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1 Introduced by the Committee on Education

2 Date:

3 Subject: Education, education funding; _____

4 Statement of purpose of bill as introduced: This bill proposes to _____

5 An act relating to _____ *[changes from draft 5.1, changes from 4.1 that*
6 *were not reviewed, and all dates are in yellow]* ***ALSO:*** *For discussion*
7 *purposes, all proposed studies were moved to the end of this draft*

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

9 ***** Education Policy Goals *****

10 Sec. 1. EDUCATION POLICY GOALS *[still need to review 5.1 changes]*

11 (a) By enacting this legislation, the General Assembly intends to move the
12 State towards integrated education systems responsible for the equitable
13 delivery of high quality education to all resident prekindergarten – grade 12
14 students through a revised governance structure that:

15 (1) leads students to achieve or exceed the State’s educational quality
16 standards, including the ability to:

17 (A) think critically;

18 (B) communicate verbally, in writing, and through the use of
19 technology;

20 (C) collaborate; and

21 (D) solve problems creatively; and

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1 (2) is delivered at a cost that parents, voters, and taxpayers value.

2 (b) This legislation is designed to encourage and support local decisions
3 and actions that:

4 (1) promote equity in the quality and variety of educational
5 opportunities available throughout the State, regardless of the school’s size
6 or location;

7 (2) enable Vermont schools to meet or exceed the education quality
8 standards set forth in 16 V.S.A. § 165, including goals to improve student
9 performance established by each school in the continuous improvement plan it
10 develops pursuant to that section, and to provide a sequential, logical
11 curriculum to all students; [NOTE: deleted “in the region”]

12 (3) advance solutions, including structural changes, that are developed
13 and implemented at the local level to meet community needs and priorities;

14 (4) enhance the possibility that the State’s small schools remain open if
15 they are able to provide students with equitable educational opportunities and
16 improved student performance at a stable, affordable cost; [NOTE: unchanged]

17 (5) create enhanced opportunities and other conditions that promote
18 stability in leadership;

19 (6) foster strong relationships between schools and the broader
20 community;

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1 equalized education property value as most recently determined under section
2 5405 of this title. The homestead property tax rate for each municipality which
3 is a member of a union or unified union school district shall be calculated as
4 required under subsection (e) of this section.

5 * * *

6 Sec. 4. 32 V.S.A. § 5402b is amended to read:

7 § 5402b. STATEWIDE EDUCATION TAX RATE ADJUSTMENTS YIELD

8 ~~(a) Annually, by December 1, the Commissioner of Taxes shall recommend~~
9 ~~to the General Assembly, after consultation with the Agency of Education, the~~
10 ~~Secretary of Administration, and the Joint Fiscal Office, the following~~
11 ~~adjustments in the statewide education tax rates under subdivisions 5402(a)(1)~~
12 ~~and (2) of this title:~~

13 ~~(1) If there is a projected balance in the Education Fund Budget~~
14 ~~Stabilization Reserve in excess of the five percent level authorized under~~
15 ~~16 V.S.A. § 4026, the Commissioner shall recommend a reduction, for the~~
16 ~~following fiscal year only, in the statewide education tax rates which will~~
17 ~~retain the projected Education Fund Budget Stabilization Reserve at the five~~
18 ~~percent maximum level authorized and raise at least 34 percent of projected~~
19 ~~education spending from the tax on nonresidential property; and~~

20 ~~(2) If there is a projected balance in the Education Fund Budget~~
21 ~~Stabilization Reserve of less than the three and one half percent level required~~

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1 ~~under 16 V.S.A. § 4026, the Commissioner shall recommend an increase, for~~
2 ~~the following fiscal year only, in the statewide education tax rates which will~~
3 ~~retain the projected Education Fund Budget Stabilization Reserve at no less~~
4 ~~than the three and one-half percent minimum level authorized under 16 V.S.A.~~
5 ~~§ 4026, and raise at least 34 percent of projected education spending from the~~
6 ~~tax rate on nonresidential property.~~

7 ~~(3) In any year following a year in which the nonresidential rate~~
8 ~~produced an amount of revenues insufficient to support 34 percent of education~~
9 ~~fund spending in the previous fiscal year, the Commissioner shall determine~~
10 ~~and recommend an adjustment in the nonresidential rate sufficient to raise at~~
11 ~~least 34 percent of projected education spending from the tax rate on~~
12 ~~nonresidential property.~~

13 ~~(4) If in any year in which the nonresidential rate is less than the~~
14 ~~statewide average homestead rate, the Commissioner of Taxes shall determine~~
15 ~~the factors contributing to the deviation in the proportionality of the~~
16 ~~nonresidential and homestead rates and make a recommendation for adjusting~~
17 ~~statewide education tax rates accordingly.~~

18 (a) Annually, on or before December 1, the Commissioner of Taxes shall
19 recommend to the General Assembly, after consultation with the Agency of
20 Education, the Secretary of Administration, and the Joint Fiscal Office, a dollar
21 equivalent for the following fiscal year. For the purpose of this calculation, the

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1 Commissioner shall use a nonresidential base tax rate in 32 V.S.A.
2 § 5402(a)(1) that would result in an equivalent proportional change in both the
3 statewide median nonresident tax bill and the statewide median homestead tax
4 bill for the current fiscal year. When the Commissioner recommends a dollar
5 equivalent for use in the following fiscal year, he or she shall also explain the
6 nonresidential rate used to calculate the dollar equivalent under this subsection.
7 Annually, on or before the following January 1, the Commission shall
8 publicize to each district his or her recommendation regarding the dollar
9 equivalent for the following fiscal year.

10 ~~(b) If the Commissioner makes a recommendation to the General Assembly~~
11 ~~to adjust the education tax rates under section 5402 of this title, the~~
12 ~~Commissioner shall also recommend a proportional adjustment to the~~
13 ~~applicable percentage base for homestead income based adjustments under~~
14 ~~section 6066 of this title, but the applicable percentage base shall not be~~
15 ~~adjusted below 1.94 percent.~~

16 (c) [Repealed.]

17 Sec. 5. 32 V.S.A. § 5401(13) is amended to read:

18 (13) “District spending adjustment” means the greater of: one or a
19 fraction in which the numerator is the district’s education spending plus excess
20 spending, per equalized pupil, for the school year; and the denominator is the
21 ~~base education amount~~ “dollar equivalent” for the school year, as defined in

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1 ~~16 V.S.A. § 4001~~ 32 V.S.A. § 5401. For a district that pays tuition to a public
2 school or an approved independent school, or both, for all of its resident
3 students in any year and which has decided by a majority vote of its school
4 board to opt into this provision, the district spending adjustment shall be the
5 average of the district spending adjustment calculated under this subdivision
6 for the previous year and for the current year. Any district opting for a
7 two-year average under this subdivision may not opt out of such treatment, and
8 the averaging shall continue until the district no longer qualifies for such
9 treatment.

10 *[to be moved to EFFECTIVE DATE section]*

11 () Secs. 2 through 5 (yield; dollar equivalent) shall take effect on July 1,
12 2015, and apply to fiscal year 2017 and after.

13 *** * * Fiscal Year 2016 Education Property Tax Rates, Applicable**
14 **Percentage, and Base Education Amount * * ***

15 Sec. **6. FISCAL YEAR 2016 EDUCATION PROPERTY TAX RATES**

16 **AND APPLICABLE PERCENTAGE [NEW to 5.1 – still to review]**

17 (a) For fiscal year 2016 only, the education property tax imposed under
18 32 V.S.A. § 5402(a) shall be reduced from the rates of \$1.59 and \$1.10 and
19 shall instead be at the following rates:

20 (1) the tax rate for nonresidential property shall be \$1.535 per
21 \$100.00; and

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1 (2) the tax rate for homestead property shall be \$1.00 multiplied by the
2 district spending adjustment for the municipality per \$100.00 of equalized
3 property value as most recently determined under 32 V.S.A. § 5405.

4 (b) For claims filed in 2015 only, “applicable percentage” in 32 V.S.A.
5 § 6066(a)(2) shall be reduced from 2.0 percent and instead shall be
6 1.94 percent multiplied by the fiscal year 2015 district spending adjustment for
7 the municipality in which the homestead residence is located; but in no event
8 shall the applicable percentage be less than 1.94 percent.

9 Sec. **7.** **FISCAL YEAR 2016 BASE EDUCATION AMOUNT** ***[NEW to 5.1 –***
10 ***still to review]***

11 As provided in 16 V.S.A. § 4011(b), the base education amount for fiscal
12 year 2016 shall be \$9,459.00.

13 ***[to be moved to EFFECTIVE DATE section]***

14 () Secs. **6** and **7** (fiscal year 2016; tax rates; base education amount) shall
15 take effect on July 1, 2015, and apply to fiscal year 2016.

16 *** * * Ballot Language; Per Pupil Spending * * ***

17 Sec. 8. 16 V.S.A. § 563 is amended to read:

18 § 563. POWERS OF SCHOOL BOARDS; FORM OF VOTE ~~IF BUDGET~~
19 ~~EXCEEDS BENCHMARK AND DISTRICT SPENDING IS ABOVE~~
20 AVERAGE

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1 proposed budget, for state and local government purchases of goods and
2 services for the fiscal year for which the budget is proposed, plus one
3 percentage point; plus the district's education spending per equalized pupil in
4 the fiscal year preceding the year for which the budget is proposed, as
5 determined by the Secretary;

6 (II) multiplied by the higher of the following amounts as
7 determined by the Secretary: (aa) the district's equalized pupil count in the
8 fiscal year preceding the year for which the budget is proposed; or (bb) the
9 district's equalized pupil count in the fiscal year for which the budget is
10 proposed.

11 (ii) The ballot shall be in the following form:

12 “The total proposed budget of \$ _____ is the amount determined
13 by the school board to be necessary to support the school district's educational
14 program. State law requires the vote on this budget to be divided because (i)
15 the school district's spending per pupil last year was more than the statewide
16 average and (ii) this year's proposed budget is greater than last year's budget
17 adjusted for inflation.

18 “Article #1 (School Budget):

19 Part A. Shall the voters of the school district authorize the school
20 board to expend \$ _____/t, which is a portion of the amount the school board
21 has determined to be necessary?

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1 ~~Part B. If Part A is approved by the voters, shall the voters of the~~
2 ~~school district also authorize the school board to expend \$_____/t, which is~~
3 ~~the remainder of the amount the school board has determined to be necessary??"~~

4 (C) At a school district’s annual or special meeting, the electorate
5 may vote to provide notice of availability of the school budget required by this
6 subdivision to the electorate in lieu of distributing the budget. If the electorate
7 of the school district votes to provide notice of availability, it must specify how
8 notice of availability shall be given, and such notice of availability shall be
9 provided to the electorate at least 30 days before the district’s annual meeting.
10 The proposed budget shall be prepared and distributed at least ten days before
11 a sum of money is voted on by the electorate. Any proposed budget shall show
12 the following information in a format prescribed by the Secretary:

13 (i) all revenues from all sources, and expenses, including as
14 separate items any assessment for a supervisory union of which it is a member
15 and any tuition to be paid to a career technical center; and including the report
16 required in subdivision 242(4)(D) of this title itemizing the component costs of
17 the supervisory union assessment;

18 (ii) the specific amount of any deficit incurred in the most recently
19 closed fiscal year and how the deficit was or will be remedied;

20 (iii) the anticipated homestead tax rate and the percentage of
21 household income used to determine income sensitivity in the district as a

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1 result of passage of the budget including those portions of the tax rate
2 attributable to supervisory union assessments; and

3 (iv) the definition of “education spending,” the number of pupils
4 and number of equalized pupils in the school district, and the district’s
5 education spending per equalized pupil in the proposed budget and in each of
6 the prior three years.

7 (D) The board shall present the budget to the voters by means of a
8 ballot in the following form:

9 “Article #1 (School Budget):

10 The total proposed budget of \$_____ is the amount determined by
11 the school board to be necessary to support the school district’s educational
12 program. It is estimated that this proposed budget, if approved, will result in
13 education spending of \$_____ per equalized pupil. This projected spending per
14 equalized pupil is _____ % higher/lower than spending for the current year.
15 Shall the voters of the school district approve the school board to expend
16 \$_____, which is the amount the school board has determined to be
17 necessary for the ensuing fiscal year?”

18 Sec. 9. REPEAL

19 16 V.S.A. § 4001(6)(A) (divided voted; exceptions to education spending)
20 is repealed on July 1, 2015.

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1 *[to be moved to EFFECTIVE DATE section]*

2 () Secs. 8 and 9 (ballot language; per pupil spending) shall take effect on
3 July 1, 2015.

4 *** * * Merger Support Grants * * ***

5 Sec. 10. 2010 Acts and Resolves No. 153, Sec. 4(d) is amended to read:

6 (d) Merger support grant. If the merging districts of a RED included at
7 least one “eligible school district,” as defined in 16 V.S.A. § 4015, that had
8 received a small school support grant under section 4015 in the fiscal year two
9 years prior to the first fiscal year of merger, then the RED shall ~~be eligible to~~
10 receive a merger support grant ~~in each of its first five fiscal years~~ annually in
11 an amount equal to the small school support grant received by the eligible
12 school district in the fiscal year two years prior to the first fiscal year of
13 merger. If more than one merging district was an eligible school district, then
14 the merger support grant shall be in an amount equal to the total combined
15 small school support grants they received in the fiscal year two years prior to
16 the first fiscal year of merger. Payment of the grant under this section shall
17 continue annually until explicitly repealed by the General Assembly; provided,
18 however, that the Secretary shall discontinue payment of the grant in the fiscal
19 year following closure by the merged district of a school located in what had
20 been an “eligible school district” prior to merger; provided, however, if a
21 school building located in a formerly “eligible school district” is closed in

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1 order to consolidate with another school into a renovated or new school
2 building, then the Secretary shall continue to pay the grant during the
3 repayment term of any bonded indebtedness incurred in connection with the
4 consolidation-related renovation or construction.

