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MEMORANDUM

TO: Vermont State Board of Education
FROM: Robert Stirewalt, Director of Policy, Regulations and Legislative Affairs
SUBJECT: Legislative Update
DATE: March 21, 2017

Overview

The Agency of Education (AOE) is currently tracking nearly 100 education-related bills and is focused on bills that are moving during crossover, and bills that seem to “have legs” in either House or Senate Education.

AOE has testified extensively in multiple committees and continues to align its efforts as they relate to the priorities of Governor Phil Scott’s Administration, affordability, growing the economy, and protecting our vulnerable populations.

House and Senate Education worked, under time pressure last week, to advance four key bills before crossover, which was March 17 for the Senate, while the House will finalize its crossover bills next week.

The Senate focused on its miscellaneous education bill, and a bill that would add more flexibility for towns to merge under Act 46 (S.122). Both bills were voted out of the committee this week.

House Education focused on its version of a miscellaneous education bill, and a bill (H.504) that would create a CTE Innovation Pilot Program to support programming for students in 7th grade. Those four bills in the two committees were the primary focus.

House Education plans to discuss a stack of proposed bills this week that are pinned “on the wall” in the committee room with legislators advocating for bills they want to move forward.

Miscellaneous Education Bills Summary

The miscellaneous education bills in both the House and Senate went through multiple versions in the past three weeks. Language suggested by the Agency of Education was originally included in the Senate bill, and then taken out, before all but one section related to background checks was placed back into the legislation.

The House bill also changed rapidly, going from 26 pages to 13 pages between March 1 and March 17 with three sections of the bill removed on Friday afternoon, March 17.

Most of the AOE suggested changes were technical or designed to meet the requirements of the federal Every Student Succeeds Act.

What led to the most discussion was suggested language about the division of responsibility for conducting criminal record checks on employees and contractors retained by public schools, approved and recognized independent schools, and providers of prekindergarten programs. AOE and the Department for Children and Families (DCF) worked cooperatively to propose language that would address the background checks in both the public school and private daycare settings. Currently the language addressing the background checks has been removed from both the House and Senate versions of the bill, but may be added back in as an amendment as the bills progress on the floors of the House and Senate. AOE and DCF will provide joint testimony on Tuesday of this week.

Summary of S.122

S.122 proposes to provide greater flexibility for school district consolidation by providing tax incentives and extends the final date for voter approval of a merger and the date a school district is required to make a governance proposal. The bill also requires the State Board of Education to act on applications for supervisory union adjustments within 75 days of receipt; and makes certain technical and clarifying changes.

Summary of H.504

House Education has been focused on expanding Career and Technical Education (CTE) and how to fund a grant program that would extend the reach of and exposure of students to CTE before high school. The bill currently would create a one-year Innovation Pilot Program to support CTE programming for 7th graders with 16 grants (\$1.6 million) while reducing the fiscal year 2018 appropriation for special education by the same amount. The committee has repeatedly said the state is overspending on special education as reported by the PICUS report last year.

Yield Bill

Added recently to the Yield Bill is legislative language discussed, and debated frequently in House Education among committee members, that penalizes excess spending for school districts above a specific per pupil spending level. The penalty is in terms of the homestead tax rate calculation – the more a district spends per pupil, the faster the homestead rate increases. The proposed language was recently wrapped into the annual Yield Bill. That bill will be tracked closely by the Finance Department at AOE.