Education Spending Cap Amendment

Sec. 27. EDUCATION SPENDING CAP

(a) Education spending cap. Notwithstanding any other provision of law, there shall be a cap on education spending, as defined in 16 V.S.A. § 4001(6), in each fiscal year, commencing on July 1, 2015. In each district, the cap shall be set at the greater of either:

(1) a 1.5 percent increase from the total district education spending amount adopted in the previous year's budget; or

(2) a 1.5 percent increase from the district equalized per pupil education spending amount adopted in the previous year's budget.

(b) School budget. If any school district approves a budget that contains education spending in excess of the applicable cap described in subsection (a) of this section, then the budget shall be deemed to have failed to pass.

(c) Appeals.

(1) On or before October 31 of each year, a school district shall have the right to appeal the amount of the education spending cap to the Secretary of Education. The Secretary shall make a determination to grant or deny an appeal by December 1 of each year, and his or her decision shall be final and not subject to review.

(2) The Secretary is authorized to grant an appeal based on a number of factors, including sudden and unpredictable fluctuations in student needs and emergency school repair projects.

(3) The Secretary shall adopt guidelines to administer this subsection.