5 Sec. 11. MERGER SUPPORT GRANT; INTEGRATED EDUCATION
6 SYSTEMS

7 Notwithstanding other provisions of law to the contrary, if the merging
8 districts of an integrated education system capable of achieving the goals set
9 forth in Sec. 17(a) of this act include at least one “eligible school district,” as
10 defined in 16 V.S.A. § 4015, that received a small school support grant under
11 section 4015 in the fiscal year two years prior to the first fiscal year of merger,
12 then the integrated education system shall receive merger support grants
13 pursuant to the provisions of 2010 Acts and Resolves No. 153, Sec. 4(d) as
14 amended by this act; provided, however, that this section shall apply only to an
15 integrated education system that obtains a favorable vote of all “necessary”
16 districts on or before November 30, 2017 and becomes effective on or before
17 July 1, 2019.

18 *[to be moved to EFFECTIVE DATE section]*

19 () Secs. 10 and 11 (merger support grants) shall take effect passage.

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1 school grant for the consolidated school is less than the total amount of grant
2 aid the schools would have received if they had not combined, the consolidated
3 school shall continue to receive a grant for three years following consolidation.

4 The amount of the annual grant shall be:

5 (1) in the first year following consolidation, an amount equal to the
6 amount received by the school or schools in the last year of eligibility;

7 (2) in the second year following consolidation, an amount equal to
8 two-thirds of the amount received in the previous year; and

9 (3) in the third year following consolidation, an amount equal to
10 one-third of the amount received in the first year following consolidation.

11 *[to be moved to EFFECTIVE DATE section]*

12 () Sec. 12 (small school support) shall take effect on July 1, 2019, and
13 shall apply to grants made in fiscal year 2020 and after.

14 * * * **Declining Enrollment; Equalized Pupils; 3.5 Percent Limit** * * *

15 **Sec. 13.** 16 V.S.A. § 4010(f) is amended to read:

16 (f) For purposes of the calculation under this section, a district's equalized
17 pupils shall in no case be less than 96 and one-half percent of the ~~district's~~
18 actual number of equalized pupils in the district in the previous year, prior to
19 making any adjustment under this subsection.

20 **[QUESTION: Either Sec. 13 above OR Sec. 13a below ?]**

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1 **Sec. 13a.** 16 V.S.A. § 4010(f) is amended to read:

2 (f) For purposes of the calculation under this section, a district's equalized
3 pupils shall in no case be less than ~~96 and one half percent~~ the greater of the
4 district's calculated equalized pupils in either of the previous ~~year~~ two years.

5 Sec. 14. DECLINING ENROLLMENT; TRANSITION

6 (a) If a district's equalized pupils in fiscal year 2016 do not reflect any
7 adjustment pursuant to 16 V.S.A. § 4010(f), then Section 13 shall apply to the
8 district in fiscal year 2017 and after.

9 (b) If a district's equalized pupils in fiscal year 2016 reflect adjustment
10 pursuant to 16 V.S.A. § 4010(f), then, notwithstanding the provisions of
11 § 4010(f) as amended by this act:

12 (1) in fiscal year 2017, the district's equalized pupils shall in no case be
13 less than 90 percent of the district's equalized pupils in the previous year; and

14 (2) in fiscal year 2018, the district's equalized pupils shall in no case be
15 less than 80 percent of the district's equalized pupils in the previous year.

16 *[to be moved to EFFECTIVE DATE section]*

17 () Sec. 13 (declining enrollment; hold-harmless provision) shall take
18 effect on July 1, 2016.

19 () Sec. 14 (declining enrollment; hold-harmless provision; transition) shall
20 take effect on July 1, 2015.

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1 *** * * Publicly-Funded Tuition; Vermont Schools * * ***

2 Sec. 15. 16 V.S.A. § 822(a) is amended to read:

3 (a) Each school district shall maintain one or more approved high schools
4 in which high school education is provided for its resident students unless:

5 (1) the electorate authorizes the school board to close an existing high
6 school and to provide for the high school education of its students by paying
7 tuition to a public high school, an approved independent high school, or an
8 independent school meeting school quality standards, to be selected by the
9 parents or guardians of the student, within ~~or outside~~ the State; or

10 (2) the school district is organized to provide only elementary education
11 for its students.

12 Sec. 16. 16 V.S.A. § 828 is amended to read:

13 § 828. TUITION TO APPROVED SCHOOLS; AGE; APPEAL

14 (a) A school district shall not pay the tuition of a student except to a public
15 school, an approved independent school, an independent school meeting school
16 quality standards, a tutorial program approved by the State Board, an approved
17 education program, ~~or an independent school in another state or country~~
18 ~~approved under the laws of that state or country, nor shall~~ located in Vermont,
19 or a school operated by an interstate school district. The payment of tuition on
20 behalf of a person shall not be denied on account of age. Unless otherwise
21 provided, a person who is aggrieved by a decision of a school board relating to

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1 eligibility for tuition payments, the amount of tuition payable, or the school he
2 or she may attend, may appeal to the State Board and its decision shall be final.

3 (b) Notwithstanding subsection (a) of this section, a school district may pay
4 tuition to a public or independent school in another state or country approved
5 under the laws of that state or country if by doing so the district is providing
6 for the education of:

7 (1) all resident students in one or more grades pursuant to:

8 (A) subsection 827(e) or section 835 of this title; or

9 (B) a determination by the State Board that payment of tuition to a
10 school outside Vermont is authorized due to geographic necessity because
11 driving times, distances, and travel routes are an obstacle to transporting
12 students to a Vermont school, consistent with guidelines to be developed
13 jointly by the State Board and Secretary;

14 (2) some or all of its career technical education students pursuant to
15 subsection 1531(c) of this title;

16 (3) a student eligible for special education whose individualized
17 education program requires an out-of-state placement pursuant to chapter 101
18 of this title; or

19 (4) a student enrolled in a school located in a community in the United
20 States or Canada that shares a border with Vermont. ***[still need to review 5.1***
21 ***changes]***

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1 *[to be moved to EFFECTIVE DATE section]*

2 () Secs. 15 and 16 (tuition; schools outside Vermont) shall take effect on
3 July 1, 2015, and shall apply to tuition paid by school districts for the 2016–
4 2017 academic year and after; provided, however, that a student who, in fiscal
5 year 2016, is enrolled in a school located outside Vermont and on whose
6 behalf the student’s district of residence has paid tuition then, notwithstanding
7 the provisions of Secs. 15 and 16 of this act, the school district shall continue
8 to pay tuition on behalf of the student for each year the student remains a
9 resident of that district and is enrolled in the school if the district does not
10 operate a school and is required to pay tuition upon receiving parental
11 notification pursuant to 16 V.S.A. §§ 821(d) or 822(a)(1). *[still need to review*

12 **5.1 changes]**

13 *** * * Integrated Education Systems; Transition * * ***

14 Sec. 17. INTEGRATED EDUCATION SYSTEMS; GOVERNANCE

15 TRANSITIONS TO ACHIEVE EDUCATION POLICY GOALS

16 (a) **Integrated education systems.** On or before July 1, 2019, the State
17 shall provide educational opportunities through integrated education systems
18 responsible for the equitable delivery of high quality education to all resident
19 prekindergarten through grade 12 students and for stable, affordable education
20 costs as provided in this section.

