OF COOPERATIVE EDUCATION SERVICES

11       § 601. POLICY

12       It is the policy of the State to allow and encourage supervisory unions to  
13       create boards of cooperative education services to provide shared programs  
14       and services on a regional and statewide level. Formation of a board of  
15       cooperative education services shall be designed to build upon the  
16       geographically focused cooperative regions used by Vermont superintendents  
17       as of July 1, 2024; maximize the impact of available dollars through  
18       collaborative funding; reduce duplication of programs, personnel, and services;  
19       and contribute to equalizing educational opportunities for all pupils.

20       § 602. DEFINITIONS

21       As used in this chapter:

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 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:

