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Potential Education policy Provisions

(Secs 1-7 from draft 3.1)

SHOWING DIFFERENCES from current law:

regular type = identical or nearly identical language

highlight = new responsibility OR newly assigned to entity

italics = rewritten but substantially the same (stated more clearly/directly)

[bracketed bold italics] = current entity with responsibility OR a note

* * * Responsibilities of Supervisory Union Boards, Supervisory Unions;
Superintendents, and School Districts * * *

Sec. 1. 16 V.S.A. § 268 is added to read:

§ 268. DUTIES OF A SUPERVISORY UNION BOARD

A supervisory union board shall:

(1) adopt **supervisory union policies, including** truancy policies that are consistent with model protocols developed by the Secretary;

(2) *adopt* a supervisory union-wide curriculum that meets the requirements adopted by the State Board under subdivision 165(a)(3)(B) of this title, by either developing the curriculum or **directing the superintendent to** assist the member districts to develop it jointly;

(3) on or before June 30 of each year, adopt a supervisory union budget for the ensuing school year;

1 (4) employ a superintendent pursuant to the provisions of section 270
2 [current § 241] of this title and evaluate and oversee the performance of the
3 superintendent; *[currently optional to employ; evaluation & oversight implied]*

4 (5) employ all licensed and nonlicensed employees of the supervisory
5 union pursuant to the provisions of section 271 [current § 242]of this title,
6 including a person or persons qualified to provide financial and student data
7 management services for the supervisory union and the member districts;
8 *[ability to employ staff implied]*

9 (6) negotiate with the licensed employees of the supervisory union and
10 school districts, pursuant to chapter 57 of this title, and with other school
11 personnel, pursuant to 21 V.S.A. chapter 22, at the supervisory union level;
12 provided that

13 (i) contract terms may vary by district; and

14 (ii) contracts may include terms facilitating arrangements between
15 or among districts to share the services of teachers, administrators, and other
16 school personnel;

17 (7) pursuant to criteria established by the State Board, establish and
18 direct the superintendent to implement a plan for receiving and disbursing
19 federal and State funds distributed by the Agency, including funds awarded
20 under P.L. 89-10, the Elementary and Secondary Education Act of 1965, as
21 amended.

1 Sec. 2. 16 V.S.A. § 269 is added to read:

2 § 269. DUTIES OF A SUPERVISORY UNION

3 *[Note: current law assigns each of the following duties to the SU Board –*
4 *not to the SU itself – except as otherwise indicated below]*

5 (a) A supervisory union shall have **sole** responsibility to:

6 (1) provide professional development programs or arrange for the
7 provision of them, or both, for teachers, administrators, and staff within the
8 supervisory union, which may include programs offered solely to one school or
9 other component of the entire supervisory union to meet the specific needs or
10 interests of that component; a supervisory union has the discretion to provide
11 financial assistance outside the negotiated agreements for teachers'
12 professional development activities; *[removes waiver]*

13 (2) provide special education services on behalf of the member districts
14 and, except as provided in section 144b of this title, compensatory and
15 remedial services, and provide or coordinate the provision of other educational
16 services as directed by the State Board or local boards; *[removes waiver]*

17 (3) provide all financial and student data management services on behalf
18 of the member districts and *serve as the districts' business office* and **human**
19 **resources office;** *[removes waiver]*

1 (4) provide transportation **or contract for** the provision of transportation,
2 or both in any districts in which it is offered within the supervisory union;

3 *[removes waiver]*

4 (5) procure and distribute all goods and operational services used by the
5 member districts, **including office and classroom supplies and equipment,**
6 **textbooks, and cleaning materials and services;**

7 *[removes waiver]*

8 *[textbooks = district]*

9 *[building equipment and cleaning = district primarily]*

10 (6) **manage all real property owned or leased by the member school**
11 **districts and keep the buildings and grounds in good repair, suitably equipped,**
12 **and in a sanitary condition; and [district primarily]**

13 (7) manage all construction projects within the supervisory union.

14 (b) A supervisory union shall submit to the board of each member school
15 district, on or before January 15 of each year, a summary report of financial
16 operations of the supervisory union for the preceding school year, an estimate
17 of its financial operations for the current school year, and a preliminary budget
18 for the supervisory union for the ensuing school year. This requirement shall
19 not apply to a supervisory district. For each school year, the report shall show
20 the actual or estimated amount expended by the supervisory union for special
21 education services, including:

1 (B) assist each school in the supervisory union to follow the
2 curriculum; and [SU Board]

3 (C) if students residing in the supervisory union receive their
4 education outside the supervisory union, periodically review the compatibility
5 of the supervisory union's curriculum with those other schools; [SU Board]

6 (8) perform all the duties required of a supervisory union in section 269
7 of this title or oversee the performance of those duties by employees of the
8 supervisory union; and [new]

9 (9) provide for the general supervision of the public schools in the
10 supervisory union ~~or district~~.

11 Sec. 5. 16 V.S.A. § 242a is redesignated to read:

12 § ~~242a~~ 272. Internal Financial Controls

13 Sec. 6. 16 V.S.A. § 563 is amended to read:

14 § 563. POWERS OF SCHOOL BOARDS; ~~FORM OF VOTE IF BUDGET~~
15 ~~EXCEEDS BENCHMARK AND DISTRICT SPENDING IS ABOVE~~
16 ~~AVERAGE~~

17 The school board of a school district, in addition to other duties and
18 authority specifically assigned by law:

19 * * *

20 (2) May take any action, except actions explicitly reserved to the
21 supervisory union pursuant to chapter 7 of this title, which is required for the

1 sound administration of the school district. The Secretary, with the advice of
2 the Attorney General, upon application of a school board, shall decide whether
3 any action contemplated or taken by a school board under this subdivision is
4 required for the sound administration of the district and is proper under this
5 subdivision. The Secretary's decision shall be final.

6 (3) Shall own and have the possession, care, control and management of
7 the property of the school district, subject to the authority vested in the
8 electorate or any school district official.

9 (4) ~~[Repealed.]~~

10 (5) Shall keep the school buildings and grounds in good repair, suitably
11 equipped, insured and in safe and sanitary condition at all times.

12 (5) ~~The school board shall~~ Shall regulate or prohibit firearms or other
13 dangerous or deadly weapons on school premises. At a minimum, a school
14 board shall adopt and implement a policy at least consistent with section 1166
15 of this title and 13 V.S.A. § 4004, relating to a student who brings a firearm to
16 or possesses a firearm at school.

17 (6) Shall have discretion to furnish instruction to pupils who have
18 completed a secondary education and to administer early educational
19 programs.

20 (7) May relocate or discontinue use of a schoolhouse or facility, subject
21 to the provisions of sections 821 and 822 of this title.

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Sec. 7. 16 V.S.A. § 426(c) is amended to read:

(c) The treasurer shall pay out of such money, orders drawn by or upon the authority of the ~~board of school directors~~ **superintendent**. If ~~he or she~~ the treasurer does not pay any such order on demand the holder thereof may recover the amount from the town school district with interest from the time of such demand. Moneys so received by the town school district may be invested and reinvested by the treasurer, with the approval of the board of school directors.

[Note: There may be other sections that need to be amended to clarify SU's role as business office and treasurer's more limited role.]

Sec. ____ REPEAL **[to be filled in once all decisions are made about which sections to include]**

[add to EFFECTIVE DATE Section] Secs. ____ shall apply to academic years 2015–2016 and after.