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1 (1) Each integrated education system shall advance the goals set forth in
2 Sec. 1 of this act by:

3 (A) providing equitable access to high quality educational
4 opportunities that meet the educational quality standards adopted by the State
5 Board pursuant to 16 V.S.A. § 165;

6 (B) fostering stable leadership by developing and supporting both
7 school and district leaders;

8 (C) hiring, training, supporting, and retaining excellent
9 administrators, teachers, and staff;

10 (D) maximizing the effective, flexible, and efficient use of fiscal,
11 human, and facility resources to support student achievement and success;

12 (E) promoting budgetary stability, leading to less volatility for
13 taxpayers;

14 (F) taking measures to provide education at a stable, affordable cost
15 by, among other things, increasing student-to-teacher, student-to-district-level-
16 staff; and student-to-administrator ratios by at least five percent;

17 creating flexibility to provide education at a stable, affordable cost by
18 increasing the district-level ratio of students to full- time equivalent staff
19 *[does this reflect what Rep Buxton was articulating?]*

20 (G) accounting for and reporting financial information in accordance
21 with Generally Accepted Accounting Principles and in a manner that promotes

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1 transparency and public accountability and supports a statewide integrated data
2 collection system;

3 (H) and increasing parental and community engagement at the school
4 level; and

5 (I) promoting a shared commitment to a strong, flexible, and coherent
6 system.

7 (2) Each integrated education system shall have an average daily
8 membership of at least 1,250 students in prekindergarten through grade 12
9 unless granted a waiver by the State Board of Education based upon criteria
10 developed by the Board.

11 **(b) Self-evaluation and proposal by districts.**

12 (1) Each district is required to evaluate its own structure and programs
13 and meet with neighboring districts, within or outside the supervisory union, to
14 determine how best to create and implement an integrated education system in
15 the region that achieves the goals and requirements set forth in subsection (a)
16 of this section.

17 (2) Except as provided in subsection (d) of this section, a district is
18 required to form a study committee with one or more other districts within or
19 outside its supervisory union and prepare a study report (Report) pursuant to
20 16 V.S.A. chapter 11 proposing how best to create a new district, or more than
21 one district pursuant to subsection (c)(2) of this section or otherwise, that

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1 provide for the education of resident prekindergarten through grade 12 students
2 by realigning neighboring districts with similar patterns of school operation
3 and tuition payment. Through creation of the Report, the districts shall
4 demonstrate how their proposal is designed to create an integrated education
5 system **that is** capable of achieving the goals **and requirements** set forth in
6 subsection (a) of this section **and that is effective** on or before July 1, 20**19**.

7 The Report, which if approved by the State Board of Education and
8 subsequently by the electorate, shall be the new district's articles of agreement,
9 shall also:

10 (A) decide issues specified in 16 V.S.A. § 706b, including ownership
11 of buildings, representation on the new district board, and whether votes on the
12 budget and other issues will be by Australian ballot;

13 (B) decide issues of particular interest to the local communities, such
14 as the conditions under which the new district would be permitted to close an
15 existing school building; and

16 (C) provide for the election of an initial school board prior to the first
17 day of the new district's existence in order to transition to the new structure by
18 negotiating and entering into contracts, preparing an initial proposed budget,
19 adopting policies, and otherwise planning for implementation of the new
20 district.

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1 (3) Districts shall present the Report to the State Board and subsequently
2 to the electorate, pursuant to the provisions of 16 V.S.A. chapter 11.

3 **(c) Evaluation by the State Board of Education.**

4 (1) **Evaluation.** When evaluating Reports presented to it pursuant to 16
5 V.S.A. chapter 11 and subsections (b) and (d) of this section, the State Board
6 shall also:

7 (A) consider whether the proposal is designed to create an integrated
8 education system capable of achieving the goals **and requirements** set forth in
9 subsection (a) of this section; and

10 (B) be mindful of any other district in the region that may become
11 geographically isolated or would otherwise be an inappropriate member of
12 another supervisory district or union school district. At the request of the State
13 Board, the Secretary shall work with the potentially isolated district and other
14 districts in the region to move towards a governance model that is designed to
15 achieve the goals **and requirements** set forth in subsection (a) of this section.

16 The State Board is authorized to deny approval to a proposal that would
17 geographically isolate a district that would not be an appropriate member of
18 another supervisory district or union school district in the region.

19 (2) **Supervisory unions.** The State Board may authorize the creation or
20 continuation of a supervisory union with two or more member districts, **each**
21 **with a distinct school boards** if the Board concludes that it is the best means of

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1 accomplishing an integrated education system capable of achieving the goals
2 and requirements set forth in subsection (a) of this section in a particular
3 region; provided, however, that the State Board may approve the supervisory
4 union structure only if the structure ensures transparency and accountability in
5 relation to the supervisory union budget, which may include a process by
6 which the electorate votes directly whether to approve the proposed
7 supervisory union budget. Pursuant to 16 V.S.A. § 261(d), the State Board
8 may waive requirements of 16 V.S.A. chapters 5 and 7 if necessary to facilitate
9 the vote.

10 **(d) Exceptions to requirement for study committee.**

11 (1) If the board of a supervisory district believes that the district can
12 function as an integrated education system capable of achieving the goals and
13 requirements set forth in subsection (a) of this section without altering its
14 current governance structure, then the board may submit a proposal
15 demonstrating this belief to the State Board and subsequently to the electorate
16 pursuant to 16 V.S.A. chapter 11 without forming a study committee pursuant
17 to that chapter and subdivision (b)(2) of this section.

18 (2) If the board of a supervisory union believes that the member districts
19 can function as an integrated education system capable of achieving the goals
20 and requirements set forth in subsection (a) of this section by realigning into a
21 supervisory district, then the supervisory union board may submit a proposal in

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1 the form of a Report demonstrating this belief to the State Board and
2 subsequently to the electorate pursuant to 16 V.S.A. chapter 11 without
3 forming a study committee pursuant to that chapter and subdivision (b)(2) of
4 this section.

