

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, including (1) amendments to
6 2023 Acts and Resolves No. 29, An act relating to school safety; (2)
7 amendments to the list of postsecondary schools accredited to operate in
8 Vermont; (3) excluding contracts for the purchase of food made from a
9 nonprofit school food services account from the requirements of 16 V.S.A.
10 § 559 (public bids); (4) adding a section to the flexible pathways chapter in
11 Title 16 to codify the virtual learning pathway; (5) amendments to the BOCES
12 grant program; (6) a requirement for school districts to include military-related
13 options in career development and postsecondary planning resources as part of
14 the Flexible Pathways Initiative and a student’s personalized learning plan; and
15 (7) amendments to the Secretary of Education search process.

16 An act relating to miscellaneous amendments to education law

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

18 * * * School Safety * * *

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

20 Sec. 5. BEHAVIORAL THREAT ASSESSMENT TEAMS;

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IMPLEMENTATION

* * *

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

[Repealed.]

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Sec. 6. EFFECTIVE DATES

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

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

* * * Postsecondary Schools Chartered in Vermont * * *

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

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

* * *

(4) Postsecondary schools that are accredited. The following postsecondary institutions are accredited, meet the criteria for exempt status, and are authorized to operate educational programs beyond secondary

1 education, including programs leading to a degree or certificate: Bennington
2 College, Champlain College, ~~College of St. Joseph, Goddard College, Green~~
3 ~~Mountain College~~, Landmark College, ~~Marlboro College~~, Middlebury College,
4 ~~New England Culinary Institute~~, Norwich University, Saint Michael’s College,
5 SIT Graduate Institute, ~~Southern Vermont College~~, Sterling College, Vermont
6 College of Fine Arts, and Vermont Law and Graduate School. This
7 authorization is provided solely to the extent necessary to ensure institutional
8 compliance with federal financial aid-related regulations, and it does not affect,
9 rescind, or supersede any preexisting authorizations, charters, or other forms of
10 recognition or authorization.

11 * * *

12 * * * Nutrition Contracts and Public Bids * * *

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

14 § 559. PUBLIC BIDS

15 * * *

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

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

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

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

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

7 (2) virtual learning is determined to be an appropriate learning pathway
8 outlined in the student’s personalized learning plan; and

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

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

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

17 ~~(13) “Virtual learning” means learning in which the teacher and student~~
18 ~~communicate concurrently through real-time telecommunication. “Virtual~~
19 ~~learning” also means online learning in which communication between the~~
20 ~~teacher and student does not occur concurrently and the student works~~
21 ~~according to his or her own schedule~~ an intentionally designed learning

1 environment for online teaching and learning using online design principles
2 and teachers trained in the delivery of online instruction. This instruction may
3 take place either in a self-paced environment or a real-time environment.

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

5 Sec. 6. 2024 Acts and Resolves No. 168, Sec. 4 is amended to read:

6 Sec. 4. BOCES GRANT PROGRAM; APPROPRIATION

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

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 * * * Military-related Postsecondary Opportunities * * *

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

9 § 941. FLEXIBLE PATHWAYS INITIATIVE

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

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

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

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

19 (b) The Secretary shall develop, publish, and regularly update guidance, in
20 the form of technical assistance, sharing of best practices and model

1 documents, legal interpretations, and other support designed to assist school
2 districts:

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

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

8 (A) identifies the student’s emerging abilities, aptitude, and
9 disposition;

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

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

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

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

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

18 (A) increase aspiration and encourage postsecondary continuation of
19 training and education;

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

1 (C) include:

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

4 (ii) virtual learning and blended learning;

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

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

9 (v) [Repealed.]

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

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

19 (c) Nothing in this subchapter shall be construed as discouraging or
20 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 * * * Secretary of Education Search * * *

6 Sec. 8. 3 V.S.A. § 2702 is amended to read:

7 § 2702. SECRETARY OF EDUCATION

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

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

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

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

