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H.361

Representative Scheuermann of Stowe moves that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

\* \* \* Short Title \* \* \*

Sec. 1. SHORT TITLE

This act shall be referred to as the 21st Century Education Transformation Act.

\* \* \* Consolidated Administrative Districts \* \* \*

Sec. 2. CONSOLIDATED ADMINISTRATIVE DISTRICTS

(a) Creation. Effective on July 1, 2017, all existing supervisory unions shall be dissolved and restructured into 15 larger Consolidated Administrative Districts (CADs). The boundaries of the new CADs shall be identical to the current 15 career technical education service regions; provided, however, that:

(1) the boundaries of the CAD that contains the current North Country Career Education Center Service Region shall be expanded to include the districts within the Canaan Comprehensive High School Service Region; and

(2) the boundaries of the CAD that contains the current Southeastern Vermont Career Education Center Service Region shall be expanded to include the districts within the Windham Northeast Supervisory Union.

(b) Transition.

1           (1) On or before July 1, 2016, the electorate of the school districts  
2           within the CAD boundaries shall elect members to an interim CAD board;  
3           provided, however, that:

4                   (A) membership on the board shall be apportioned so that it is  
5                   consistent with the proportional representation requirements of the Equal  
6                   Protection Clause of the U.S. Constitution; and

7                   (B) each member district shall have at least one representative.

8           (2) The interim CAD board shall be responsible for transitioning the  
9           supervisory unions and member districts to the CAD's funding and governance  
10           model and shall have authority, in consultation with the member districts, to  
11           enter into contracts, prepare an initial proposed budget for the CAD and the  
12           member districts, hire a superintendent, adopt policies, and otherwise plan for  
13           full implementation of the CAD on July 1, 2017.

14           (c) School districts.

15                   (1) Each school district within a CAD shall retain its current governance  
16                   structure, including its elected school board, unless it chooses to alter its  
17                   governance structure pursuant to law.

18                   (2) Each school district within a CAD shall continue to be responsible  
19                   for the education of its resident students pursuant to 16 V.S.A. chapter 21.

1           (3) A school district board shall remain the local elected body focused  
2           on the academic policy and educational quality of the schools within its  
3           geographic boundaries.

4           (4) Except to the extent that they conflict with this act, a school district  
5           within a CAD shall perform all duties required of a school district under  
6           current law. In particular, the local board of a school district shall:

7                   (A) develop the school district’s proposed budget for submission to  
8                   the CAD board;

9                   (B) except for those providing special education services, select all  
10                  administrators, teachers, and staff employed in the district to be hired through  
11                  contracts negotiated and entered into at the CAD level;

12                  (C) select and approve the curriculum used by schools in the  
13                  district; and

14                  (D) manage and maintain all schools and other buildings owned by  
15                  the district.

16           (d) CADs and CAD boards.

17           (1) The electorate of the school districts within the CAD boundaries  
18           shall elect members to the CAD board; provided, however, that:

19                   (A) membership on the board shall be apportioned so that it is  
20                   consistent with the proportional representation requirements of the Equal  
21                   Protection Clause of the U.S. Constitution; and

1           (B) each member district shall have at least one representative.

2           (2) Based upon the proposed budgets developed and submitted by the  
3           district boards pursuant to subdivision (c)(4)(A) of this section and upon the  
4           CAD board's determination of the budget needed for the CAD to perform its  
5           duties, the CAD board shall develop a proposed budget, which shall include  
6           the total proposed education spending for the CAD and all member districts  
7           (the Global Budget). The CAD board shall present the proposed Global  
8           Budget to the electorate of the CAD for a commingled vote at an annual or  
9           special meeting duly warned for the purpose.

10          (3) After a Global Budget is approved:

11           (A) the CAD shall issue the base education property tax assessment  
12           to the taxpayers within the CAD; and

13           (B) each municipality shall issue and collect any regional education  
14           property tax assessments and transfer any amounts collected to the CAD.

15          (4) Except to the extent that they conflict with this act, a CAD shall  
16           perform all duties and provide all services required of a supervisory union  
17           under current law. In particular, the CAD board shall:

18           (A) be responsible for the provision of all aspects of special  
19           education, including the hiring of special educators, the assignment of their  
20           services to schools within the CAD, and the development of individualized  
21           education programs (IEPs); provided, however, that each student's IEP team

1 would consist of those individuals required by State Board of Education  
2 Rule 2363.4 and include representatives from the local school district and  
3 the CAD;

4 (B) negotiate CAD-wide collectively bargained contracts pursuant to  
5 the requirements of 16 V.S.A. chapter 57 for all administrators, teachers, and  
6 staff employed within the CAD;

7 (C) subject to the right of local school districts to select the specific  
8 individuals to be hired pursuant to subdivision (c)(4)(B) of this section, enter  
9 into CAD-level contracts with all administrators, teachers, and staff employed  
10 within the CAD;

11 (D) purchase and distribute all supplies to all schools within  
12 the CAD;

13 (E) provide financial and student data management for all schools  
14 within the CAD;

15 (F) provide or provide for transportation services, in any local district  
16 in which it is offered;

17 (G) manage the provision of Advanced Placement courses to ensure  
18 maximum availability to students throughout the CAD; and

19 (H) perform any other duties on behalf of one or more of the member  
20 districts that the districts and CAD board deem appropriate.

21 (e) Nonoperating districts, operating districts, and tuition vouchers.

1           (1) Nonoperating districts. A district that, as of the effective date of this  
2           act, provides for the education of all resident students in one or more grades by  
3           paying tuition on the students' behalf shall continue to have authority to  
4           provide education by paying tuition on behalf of all students in the grade or  
5           grades pursuant to the provisions of 16 V.S.A. §§ 821 and 822 and shall not be  
6           required to limit the options currently available to those students.

7           (2) Operating districts.

8           (A) Notwithstanding any provision of 16 V.S.A. chapter 21 to the  
9           contrary, a district that, as of the effective date of this act, provides for the  
10           education of all resident students in one or more grades by operating a school  
11           offering the grade or grades shall pay tuition pursuant to 16 V.S.A.  
12           §§ 823–826, 828, and 836 on behalf of a resident student to a school not  
13           operated by the district upon notice given by the student's parent or guardian  
14           before November 30 for the next academic year.

15           (B) Tuition shall be paid under this subdivision (2) solely to a public  
16           school, an approved independent school, or an independent school meeting  
17           school quality standards that is located within the geographic borders of  
18           the CAD.

19           (f) School closures. Neither the CAD board nor any State-level entity or  
20           official shall have the authority to close any public school without the consent  
21           of the voters of the district in which the school is located.



1           (6) The total amount of a CAD’s property tax rate would equal its base  
2           education property tax rate plus any additional regional property tax rate.

3           (7) The amount of equalizing aid that a CAD would receive from the  
4           State would depend on the amount raised by the base education property  
5           tax rate.

6           (A) If the amount that a CAD’s base education property tax rate  
7           raises does not cover its guaranteed equalized spending, then it would receive  
8           the difference in equalizing aid from the State, which would be derived from  
9           non-property tax revenues from the Education Fund.

10           (B) If the amount that a CAD’s base education property tax rate  
11           raises is more than is needed to cover its guaranteed equalized spending, then  
12           its base education property tax rate would be reduced by the difference divided  
13           by its grand list.

14           (C) If a CAD spends above the guaranteed equalized spending  
15           amount, then the CAD would impose a regional property tax rate and raise the  
16           additional funds on its own grand list.

17           (8) The grand list in each CAD would be unified.

18           (9) The current income sensitivity and homeowner rebate programs  
19           would be eliminated and, if necessary, replaced with a new State program  
20           to assist Vermonters in need.



