

1 TO THE HONORABLE SENATE:

2 The Committee on Education to which was referred House Bill No. 874
3 entitled “An act relating to miscellaneous changes in education laws”
4 respectfully reports that it has considered the same and recommends that the
5 Senate propose to the House that the bill be amended by striking out all after
6 the enacting clause and inserting in lieu thereof the following:

7 * * * Flexible Pathways * * *

8 Sec. 1. 16 V.S.A. § 945 is amended to read:

9 § 945. ~~ADULT DIPLOMA PROGRAM; GENERAL EDUCATIONAL~~
10 ~~DEVELOPMENT PROGRAM~~ ADULT EDUCATION AND
11 SECONDARY CREDENTIAL PROGRAM

12 (a) The Secretary shall maintain an Adult Diploma Program (ADP), ~~which~~
13 ~~shall be an assessment process~~ administered by the Agency through which ~~an~~
14 ~~individual~~ any Vermont resident who is at least ~~20~~ 16 years of age; who has
15 not received a high school diploma; and who is not enrolled in a public or
16 approved independent school, postsecondary institution, or home study
17 program can receive a local high school diploma granted by one of the
18 Program’s participating high schools.

19 (b) The Secretary shall maintain a General Educational Development
20 (GED) Program, which it shall administer jointly with the GED testing service
21 and approved local testing centers and through which ~~an adult individual a~~

1 Vermont resident who is at least 16 years of age ~~and~~; who has not received a
2 high school diploma; and who is not enrolled in ~~secondary~~ public or approved
3 independent school, postsecondary institution, or home study program can
4 receive a secondary school equivalency certificate based on successful
5 completion of the GED tests.

6 (c) The Secretary may provide additional programs designed to address the
7 individual needs and circumstances of adult students, particularly students with
8 the lowest levels of literacy skills.

9 (d) The diagnostic portion of the Program referenced in subsection 4011(f)
10 of this title shall be used as a tool to evaluate the educational needs of and
11 skills gained by individual students, but shall not be used to exclude
12 individuals from the Program or to condition payments to local education and
13 literacy providers.

14 Sec. 2. REPEAL

15 16 V.S.A. § 943 (High School Completion Program) is repealed.

16 Sec. 3. 16 V.S.A. § 4011 is amended to read:

17 § 4011. EDUCATION PAYMENTS

18 (a) Annually, the General Assembly shall appropriate funds to pay for
19 statewide education spending and a portion of a base education amount for
20 each adult ~~diploma~~ education and secondary credential program student.

21 * * *

1 (f) Annually, the Secretary shall pay to a ~~department or agency~~ local adult
2 education and literacy provider, as defined in section 942 of this title, that
3 provides an adult ~~diploma~~ education and secondary credential program an
4 amount equal to 26 percent of the base education amount for each student who
5 ~~completed~~ completes the diagnostic ~~portion~~ portions of the program, based on
6 an average of the previous two years 40 percent of the payment required under
7 this subsection shall be from State funds appropriated from the Education Fund
8 and 60 percent of the payment required under this subsection shall be from
9 State funds appropriated from the General Fund.

10 * * *

11 Sec. 4. 16 V.S.A. § 944 is amended to read:

12 § 944. DUAL ENROLLMENT PROGRAM

13 * * *

14 (b) Students.

15 (1) A Vermont resident who has completed grade 10 but has not
16 received a high school diploma is eligible to participate in the Program if:

17 (A) the student:

18 (i) is enrolled in:

19 (I) a Vermont public school, including a Vermont career
20 technical center;

1 (II) a public school in another state or an approved independent
2 school that is designated as the public secondary school for the student's
3 district of residence; or

4 (III) an approved independent school in Vermont to which the
5 student's district of residence pays publicly funded tuition on behalf of the
6 student;

7 (ii) ~~is assigned to a public school through the High School~~
8 Completion Program a student in the Adult Diploma Program under subsection
9 945(a) of this title; or

10 (iii) is a home study student;

11 (B) dual enrollment is an element included within the student's
12 personalized learning plan; and

13 (C) the secondary school and the postsecondary institution have
14 determined that the student is sufficiently prepared to succeed in a dual
15 enrollment course, which can be determined in part by the assessment tool or
16 tools identified by the participating postsecondary institution.

