

1 Introduced by Committee on Education

2 Date:

3 Subject: Education;

4 Statement of purpose of bill as introduced: This bill proposes to make
5 miscellaneous amendments to education law.

6 An act relating to miscellaneous amendments to education law

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

8 * * * School Safety * * *

9 Sec. 1. 2023 Acts and Resolves No. 29, Secs. 5 and 6 are amended to read:

10 * * *

11 Sec. 5. BEHAVIORAL THREAT ASSESSMENT TEAMS;

12 IMPLEMENTATION

13 * * *

14 ~~(c) The Agency of Education shall establish guidelines necessary to collect~~
15 ~~the data required pursuant to 16 V.S.A. § 1485(e). Each supervisory union,~~
16 ~~supervisory district, and independent school using behavioral threat assessment~~
17 ~~teams as of July 1, 2023 shall comply with the data collection requirements~~
18 ~~under 16 V.S.A. § 1485(e) beginning in the 2023–2024 school year.~~

19 [Repealed.]

20 * * *

1 Sec. 6. EFFECTIVE DATES

2 * * *

3 (c) Sec. 2 (16 V.S.A. § 1480) shall take effect on July 1, ~~2024~~ 2025.

4 (d) Sec. 4 (16 V.S.A. § 1485) shall take effect on July 1, ~~2025~~ 2027.

5 * * * Postsecondary Schools Chartered in Vermont * * *

6 Sec. 2. 16 V.S.A. § 176(d) is amended to read:

7 (d) Exemptions. The following are exempt from the requirements of this
8 section except for the requirements of subdivision (c)(1)(C) of this section:

9 * * *

10 (4) Postsecondary schools that are accredited. The following
11 postsecondary institutions are accredited, meet the criteria for exempt status,
12 and are authorized to operate educational programs beyond secondary
13 education, including programs leading to a degree or certificate: Bennington
14 College, Champlain College, ~~College of St. Joseph~~, Goddard College, ~~Green~~
15 ~~Mountain College~~, Landmark College, ~~Marlboro College~~, Middlebury College,
16 ~~New England Culinary Institute~~, Norwich University, Saint Michael's College,
17 SIT Graduate Institute, ~~Southern Vermont College~~, Sterling College, Vermont
18 College of Fine Arts, and Vermont Law and Graduate School. This
19 authorization is provided solely to the extent necessary to ensure institutional
20 compliance with federal financial aid-related regulations, and it does not affect,

1 rescind, or supersede any preexisting authorizations, charters, or other forms of
2 recognition or authorization.

3 * * *

4 * * * Nutrition Contracts and Public Bids * * *

5 Sec. 3. 16 V.S.A. § 559 is amended to read:

6 § 559. PUBLIC BIDS

7 * * *

8 (e) Application of this section. Any contract entered into or purchase made
9 in violation of the provisions of this section shall be void; provided, however,
10 that:

11 (1) The provisions of this section shall not apply to contracts for the
12 purchase of books or other materials of instruction.

13 (2) A school board may name in the specifications and invitations for
14 bids under this section the particular make, kind, or brand of article or articles
15 to be purchased or contracted.

16 (3) Nothing in this section shall apply to emergency repairs.

17 (4) ~~Nothing in this section shall be construed to prohibit a school board~~
18 ~~from awarding a school nutrition contract after using any method of bidding or~~
19 ~~requests for proposals permitted under federal law for award of the contract.~~
20 ~~Notwithstanding the monetary amount in subsection (a) of this section for~~
21 ~~which a school board is required to advertise publicly or invite three or more~~

1 ~~bids or requests for proposal, a school board is required to publicly advertise or~~
2 ~~invite three or more bids or requests for proposal for purchases made from the~~
3 ~~nonprofit school food service account for purchases in excess of the federal~~
4 ~~simplified acquisition threshold when purchasing food or in excess of~~
5 ~~\$25,000.00 when purchasing nonfood items, unless a municipality sets a lower~~
6 ~~threshold for purchases from the nonprofit school food service account. The~~
7 ~~provisions of this section shall not apply to contracts for the purchase of food~~
8 ~~made from a nonprofit school food services account.~~

9 * * *

10 * * * Virtual Learning * * *

11 Sec. 4. 16 V.S.A. § 948 is added to read:

12 § 948. VIRTUAL LEARNING

13 (a) The Agency of Education shall maintain access to and oversight of a
14 virtual learning provider for the purpose of offering virtual learning
15 opportunities to Vermont students.

16 (b) A student may enroll in virtual learning if:

17 (1) the student is enrolled in a Vermont public school, including a
18 Vermont career technical center;

19 (2) virtual learning is determined to be an appropriate learning pathway
20 outlined in the student's personalized learning plan; and

1 (3) the student’s learning experience occurs under the supervision of an
2 appropriately licensed educator and aligns with State expectations and
3 standards, as adopted by the Agency and the State Board of Education, as
4 applicable.

5 (c) The Agency of Education shall adopt rules pursuant to 3 V.S.A. chapter
6 25 to implement this section.

7 (d) A school district shall count a student enrolled in virtual learning in the
8 school district’s average daily membership, as defined in section 4001 of this
9 title, if the student meets all of the criteria in subsection (b) of this section.

10 Sec. 5. 16 V.S.A. § 942(13) is amended to read:

11 (13) “Virtual learning” means ~~learning in which the teacher and student~~
12 ~~communicate concurrently through real-time telecommunication.~~ “Virtual
13 ~~learning” also means online learning in which communication between the~~
14 ~~teacher and student does not occur concurrently and the student works~~
15 ~~according to his or her own schedule~~ an intentionally designed learning
16 environment for online teaching and learning using online design principles
17 and teachers trained in the delivery of online instruction. This instruction may
18 take place either in a self-paced environment or a real-time environment.

19 * * * Adult Education * * *

20 Sec. 6. 16 V.S.A. § 944 is amended to read:

21 § 944. DUAL ENROLLMENT PROGRAM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

* * *

(b) Students.

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

(A) the student:

(i) is enrolled in:

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

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

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

~~(ii) is a student in the Adult Diploma Program under subsection 945(a) of this title; or~~

~~(iii) is a home study student;~~

* * *

Sec. 7 16 V.S.A. § 945 is amended to read:

§ 945. ADULT EDUCATION AND SECONDARY CREDENTIAL PROGRAM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

* * *

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

* * * BOCES Start-up Grant Program * * *

Sec. 8. 2024 Acts and Resolves No. 168, Sec. 4 is amended to read:

Sec. 4. BOCES GRANT PROGRAM; APPROPRIATION

(a) There is established the Boards of Cooperative Education Services Start-up Grant Program, to be administered by the Agency of Education, from funds appropriated for this purpose, to award grants to enable the formation of boards of cooperative education services (BOCES) formed pursuant to 16 V.S.A. chapter 10 after July 1, 2024. ~~BOCES Supervisory unions~~ shall be eligible for a single \$10,000.00 grant ~~after the Secretary of Education approves the applicant's initial articles of agreement pursuant to 16 V.S.A. § 603(b) after~~ two or more boards vote to explore the advisability of forming a board of cooperative education services pursuant to 16 V.S.A. § 603(a). Grants may be used for start-up and formation costs ~~and may include reimbursement to member supervisory unions for costs incurred during the exploration and formation of the BOCES and articles of agreement, including the development~~

1 of proposed articles of agreement. Grants shall be awarded to only one
2 supervisory union within each group of supervisory unions exploring the
3 formation of a BOCES.

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

10 * * * Effective Date * * *

11 Sec. 9. EFFECTIVE DATE

12 This act shall take effect on passage.