5 **(e) Creation of integrated education systems.**

6 (1) If a district or group of districts does not complete the process
7 outlined in subsection (b) or (d) of this section, or does so but does not obtain a
8 favorable vote of all “necessary” districts on or before November 30, 2017
9 (collectively, the remaining districts), then the Secretary shall develop a plan
10 by which remaining districts of the State shall be realigned if necessary to
11 create integrated education systems capable of achieving the goals and
12 requirements set forth in subsection (a) of this section.

13 (2) The Secretary shall present the proposal to the State Board of
14 Education on or before July 1, 2018.

15 (3) On or before September 1, 2018, the State Board shall approve the
16 Secretary’s proposal in its original or in an amended form, and publish its
17 order realigning the remaining districts on the Agency’s website.

18 (4) For the new districts that will be created by the State Board’s order,
19 the order shall:

20 (A) include one or more models of initial articles of agreement
21 addressing issues required by 16 V.S.A. § 706b that will govern the actions of

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1 the new districts until such time as each district adopts its own amended
2 articles, including the method of apportioning the representation on the new
3 district's board, whether votes on the budget and other issues will be by
4 Australian ballot, and the conditions under which the new district would be
5 authorized to close a school building;

6 (B) establish transition procedures and guidance necessary for the
7 creation of each new district, including provisions for:

8 (i) the election of an initial education board prior to the first day of
9 the new district's existence in order to transition to the new structure by
10 negotiating and entering into contracts, preparing an initial proposed budget,
11 hiring a superintendent, adopting policies, and otherwise planning for the
12 district's implementation;

13 (ii) assumption of debt;

14 (iii) ownership and management of property; and

15 (iv) the transition of employees to the new employer, including
16 membership in collective bargaining units; and

17 (C) shall ensure that no school employee subject to employment
18 transition under the order will experience a detrimental change in status within
19 the Vermont Municipal Employees' Retirement System.

20 (f) **Interstate school districts.** This section shall not apply to interstate
21 school districts.

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1 **(g) Protection for nonoperating districts and operating districts;**
2 **statement of intent.**

3 **(1) Nonoperating districts.** All governance transitions achieved
4 pursuant to this section shall preserve the ability of a district that, as of the
5 effective date of this act, provides for the education of all resident students in
6 one or more grades by paying tuition on the students' behalf, to continue to
7 provide education by paying tuition on behalf of all students in the grade or
8 grades if it chooses to do so and shall not require the district to limit the
9 options available to students if it ceases to exist as a discrete entity and is
10 realigned into a supervisory district or union school district.

11 **(2) Operating districts.** All governance transitions achieved pursuant
12 to this section shall preserve the ability of a district that, as of the effective date
13 of this act, provides for the education of all resident students in one or more
14 grades by operating a school offering the grade or grades, to continue to
15 provide education by operating a school for all students in the grade or grades
16 if it chooses to do so and shall not require the district to pay tuition for students
17 if it ceases to exist as a discrete entity and is realigned into a supervisory
18 district or union school district.

19 **(3) Statement of intent.** Nothing in this section shall be construed to
20 restrict or repeal, or to authorize or require the restriction or repeal of, the

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1 ability of a school district that, as of the effective date of this act, provides for
2 the education of all resident students in one or more grades:

3 (A) by paying tuition on the students' behalf, to continue to provide
4 education by paying tuition on behalf of all students in the grade or grades if it
5 chooses to do so; or

6 (B) by operating a school offering the grade or grades, to continue to
7 provide education by operating a school for all students in the grade or grades
8 if it chooses to do so.

9 (h) **Guidelines.** Based upon the performance measures adopted in
10 subsection 1(c) of this act, the State Board of Education, in consultation with
11 the Secretary of Education, shall issue guidelines on or before **December 31,**
12 **2015** that are designed to:

13 (1) assist districts to develop Reports submitted pursuant to subsection
14 (b) or (d) of this section that are consistent with the goals set forth in Sec. 1 of
15 this act and subsection (a) of this section; and

16 (2) guide the State Board's evaluation of Reports pursuant to subsection
17 (c) of this section. [**NOTE:** *this refers to a proposed amendment to Sec. 1(c)*
18 *on separate piece of paper – not yet discussed]*

19 (i) **Statutory amendments.** On or before **December 1, 2015,** the Office of
20 Legislative Council shall provide to the House and Senate Committees on
21 Education, the House Committee on Ways and Means, and the Senate

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1 Committee on Finance proposed statutory amendments necessary to
2 accomplish the purpose of this section and reflect the governance changes it
3 requires.

4 Sec. 18. TAX INCENTIVES; INTEGRATED EDUCATION SYSTEMS

5 A integrated education system capable of achieving the goals and outcomes
6 set forth in Sec. 17(a) of this act shall receive an equalization of its homestead
7 property tax rates during in fiscal years 2020 through 2023 pursuant to 2010
8 Acts and Resolves No. 153, Sec. 4(a), as amended by 2012 Acts and Resolves
9 No. 156, Sec. 13; provided, however, that this section shall apply only to an
10 integrated education system that obtains a favorable vote of all “necessary”
11 districts on or before November 30, 2017 and is effective on or before July 1,
12 2019.

13 Sec. 19. 16 V.S.A. § 3448(b) and (c) are amended to read:

14 (b) ~~Refund upon sale. Upon the sale by a district of any item, building, or~~
15 ~~unit that may be relocated, for which State construction aid was awarded under~~
16 ~~this title, the district shall refund to the State a percentage of the sale price~~
17 ~~equal to the percentage of construction aid received. In no event shall the sum~~
18 ~~refunded be in excess of the amount of the original State aid received for the~~
19 ~~purchase of the item, building, or unit. All refunds shall be deposited with the~~
20 ~~State Treasurer and used for school construction aid awards. [Repealed.]~~

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1 (c) ~~Repayment as a condition of general aid. No school district shall~~
2 ~~receive any State general aid unless the school district complies with~~
3 ~~subsection (b) of this section. [Repealed.]~~

4 *[to be moved to EFFECTIVE DATE section]*

5 () Sec. 17 (governance transitions) shall take effect on passage.

6 () Sec. 18 (tax incentives) shall take effect on passage.

7 () Sec. 19 (repayment of state construction aid) shall take effect on
8 passage.

9 *** * * Voluntary Mergers; Incentives * * ***

10 Sec. 20. 2010 Acts and Resolves No. 153, Sec. 2(a), as amended by 2012

11 Acts and Resolves No. 156, Sec. 1, is further amended to read:

12 (a) Program created. There is created a school district merger incentive
13 program under which the incentives outlined in Sec. 4 of this act shall be
14 available to each new unified union school district created pursuant to Sec. 3 of
15 this act and to each new district created under Sec. 3 of this act by the merger
16 of districts that provide education by paying tuition; and to the Vermont
17 members of any new interstate school district if the Vermont members jointly
18 satisfy the size criterion of Sec. 3(a)(1) of this act and the new, merged district
19 meets all other requirements of Sec. 3 of this act. Incentives shall be available,
20 however, only if the ~~effective date of merger is on or before~~ the merger
21 receives final approval of the electorate prior to July 1, 2017.