17 * * *

18 Sec. 5. 2021 Acts and Resolves No. 67, Sec. 3 is amended to read:

19 Sec. 3. COMMUNITY SCHOOLS; FUNDING

20 * * *

21 (c) Funding administration.

1 (1) Subject to subdivision (2) of this subsection, the Secretary of
2 Education shall determine, using the Agency of Education’s equity lens tool,
3 which eligible recipients shall receive funding and the amount of funding, and
4 the Secretary shall provide the funding on or before September 1 ~~of each of~~
5 ~~2021, 2022, and 2023 to recipients~~. The Secretary may deny or reduce ~~second-~~
6 ~~and third-year~~ funding after the initial year of funding if the Secretary finds
7 that the recipient has made insufficient progress towards developing and
8 implementing community school programs. In determining which eligible
9 recipients shall receive funding, the Secretary shall take into account relative
10 need, based on the extent to which community school program services are
11 needed and the extent to which the eligible recipient seeks to offer them.

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

17 (3) The Agency of Education shall inform all eligible recipients of the
18 availability of funding under this act and, for those eligible recipients most in
19 need of this funding, shall educate these eligible recipients on community
20 school programs and their benefits. The Agency of Education shall also advise

1 all eligible recipients of other sources of funding that may be available to
2 advance the purpose of this act.

3 (d) Use of funding.

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

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

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

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

15 (iii) access to and need for expanded and enriched learning time
16 and opportunities;

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

1 (v) information on the number, qualifications, and stability of
2 school staff, including the number and percentage of fully certified teachers
3 and rates of teacher turnover; and

4 (vi) active family and community engagement information,
5 including:

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

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

11 (III) efforts to provide culturally and linguistically relevant
12 communication between schools and families; and

13 (IV) access to and need for family and community engagement
14 activities;

15 (B) hire a community school coordinator to, in collaboration with the
16 site-based leadership team, develop and implement community school
17 programs or designate a community school coordinator from existing
18 personnel and, in collaboration with the site-based leadership team, augment
19 work already being performed to develop and implement community school
20 programs; and

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

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

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

16 (e) Evaluation.

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

19 (2) On or before each of December 15, ~~2022 and 2024~~ and 2025, the
20 Agency of Education shall report to the General Assembly and the Governor

1 on the impact of the funding under this act. The report shall be made publicly
2 available on the Agency of Education’s website.

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

6 Sec. 5a. COMMUNITY SCHOOLS REPORT

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

13 (1) Does the community schools structure support schools in more
14 efficient implementation of the education quality standards contained in
15 16 V.S.A. § 165?

16 (2) Does the community schools structure improve access to and
17 efficiency in the provision of mental health services, social support services,
18 and health services?

1 Sec. 6. LEGISLATIVE INTENT AND FINDINGS; APPROPRIATION;
2 COMMUNITY SCHOOLS

3 (a) Intent and findings. It is the intent of the General Assembly to continue
4 to fund the community schools program. Consistent with the intent of the
5 Flexible Pathways Initiative articulated in 16 V.S.A. § 941, and consistent with
6 national research, the General Assembly finds that community schools provide
7 a framework to encourage and support supervisory unions to be creative as
8 they develop learning communities that integrate student supports, expand and
9 enrich learning opportunities, engage families and communities, develop
10 collaborative leadership, and ensure safe, inclusive, and equitable learning
11 environments.

12 (b) Appropriations. Notwithstanding any provision of 16 V.S.A. § 4025 to
13 the contrary, the sum of \$1,000,000.00 is appropriated from the Education
14 Fund to the Agency of Education in fiscal year 2025 for the purpose of
15 providing funding to school districts for the community schools program
16 created under 2021 Acts and Resolves No. 67, Sec. 3, as amended by Sec. 5 of
17 this act.

