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H.361

                     moves that the bill be amended as follows:

First: By striking out Sec. 1 (education policy goals) in its entirety and inserting in lieu thereof a new section to be Sec. 1 to read:

Sec. 1. EDUCATION POLICY GOALS

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

(1) leads students to achieve or exceed the State’s Education Quality Standards, adopted as rules by the State Board of Education at the direction of the General Assembly;

(2) leads to improved transparency and accountability; and

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

(b) Design; local decisions. This legislation is designed to encourage and support local decisions and actions linked to the Education Quality Standards, transparency, accountability, and cost-effectiveness, including decisions and actions that:

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

1           (2) improve student performance as established by each school in the  
2           continuous improvement plan it develops pursuant to 16 V.S.A. § 165;

3           (3) provide a sequential, logical curriculum to all students;

4           (4) promote students' ability to think critically; communicate verbally,  
5           in writing, and through the use of technology; collaborate; and solve problems  
6           creatively;

7           (5) advance solutions, including structural changes, that are developed  
8           and implemented at the local level to meet community needs and priorities;

9           (6) enhance the possibility that the State's small schools remain open if  
10          they are able to provide students with equitable educational opportunities and  
11          improved student performance at a stable, affordable cost;

12          (7) create enhanced opportunities and other conditions that promote  
13          stability in leadership;

14          (8) foster strong relationships between schools and the broader  
15          community and increased parental and community engagement at the school  
16          level;

17          (9) facilitate operational and educational efficiencies and effectiveness  
18          through greater flexibility in the management of resources to support student  
19          achievement and success, with a goal of increasing the district-level ratio of  
20          students to full-time equivalent staff;

21          (10) improve affordability and stability for taxpayers; and

1           (11) increase public accountability and transparency through:

2                   (A) greater consistency in educational governance structures; and

3                   (B) the accounting and reporting of financial information in

4           accordance with Generally Accepted Accounting Principles and as otherwise

5           required by the Secretary of Education.

6           (c) Education Quality Standards; indicators; performance measures. On or

7           before December 31, 2015, in connection with the ongoing development of

8           indicators to determine compliance with Education Quality Standards, the

9           State Board of Education shall adopt and publish performance measures for the

10          policy goals identified in the Standards as expressed by this section, including

11          those relating to student outcomes.

12          (d) Guidelines. Based upon the performance measures it adopts in

13          subsection (c) of this section, including those relating to student outcomes, the

14          State Board of Education shall issue guidelines on or before December 31,

15          2015, that are designed to:

16                  (1) assist districts to develop governance proposals pursuant to Sec. 17

17                  of this act; and

18                  (2) guide the State Board’s evaluation of the proposals, recognizing that

19                  regional variations may result in a proposal that continues, expands, or creates

20                  a new supervisory union.



1 or an integrated education system with more than one district pursuant to  
2 subdivision (c)(3) of this section, that is designed to enable the region to meet  
3 the goals and requirements set forth in this section and to be operational on or  
4 before July 1, 2019. The reimbursement of costs incurred when preparing the  
5 Report and other assistance to facilitate transition are available pursuant to  
6 2012 Acts and Resolves No. 156 to the extent provided in that act.

7 (3) Submission of report and vote of electorate. Districts shall submit  
8 the Report to the State Board of Education and subsequently to the electorate  
9 pursuant to 16 V.S.A. chapter 11. If approved by the State Board of Education  
10 pursuant to subsection (d) of this section, and subsequently approved by the  
11 electorate on or before November 30, 2017, a Report shall be a new  
12 prekindergarten–grade 12 district’s articles of agreement pursuant to 16 V.S.A.  
13 chapter 11 and shall be the governing document of an integrated education  
14 system with more than one district.

15 (c) Size and structure of integrated education systems.

16 (1) Minimum size; waiver. Each integrated education system shall have  
17 an average daily membership of at least 1,100 students in prekindergarten  
18 through grade 12 unless granted a waiver by the State Board of Education  
19 based upon criteria developed by the Board.

20 (2) Education Districts. In order to promote flexibility, transparency,  
21 and accountability, the preferred structure for an integrated education system

1 shall be an Education District, which is supervisory district as defined in 16  
2 V.S.A. § 11(a)(24) that is responsible for the education of all resident  
3 prekindergarten through grade 12 students and that assumes one of the  
4 following four common governance structures:

5 (A) a district that operates a school or schools for resident students in  
6 prekindergarten or kindergarten through grade 12;

7 (B) a district that operates a school or schools for resident students in  
8 prekindergarten or kindergarten through grade 6 and pays tuition for all  
9 resident students in grade 7 through grade 12;

10 (C) a district that operates a school or schools for resident students in  
11 prekindergarten or kindergarten through grade 8 and pays tuition for resident  
12 students in grade 9 through grade 12;

13 (D) a district that operates no schools and pays tuition for resident  
14 students in prekindergarten through grade 12.

15 (3) Supervisory unions.

16 (A) Recognizing that an Education District may not be the best  
17 means of achieving the goals of this act in all regions of the State, and to the  
18 extent necessary under subdivision (1) of this subsection (minimum ADM;  
19 waiver), subsection (g) of this section (protections for tuitioning and operating  
20 districts), or otherwise, districts may propose the creation, expansion, or  
21 continuation of a supervisory union with two or more member districts, each

1 with a distinct school board. The State Board may approve the proposal  
2 pursuant to 16 V.S.A. § 261 and chapter 11, if it concludes that the proposal is  
3 the best means of achieving an integrated education system capable of meeting  
4 the goals and requirements of this section in a particular region.