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1 Sec. 21. 2010 Acts and Resolves No. 153, Sec. 4, as amended by 2012 Acts
2 and Resolves No. 156, Sec. 13, is further amended to read:

3 Sec. 4. VOLUNTARY SCHOOL DISTRICT MERGER; INCENTIVES

4 * * *

5 ~~(h) This section is repealed on July 1, 2017. The incentives provided in~~
6 this section shall be available only if the merger receives final approval of the
7 electorate prior to July 1, 2017 or as otherwise provided by the General
8 Assembly.

9 *[to be moved to EFFECTIVE DATE section]*

10 () Secs. 20 and 21 (REDS; incentives for merger; effective dates) shall
11 take effect on passage.

12 * * * **Data; Quality Assurance; Accountability** * * *

13 Sec. 22. DATA; QUALITY ASSURANCE; ACCOUNTABILITY

14 On or before July 1, 2017 the Agency of Education shall have fully
15 implemented statewide, integrated systems to maintain financial reporting and
16 accounting data and longitudinal student data that are designed to measure and
17 to compare on a district-to-district basis:

18 (1) the quality and variety of educational opportunities available to
19 students throughout the State;

20 (2) student outcomes; and

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1 (3) financial costs. [**NOTE:** *deletes former subdivision (2) from draft*
2 *3.1 regarding school district compliance]*

3 *[to be moved to EFFECTIVE DATE section]*

4 () Sec. 22 (data; quality assurance; accountability) shall take effect on July
5 1, 2015.

6 *** * * Contract Imposition; Strikes; Binding Interest Arbitration * * ***

7 Sec. 23. CONTRACT IMPOSITION; STRIKES; BINDING INTEREST
8 ARBITRATION

9 On or before January 15, 2016, the Secretary of Education, in consultation
10 with the Vermont Superintendents Association, the Vermont School Boards
11 Association, and the Vermont – National Education Association, shall evaluate
12 current collective bargaining laws for educators as they relate to the imposition
13 of contracts, strikes, and binding interest arbitration and shall recommend any
14 proposals for legislative changes to the House and Senate Committees on
15 Education.

16 *[to be moved to EFFECTIVE DATE section]*

17 () Sec. 23 (contract imposition; strikes; binding interest arbitration) shall
18 take effect on passage.

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***** Transition of Employees *****

Sec. 24. 16 V.S.A. chapter 53, subchapter 3 is added to read: **[NEW in 5.1 – not yet reviewed]**

Subchapter 3. TRANSITION OF EMPLOYEES

§ 1801. DEFINITIONS

(a) As used in this subchapter:

(1) "New District" means a district created by the realignment or merger of two or more current districts into a new supervisory district, union school district, or any other form of merged or realigned district authorized by law, regardless of whether one or more of the districts creating the New District (a Realigning District) is a town school district, a city school district, an incorporated school district, a union school district, a unified union school district, a supervisory district, [or an interstate school district?].

(2) "New SU" means a supervisory union created from the merger or realignment of two or more current supervisory unions or of all or some of the districts in one or more current supervisory unions (a Realigning SU). "New SU" also means a supervisory union created by State Board adjustment of the borders of one or more current supervisory unions or parts of supervisory unions pursuant to section 261 or otherwise, regardless of whether the New SU is known by the name of one of the current supervisory unions or the adjustment is otherwise structured or considered to be one in which one current

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1 supervisory union (the Absorbing SU) is “absorbing” one or more other
2 supervisory unions or parts of supervisory unions into the Absorbing SU.

3 (3) “Employees of a Realigning Entity” means the licensed and
4 nonlicensed employees of a Realigning District or Realigning SU, or both, that
5 create the New District or New SU, and includes employees of an Absorbing
6 SU and employees of a Realigning SU whose functions will be performed by
7 employees of a New District that is a supervisory district.

8 (4) “System” shall mean the Vermont Municipal Employees’
9 Retirement System created pursuant to 24 V.S.A. chapter 125.

10 (5) “Transitional Board” means the board created prior to the first day of
11 a New District’s or a New SU’s existence in order to transition to the new
12 structure by negotiating and entering into contracts, preparing an initial
13 proposed budget, adopting policies, and otherwise planning for implementation
14 of the New District or New SU, and includes the board of an Absorbing
15 District to which members from the other Realigning SU or SUs have been
16 added in order to perform transitional responsibilities.

17 § 1802. TRANSITION OF EMPLOYEES TO NEWLY CREATED

18 EMPLOYER

19 (a) **Prior to the first day** of a New District’s or a new SU’s existence,
20 upon creation of the Transitional Board, the Board shall:

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1 (1) appoint a negotiations council for the New District or New SU for
2 the purpose of negotiating with future employees’ representatives; and

3 (2) recognize the representatives of the Employees of the Realigning
4 Districts or Realigning SUs as the recognized representatives of the employees
5 of the New District or New SU.

6 (c) **Negotiations shall commence within 90 days after formation of the**
7 **Transitional Board** and shall be conducted pursuant to the provisions of 16
8 V.S.A. chapter 57 for teachers and administrators and pursuant to 21 V.S.A.
9 chapter 22 for other employees.

10 (d) **An Employee** of a Realigning District or Realigning SU who was not a
11 probationary employee shall not be considered a probationary employee of the
12 New District or New SU.

13 (e) If a new agreement is not ratified by both parties **prior to the first day**
14 **of the New District’s or New SU’s existence, then:**

15 (1) the parties shall comply with the existing agreements in place for
16 Employees of the Realigning Districts or the Realigning SUs until a new
17 agreement is reached;

18 (2) the parties shall adhere to the provisions of an agreement among the
19 Employees of the Realigning Districts or the Realigning SUs, as represented
20 by their respective recognized representatives, regarding how provisions under
21 the existing contracts regarding issues of seniority, reduction in force, layoff,

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1 and recall will be reconciled during the period prior to ratification of a new
2 agreement; and

3 (3) a new employee beginning employment after the first day of the
4 New District's or New SU's existence, shall be covered by the agreement in
5 effect that applies to the largest bargaining unit for Employees of the
6 Realigning Districts in the New District or for Employees of the Realigning
7 SU in the New SU.

8 (f) **On the first day of its existence**, the New District or New SU shall
9 assume the obligations of existing individual employment contracts, including
10 accrued leaves and associated benefits, with the Employees of the Realigning
11 Districts.

12 **[NOTE:** *May need to mention employees of joint contract schools – need to*
13 *confirm current employer (e.g., district in which building is located?)*

14 § 1803. VERMONT MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM

15 (a) A New District or New SU, on the first day of its existence, shall
16 assume the responsibilities of any one or more of the Realigning Districts or
17 Realigning SUs that have been participants in the system; provided, however,
18 that this subsection shall not be construed to extend benefits to an employee
19 who would not otherwise be a member of the system under any other provision
20 of law.

