

February 12, 2024

To: School Boards and Superintendents
From: Vermont Secretary of State, Vermont School Boards Association, and Vermont Superintendents Association
Re: Memo for School Boards and Superintendents related to changes proposed within H.850 (An act relating to transitioning education financing to the new system for pupil weighting)

Dear School Board Members and Superintendents,

If you would like to move the vote for your school board budget or the entire district's annual meeting, please use the following guidance.

Act 1 (2023) Postponement

School boards currently have the option to utilize the provisions of Act 1 (2023) which allows the board to move the date of the district's annual meeting to a date later in the year. School boards that utilize the provisions of Act 1 (2023) prior to the passage of H.850 should do the following:

- 1. Hold a meeting and vote on the Act 1 provisions**
 - a. Hold a properly warned public meeting. This could be a special meeting.
 - b. At that meeting your board must vote on rescheduling the date of the school district's annual meeting/budget vote to a later date. In order to be consistent with H.850, set the date of the annual meeting on or before April 15, 2024. This vote should be on the board's meeting agenda and reflected in the minutes.
- 2. Follow the guidance below regarding revised warning, posting and rescheduling. This process will be the same regardless of whether you are acting under current law (Act 1 of 2023) or H.850 in the event of its passage.**

H.850 Postponement

School Boards who intend to utilize the provisions of H.850 *AFTER* it becomes law should do the following:

- 1. Hold a Meeting and vote on the H.850 provisions:**

a. When you receive notice that H.850 has been passed by both houses and signed by the governor you should hold a properly warned public meeting. This could be an emergency meeting. We recommend warning any emergency meeting.

b. At that meeting your board would call a vote on if it should cancel the vote on a previously warned budget article(s) or the entire school district meeting. This vote should be on your agenda and reflected in your minutes.

2. Revised Warning:

a. If the district is only canceling the budget-related articles, the district will need to issue a *revised warning*. The revised warning should reflect the decision of the district. If only the budget-related article(s) are being canceled those articles should be stricken through or blacked out, so the change is clear to voters. It should be clear on the revised Warning that a vote will be taken on those articles before April 15, 2024. If possible, it would be good to identify the date the vote(s) will occur.

b. If the district is canceling the whole meeting, the district will need to issue a *revised Warning*. The revised Warning should explicitly cancel the meeting, make it clear that vote(s) for the new meeting will occur on or before April 15, 2024, and, if possible, identify the date the vote(s) will occur.

3. **Posting:** Any revised Warning should be posted in the same locations at the current Warning with clear indications that it is a revised Warning. The district should also provide a copy to its clerk.

4. **Rescheduling:** Any rescheduled vote(s) on the budget article(s) or rescheduled meeting will require its own Warning. That Warning needs to be posted no less than 30 days in advance of the rescheduled budget vote(s).

Thank you. If you have any questions regarding the information above, we recommend contacting your school district legal counsel. This guidance was reviewed by Lynn, Lynn, Blackman & Manitsky.