5 (B) Notwithstanding subdivision (A) of this subdivision, the State  
6 Board shall approve a supervisory union structure only if the structure ensures  
7 transparency and accountability for the member districts and the public at  
8 large, including transparency and accountability in relation to the supervisory  
9 union budget, which may include a process by which the electorate votes  
10 directly whether to approve the proposed supervisory union budget. Pursuant  
11 to 16 V.S.A. § 261(d), the State Board may waive requirements of 16 V.S.A.  
12 chapters 5 and 7 if necessary to facilitate the vote.

13 (d) Evaluation by the State Board of Education. When evaluating Reports  
14 presented to it pursuant to 16 V.S.A. chapter 11 and subsection (b) of this  
15 section, the State Board shall:

16 (1) consider whether the proposal is designed to create an integrated  
17 education system capable of achieving the goals and requirements set forth in  
18 this section; and

19 (2) be mindful of any other district in the region that may become  
20 geographically isolated.

1           (A) At the request of the State Board, the Secretary shall work with  
2           the potentially isolated district and other districts in the region to move toward  
3           an integrated education system that is designed to achieve the goals and  
4           requirements set forth in this section.

5           (B) The State Board is authorized to deny approval to a proposal that  
6           would geographically isolate a district that would not be an appropriate  
7           member of another integrated education system in the region.

8           (e) Exceptions to requirement for study committee.

9           (1) Existing supervisory district. If the board of an existing supervisory  
10           district believes that the district can function as an integrated education system  
11           pursuant to this section without altering its current governance structure or  
12           joining a supervisory union, then the board may prepare and submit a Report to  
13           the State Board pursuant to subsection (b) of this section and subsequently to  
14           the electorate pursuant to 16 V.S.A. chapter 11 without forming a study  
15           committee pursuant to that chapter.

16           (2) Existing supervisory union. If the board of an existing supervisory  
17           union believes that all member districts can function as an integrated education  
18           system pursuant to this section by realigning their governance structures into a  
19           single Education District, then the supervisory union board may prepare and  
20           submit a Report to the State Board pursuant to subsection (b) of this section

1 and subsequently to the electorate pursuant to 16 V.S.A. chapter 11 without  
2 forming a study committee pursuant to that chapter.

3 (f) Creation of integrated education systems.

4 (1) Secretary’s proposal. If a district or group of districts does not  
5 complete the process outlined in subsection (b) of this section, or does so but  
6 does not obtain a favorable vote of all “necessary” districts on or before  
7 November 30, 2017 (collectively, the Remaining Districts), then the Secretary  
8 shall develop a proposal by which the Remaining Districts of the State shall be  
9 realigned to the extent possible to create integrated education systems pursuant  
10 to this section. If it is not possible or practicable to realign one or more  
11 Remaining Districts in a manner that meets one or more provisions of  
12 subsections (a) and (c) of this section, then, in connection with the district or  
13 districts, the proposal shall be designed in a manner that serves the best  
14 interests of the resident students, the local communities, and the State. The  
15 Secretary shall present the proposal to the State Board of Education for its  
16 consideration on or before July 1, 2018.

17 (2) State Board’s order. On or before September 1, 2018, the State  
18 Board shall approve the Secretary’s proposal in its original or in an amended  
19 form, and shall publish its order realigning Remaining Districts on the  
20 Agency’s website.

1        (g) Interstate school districts. This section shall not apply to interstate  
2        school districts.

3        (h) Protection for nonoperating districts and operating districts; statement  
4        of intent.

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

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

1           (3) Statement of intent. Nothing in this section shall be construed to  
2           restrict or repeal, or to authorize or require the restriction or repeal of, the  
3           ability of a school district that, as of the effective date of this act, provides for  
4           the education of all resident students in one or more grades:

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

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

11           Third: By striking out Sec. 24 (strikes; contract imposition) in its entirety  
12           and inserting in lieu thereof a new section to be Sec. 24 to read:

13           Sec. 24. [Deleted.]

14           Fourth: In Sec. 35 (health insurance; study), by striking out subsection (b)  
15           in its entirety and inserting in lieu thereof two new subsections to be  
16           subsections (b) and (c) to read:

17                   (b) On or before November 1, 2015, the Director of Health Care Reform in  
18                   the Agency of Administration shall report to the Health Reform Oversight  
19                   Committee, the House and Senate Committees on Education, the House  
20                   Committee on Health Care, and the Senate Committee on Health and Welfare  
21                   with options for:

1           (1) the design of health benefits for school employees that will not  
2           trigger the excise tax on high-cost, employer-sponsored insurance plans  
3           pursuant to 26 U.S.C. § 4980I; and  
4           (2) ways to administer the school employees’ health benefits, including  
5           possibly through the Vermont Education Health Initiative (VEHI), Vermont  
6           Health Connect (VHC), or through another applicable mechanism. or through  
7           (c) When identifying and analyzing the options required by subsection (b)  
8           of this section, the Director shall consult with representatives of the Vermont –  
9           National Education Association, the Vermont School Boards, Association,  
10           VEHI, VHC, the Office of the Treasurer, and the Joint Fiscal Office.