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1 (b) The existing membership and benefits of an Employee of a Realigning
2 District or a Realigning SU shall not be impaired or reduced either by
3 negotiations with the New District or New SU under 21 VSA Chapter 22 or
4 otherwise.

5 (c) In addition to general responsibility for the operation of the System
6 pursuant to 24 V.S.A. § 5062(a), the responsibility for implementation of all
7 sections of this subchapter relating to the System is vested in the Retirement
8 Board.

9 *[to be moved to EFFECTIVE DATE section]*

10 () Sec. 24 (employee transition) shall take effect on passage and applies to
11 any New District or New SU that has its first day of existence on or after that
12 date.

13 ***** Education Mandates; Moratorium *****

14 Sec. 25. EDUCATION PROPERTY TAX RATE INCREASES;
15 MORATORIUM

16 (a) Notwithstanding 16 V.S.A. § 4028(d) and 2 V.S.A. § 502(b)(2), the
17 Joint Fiscal Office (JFO) shall prepare a fiscal note for any legislation
18 proposed during the 2015–2016 biennium that JFO believes may have the
19 effect of increasing the education property tax rate, regardless of whether the
20 proposed legislation includes a related appropriation or funding mechanism.
21 JFO shall complete the fiscal note no later than the date on which the

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1 legislation is considered for a vote of a committee, the House, or the Senate,
2 whichever is earliest.

3 (b) If the fiscal note prepared under this section confirms that the proposed
4 legislation shall have the effect of increasing the education property tax rate,
5 then the proposed legislation as then-drafted shall be withdrawn from
6 consideration and shall not be voted upon by any committee, the House, or the
7 Senate, as applicable.

8 (c) This section shall not apply to legislation annually establishing the base
9 education amount pursuant to 16 V.S.A. chapter 133 or the tax rate pursuant to
10 32 V.S.A. § 5402.

11 (d) This section is repealed on July 1, 2016.

12 ***[to be moved to EFFECTIVE DATE section]***

13 () Sec. 25 (education mandates; moratorium) shall take effect on passage.

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STUDIES

- A. Special Education Funding**
- B. Roles of Superintendents and Principals**
- C. Property Tax Adjustment Lag**
- D. Nonresidential Property Categories**
- E. Tuitioning Practices**
- F. Standardized Tests**
- G. Adequacy**
- H. Joint Legislative Oversight Committee**

***** Special Education; Funding; Average Daily Membership *****

Sec. **A.** SPECIAL EDUCATION; FUNDING; AVERAGE DAILY
MEMBERSHIP; STUDY AND PROPOSAL

On or before January 15, 2016, the Secretary of Education shall develop and present to the House and Senate Committees on Education a proposal for an alternative funding model for the provision of special education services in Vermont. In developing the proposal, the Secretary shall

(1) consult with experts in the provision or funding of special education services;

(2) consider the report regarding the use of paraprofessionals to provide special education services required by the General Assembly pursuant to 2014 Acts and Resolves No. 95, Sec. 79a;

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1 (3) consider ways in which some portion of State funds for special
2 education services could be provided to school districts or supervisory unions
3 based on average daily membership; and

4 (4) consider ways in which the proposal could also help to reduce
5 administrative responsibilities at the local level and increase flexibility in the
6 provision of services.

7 *[to be moved to EFFECTIVE DATE section]*

8 () Sec. **A** (special education funding; average daily membership) shall
9 take effect on passage.

10 * * * **Principals and Superintendents** * * *

11 Sec. **B**. PRINCIPALS AND SUPERINTENDENTS; STUDY AND
12 PROPOSAL

13 On or before January 15, 2016, the Secretary of Education, in consultation
14 with the Vermont Superintendents Association, the Vermont School Boards
15 Association, and the Vermont Principals' Association, shall develop and
16 present to the House and Senate Committees on Education a proposal to clarify
17 the roles of superintendents as systems managers and principals as
18 instructional leaders. The proposal shall also address superintendents' and
19 principals' relative responsibilities of supervision and evaluation.

20 *[to be moved to EFFECTIVE DATE section]*

21 () Sec. **B** (superintendents and principals) shall take effect on passage.

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1 ***** Property Tax Adjustment Lag *****

2 Sec. **C. YEAR USED TO CALCULATE PROPERTY TAX**

3 **ADJUSTMENTS** [**NOTE:** *Sec. C was NEW in 5.1*]

4 On or before January 15, 2016, the Commissioner of Taxes shall report to
5 the General Assembly on the steps that would be required to transition
6 to calculation of the property tax adjustments under chapter 154 of Title 32 on
7 a current year basis. As used in this section “a current year basis” means using
8 the current year’s homestead adjusted tax rates, the current year’s assessed
9 property values, and the taxable income from the prior calendar year to
10 calculate a property tax adjustment filed in the current claim year. In preparing
11 the report, the Commissioner shall consult with the Vermont Association of
12 Listers and Assessors, the Vermont League of Cities and Towns, and any other
13 interested stakeholders identified by the Commissioner.

14 *[to be moved to EFFECTIVE DATE section]*

15 () Sec. **C** (property tax adjustment lag) shall take effect on July 1, 2015.

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1 *** Tuitioning; Economic Analysis ***

2 Sec. **E.** **TUITIONING MODEL; ECONOMIC ANALYSIS; CONTRACT;**

3 **REPORT** [**NOTE:** *Sec. E was NEW in 5.1*]

4 (a) The Joint Fiscal Office, with the assistance of the Office of Legislative
5 Council and the Agency of Education, shall develop a request for proposals to
6 perform an economic analysis of the positive and negative fiscal impacts of the
7 State’s current practices of paying tuition for prekindergarten, elementary, and
8 secondary students. The Joint Fiscal Office shall select and enter into a
9 contract with a consultant from among those submitting proposals.

10 (b) The consultant shall analyze the impact of Vermont’s publicly funded
11 tuitioning practices on the overall cost of education in the State by:

12 (1) identifying all of the instances in which districts pay tuition,
13 including payment of tuition on behalf of:

14 (A) all resident students in one or more grades, both when the district
15 does and does not also operates a school offering grades for which it does not
16 pay tuition;

17 (B) an individual student;

18 (C) students enrolled in career technical education centers;

19 (D) a student attending a school not operated by the district pursuant
20 to his or her individualized education program; and

21 (E) prekindergarten students.

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1 (2) identifying how the costs identified in subdivision (1) have changed
2 since the enactment of 2003 Acts and Resolves No. 68;

3 (3) identifying the institutions to which publicly funded tuition dollars
4 are sent and for each approved independent school, identifying which services
5 required of public schools are not provided and which of these unprovided
6 services have the effect of disadvantaging students from lower socioeconomic
7 families;

8 (4) determining whether elementary students, and middle-school
9 students as appropriate, experience reduced educational opportunities as a
10 result of paying publicly funded tuition on behalf of secondary school students;

11 (5) evaluating whether any of Vermont’s tuition-paying practices lead to
12 higher or lower total education spending in the State as a whole;

13 (6) identifying the ways in which current tuitioning practices lead to
14 better outcomes for students.