18 (c) Agency use of funds. The Agency of Education may set aside:

19 (1) not more than one percent of the funds appropriated under
20 subsection (b) of this section for informational and technical assistance, such

1 as the availability and use of funding for eligible recipients as defined under
2 2021 Acts and Resolves No. 67, Sec. 3, as amended by Sec. 5 of this act; and
3 (2) not more than two percent of the funds appropriated under
4 subsection (b) of this section for the evaluations required under 2021 Acts and
5 Resolves No. 67, Sec. 3, as amended by Sec. 5 of this act.

6 Sec. 7. 16 V.S.A. § 941 is amended to read:

7 § 941. FLEXIBLE PATHWAYS INITIATIVE

8 (a) There is created within the Agency a Flexible Pathways Initiative:

9 (1) to encourage and support the creativity of school districts as they
10 develop and expand high-quality educational experiences that are an integral
11 part of secondary education in the evolving 21st ~~Century~~ century classroom;

12 (2) to promote opportunities for Vermont students to achieve
13 postsecondary readiness through high-quality educational experiences that
14 acknowledge individual goals, learning styles, and abilities; and

15 (3) to increase the rates of secondary school completion and
16 postsecondary continuation and retention in Vermont.

17 (b) The Secretary shall develop, publish, and regularly update guidance, in
18 the form of technical assistance, sharing of best practices and model
19 documents, legal interpretations, and other support designed to assist school
20 districts:

1 (1) ~~to~~ To identify and support secondary students who require additional
2 assistance to succeed in school and to identify ways in which individual
3 students would benefit from flexible pathways to graduation;

4 (2) ~~to~~ To work with every student in grade ~~7~~ seven through grade 12 in
5 an ongoing personalized learning planning process that:

6 (A) identifies the student’s emerging abilities, aptitude, and
7 disposition;

8 (B) includes participation by families and other engaged adults;

9 (C) guides decisions regarding course offerings and other high-
10 quality educational experiences; ~~and~~

11 (D) identifies career and postsecondary planning options using
12 resources provided pursuant to subdivision (4) of this subsection (b); and

13 ~~(D)~~(E) is documented by a personalized learning plan;

14 (3) ~~to~~ To create opportunities for secondary students to pursue flexible
15 pathways to graduation that:

16 (A) increase aspiration and encourage postsecondary continuation of
17 training and education;

18 (B) are an integral component of a student’s personalized learning
19 plan; and

20 (C) include:

1 (i) applied or work-based learning opportunities, including career
2 and career technical education and internships;

3 (ii) virtual learning and blended learning;

4 (iii) dual enrollment opportunities as set forth in section 944 of
5 this title;

6 (iv) early college programs as set forth in subsection 4011(e) of
7 this title; and

8 (v) ~~the High School Completion Program as set forth in section~~
9 ~~943 of this title; and [Repealed.]~~

10 (vi) ~~the Adult Diploma Program and General Educational~~
11 ~~Development Program~~ adult education and secondary credential opportunities
12 as set forth in section 945 of this title; and

13 (4) ~~to~~ To provide students, beginning ~~no~~ not later than in grade ~~7~~ seven,
14 with career development and postsecondary planning resources to ensure that
15 they are able to take full advantage of the opportunities available within the
16 flexible pathways to graduation and to achieve their career and postsecondary
17 education and training goals. Resources provided pursuant to this subdivision
18 shall include information regarding the admissions process and requirements
19 necessary to proceed with any and all military-related opportunities.

20 (c) Nothing in this subchapter shall be construed as discouraging or
21 limiting the authority of any school district to develop or continue to provide

1 educational opportunities for its students that are otherwise permitted,
2 including the provision of Advanced Placement courses.

3 (d) An individual entitlement or private right of action shall not arise from
4 creation of a personalized learning plan.

