

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19 [Repealed.]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 [Repealed.]~~

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

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

8 Sec. 4. BOCES GRANT PROGRAM; APPROPRIATION

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

1 supervisory union within each group of supervisory unions exploring the
2 formation of a BOCES.

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

9 * * * Intranasal Epinephrine in Schools * * *

10 Sec. 9. 16 V.S.A. § 1388 is amended to read:

11 [TBD]

12 * * * Military-related Postsecondary Opportunities * * *

13 Sec. 10. 16 V.S.A. § 941 is amended to read:

14 § 941. FLEXIBLE PATHWAYS INITIATIVE

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

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

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

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

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

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

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

12 (A) identifies the student’s emerging abilities, aptitude, and
13 disposition;

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

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

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

19 (E) is documented by a personalized learning plan;

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

1 (A) increase aspiration and encourage postsecondary continuation of
2 training and education;

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

5 (C) include:

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

8 (ii) virtual learning and blended learning;

9 (iii) dual enrollment opportunities as set forth in section 944 of
10 this title; and

11 (iv) early college programs as set forth in subsection 4011(e) of
12 this title;

13 (v) [Repealed.]

14 (vi) adult education and secondary credential opportunities as set
15 forth in section 945 of this title; ~~and~~.

16 (4) ~~to~~ To provide students, beginning ~~no~~ not later than in grade 7 seven,
17 with career development and postsecondary planning resources to ensure that
18 they are able to take full advantage of the opportunities available within the
19 flexible pathways to graduation and to achieve their career and postsecondary
20 education and training goals. Resources provided pursuant to this subdivision

1 shall include information regarding the admissions process and requirements
2 necessary to proceed with any and all military-related opportunities.

3 (c) Nothing in this subchapter shall be construed as discouraging or
4 limiting the authority of any school district to develop or continue to provide
5 educational opportunities for its students that are otherwise permitted,
6 including the provision of Advanced Placement courses.

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

9 * * * Secretary of Education Search * * *

10 Sec. 11. 3 V.S.A. § 2702 is amended to read:

11 § 2702. SECRETARY OF EDUCATION

12 (a) With the advice and consent of the Senate, the Governor shall appoint a
13 Secretary of Education from among ~~no~~ not fewer than three candidates
14 proposed by the State Board of Education. The Secretary shall serve at the
15 pleasure of the Governor.

16 (1) The State Board shall begin a robust national search process not later
17 than 60 days after public notification of the resignation of a Secretary of
18 Education.

19 (2) The State Board may request from the Agency of Education the
20 funds necessary to utilize outside resources for the search process required
21 pursuant to this subsection.

1 (b) The Secretary shall report directly to the Governor and shall be a
2 member of the Governor’s Cabinet.

3 (c) At the time of appointment, the Secretary shall have expertise in
4 education management and policy demonstrated leadership and management
5 abilities.

6 * * * Effective Dates * * *

7 Sec. 12. EFFECTIVE DATES

8 This act shall take effect on passage, except that Secs. 9 (intranasal
9 epinephrine) and 10 (military-related postsecondary opportunities) shall take
10 effect on July 1, 2025.