15 (c) After review and analysis of research and other literature regarding the
16 education spending patterns and student outcomes for countries participating in
17 the Organization of Economic Development and Cooperation (OECD), the
18 consultant shall evaluate how Vermont’s education spending practices achieve
19 equity of opportunities and outcomes for Vermont’s students in comparison to
20 the other OECD countries.

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1 implementation of an adequacy-based education funding system in the State,
2 including a recommendation on the determination of adequacy. The Joint
3 Fiscal Office shall select and enter into a contract with a consultant from
4 among those submitting proposals.

5 (1) The recommendation for the adequacy determination shall be based
6 on the educational standards adopted under Vermont law, including adherence
7 to *Brigham v. Vermont*, 166 Vt. 246 (1997) and the promotion of substantial
8 equality of educational opportunity for all Vermont students. The
9 determination shall consider all sources of spending related to education,
10 including spending that is currently characterized as categorical grants, but not
11 including capital expenditures. The determination shall be reached using one
12 of the following four methods: the evidence-based model, the professional
13 judgment model, the successful schools model, or the cost function model.

14 (2) The consultants shall incorporate the following into the study:

15 (A) a review of the existing studies of Vermont's education finance
16 system since the enactment of No. 60 of the Acts of the 1997 Adj. Sess. (1998)
17 and No. 68 of the Acts of the 2003 Adj. Sess. (2004);

18 (B) a review of the existing data collected by the Departments of
19 Education and of Taxes related to the Vermont education finance system under
20 Act 60 and Act 68; and

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1 (C) a review of adequacy funding systems in comparable states with
2 an emphasis on states in New England and states committed to equity.

3 (b) Interested Stakeholders. The consultant selected shall carry out public
4 participation activities with interested stakeholders as part of its study.

5 (c) Report. On or before January 15, 2015, the consultant shall submit a
6 report to the General Assembly on the study required by this section.

7 (d) Technical Assistance. The Department of Education, the Department of
8 Taxes, the Joint Fiscal Office, and the Office of Legislative Council shall assist
9 the consultant with gathering data required for the study.

10 (e) Funding. The Joint Fiscal Office is authorized to expend up to a total of
11 \$300,000.00 [JFO estimated amount for study] for the study described in
12 subsection (a) of this section and related expenses and is appropriated funds
13 from [Where ?] for this purpose.

14 [to be moved to EFFECTIVE DATE section]

15 () Sec. G shall take effect on passage.

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1 * * * **Joint Legislative Oversight Committee** * * *

2 ***[NOTE: Secs. H1–H3 were NEW in 5.1]***

3 Sec. **H1**. 2 V.S.A. chapter 29 is added to read:

4 CHAPTER 29. JOINT LEGISLATIVE EDUCATION

5 OVERSIGHT COMMITTEE

6 § 991. JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE

7 (a) Creation. There is created a Joint Legislative Education Oversight
8 Committee. The Committee shall monitor, evaluate, research, oversee, and
9 provide a continuing review of matters concerning education policy, education
10 funding, and student outcomes and the intersections of each with corrections,
11 economic development, health care, and human services issues and shall
12 provide information and assistance to other legislative committees on these
13 matters.

14 (b) Membership. The Committee shall consist of six members who are
15 appointed biennially. The members shall be the Chair, or the Chair’s designee,
16 of each of the following committees: The House and Senate Committees on
17 Appropriations and on Education, the House Committee on Ways and Means,
18 and the Senate Committee on Finance.

19 (c) Powers and duties. In addition to the general duties of the Committee
20 as set forth in subsection (a) of this section, the Committee shall:

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1 (1) evaluate legislative policy and funding initiatives when the General
2 Assembly is not in session, including the progress and consequences of
3 consolidation efforts;

4 (2) at the request of the House or Senate Committee on Education,
5 research and examine issues that may lead to future legislative action;

6 (3) assess the work of the Agency of Education to implement Quality
7 Review Teams; and

8 (4) evaluate the ways in which education policy, education funding, and
9 student outcomes intersect with corrections, economic development, health
10 care, and human services issues.

11 (d) Officers. The Committee shall elect a chair, vice chair, and clerk from
12 among its members and shall adopt rules of procedure to perform its duties.
13 The Chair shall rotate biennially between the House and Senate members, and
14 a member from the other body shall serve as the Vice Chair.

15 (e) Quorum and voting.

16 (1) A majority of the members of the entire Committee, whether
17 physically present at the meeting location or participating remotely, constitutes
18 a quorum for the purpose of discussing the business of the Committee.

19 (2) A majority of the members of the entire Committee must be
20 physically present or electronically at the same location to constitute a quorum
21 for the purpose of voting to take action.

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1 (3) A member of the Committee may vote on an action only if he or she
2 is physically or electronically present at the meeting location.

3 (4) An action may be taken by the Committee only by assent of a
4 majority of the members attending and voting, assuming a quorum.

5 (f) Meetings. When the General Assembly is in session, the Committee
6 shall meet at the call of the Chair. The Committee may meet six times during
7 adjournment and may meet more often subject to approval of the Speaker of
8 the House and the President Pro Tempore of the Senate.

9 (g) Reimbursement. For attendance at meetings during adjournment of the
10 General Assembly, members of the Committee shall be entitled to per diem
11 compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406.

12 (h) Assistance. The Committee shall have the administrative, technical,
13 and legal assistance of the Office of Legislative Council and the Joint Fiscal
14 Office.

15 (i) Report. Notwithstanding 2 V.S.A. § 20(d), the Committee shall report
16 its activities at least annually to the General Assembly on or before January 15,
17 together with any recommendations for legislative or other action. The report
18 shall be in brief summary form.

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1 Sec. **H2.** TRANSITION

2 (a) The Chair of the House Committee on Education shall call the first
3 meeting of the Joint Legislative Education Oversight Committee to occur on or
4 before August 1, 2015.

5 (b) The members shall elect a member from the House of Representatives
6 to serve as its initial Chair.

7 Sec. **H3.** APPROPRIATION

8 The sum of [\$.00] is appropriated to the General Assembly from the
9 General Fund in fiscal year 2016 for per diem compensation and
10 reimbursement of expenses for members of the Joint Legislative Education
11 Oversight Committee pursuant to Sec. **H1**, 2 V.S.A. § 991(g).

12 *[to be moved to EFFECTIVE DATE section]*

13 () Sec. **H1, H2, and H3** shall take effect on passage.

14

15 ***** Effective Dates *****

16 Sec. 11. EFFECTIVE DATES

17 *[insert each subsection from throughout the bill when that concept is finalized]*

18 () This section (effective dates) shall take effect on passage.