5 **Sec. 8. 16 V.S.A. § 2857 is amended to read:**

6 **§ 2857. VERMONT NATIONAL GUARD TUITION BENEFIT PROGRAM**

7 (a) Program creation. The Vermont National Guard Tuition Benefit
8 Program (Program) is created, under which a member of the Vermont National
9 Guard (member) who meets the eligibility requirements in subsection (c) of
10 this section is entitled to the following tuition benefit for up to full-time
11 attendance:

12 * * *

13 (h) Planning resources. The Corporation's print and website financial aid
14 and planning publications for postsecondary education and training resources
15 shall include Vermont National Guard and United States Armed Forces options
16 relevant to each publication.

17 **Sec. 9. REVIEW OF FLEXIBLE PATHWAYS; INTENT**

18 It is the intent of the General Assembly to continue to review the Flexible
19 Pathways Initiative under 16 V.S.A. chapter 23, subchapter 2 to ensure the
20 Initiative provides sustainable and effective high-quality educational

1 experiences that increase rates of secondary school completion and
2 postsecondary continuation in Vermont.

3 * * * Career and Settlement Behaviors of Postsecondary Graduates * * *

4 Sec. 10. POSTGRADUATION CAREER AND SETTLEMENT

5 BEHAVIORS OF STUDENTS ATTENDING VERMONT

6 POSTSECONDARY INSTITUTIONS; REPORT

7 (a) On or before July 1, 2025, the Agencies of Education and of Commerce
8 and Community Development and the Department of Labor, in consultation
9 with Vermont’s public and private postsecondary education institutions, shall
10 issue a written report to the General Assembly on the postgraduation career
11 and settlement behaviors of students attending Vermont colleges and
12 universities. At a minimum, the report shall include:

13 (1) an analysis and discussion of why Vermont is last in the country in
14 percentage of college students who stay in the same state in which the school
15 they graduated from is located;

16 (2) information on the types of degrees most commonly attained at
17 Vermont-based postsecondary education institutions;

18 (3) a discussion of the obstacles preventing graduates from staying in
19 Vermont, including whether housing options factor into settlement decisions;

20 and

1 (4) a comprehensive plan to increase the percentage of Vermont
2 graduates who plan to live and work in Vermont for at least five years
3 postgraduation, which shall include the following initiatives:

4 (A) better college-career pipelines between higher education
5 institutions and employers in Vermont;

6 (B) expanding career counseling and career development services on
7 campuses, focused on Vermont industries and companies;

8 (C) increased campus-community ties through service, cultural
9 exchanges, and other community initiatives; and

10 (D) incentives, including preferential or streamlined pathways to
11 licensure for graduating students.

12 (b) Given that one of the goals of the Flexible Pathways Initiative is to
13 increase rates of secondary school completion and postsecondary continuation
14 in Vermont, and given that retention of students requires those students to
15 graduate and enroll in a postsecondary school or enter the workforce, the report
16 required under this section shall also include the following, organized by
17 significant demographic group:

18 (1) information on participation rates by Flexible Pathways Initiative
19 program type, including an assessment by demographic group of over- or
20 underrepresentation in these programs;

1 (2) student performance, measured by completion rates by high school
2 of origin, on dual enrollment and early college coursework;

3 (3) postsecondary enrollment rates for students participating in dual
4 enrollment and early college, as compared to nonparticipating students;

5 (4) postsecondary retention rates for a period of at least one academic
6 year and persistence rates for students participating in dual enrollment and
7 early college, as compared to nonparticipating students; and

8 (5) post high school continuation into the workforce for students
9 participating in dual enrollment and early college, as compared to
10 nonparticipating students.

11 (c) In preparing this report, the entities listed in subsection (a) of this
12 section shall have the administrative and technical support of the Agency of
13 Education.

14 * * * Uniform Chart of Accounts * * *

15 Sec. 11. 16 V.S.A. § 326 is added to read:

16 § 326. UNIFORM CHART OF ACCOUNTS

17 (a) GASB compliant Uniform Chart of Accounts and Financial Reporting
18 requirements shall be established and maintained by the Agency of Education,
19 which shall:

20 (1) be comprehensive in respect to compliance with federal funds
21 reporting requirements; and

1

2

Senator _____

3

FOR THE COMMITTEE