

1 H.853

2 Representative Browning of Arlington moves that the bill be amended by
3 adding a new Sec. 10 to read:

4 Sec. 10. 2015 Acts and Resolves No. 46, Sec. 10 is amended to read:

5 Sec. 10. TRANSITION TO SUSTAINABLE GOVERNANCE
6 STRUCTURES; PROPOSAL; FINAL PLAN

7 (a) Secretary of Education’s proposal. In order to provide educational
8 opportunities through sustainable governance structures designed to meet the
9 goals set forth in Sec. 2 of this act pursuant to one of the models described in
10 Sec. 5, the Secretary shall:

11 (1) Review the governance structures of the school districts and
12 supervisory unions of the State as they will exist, or are anticipated to exist, on
13 July 1, 2019. This review shall include consideration of any proposals
14 submitted by districts or groups of districts pursuant to Sec. 9 of this act and
15 conversations with those and other districts.

16 (2) On or before July 1, 2018, shall develop, publish on the Agency of
17 Education’s website, and present to the State Board of Education a proposed
18 plan that, to the extent necessary to promote the purpose stated at the
19 beginning of this subsection (a), would move districts into the more
20 sustainable, preferred model of governance set forth in Sec. 5(b) of this act
21 (Education District). If it is not possible or practicable to develop a proposal

1 that realigns some districts, where necessary, into an Education District in a
2 manner that adheres to the protections of Sec. 4 of this act (protection for
3 tuition-paying and operating districts) or that otherwise meets all aspects of
4 Sec. 5(b), then the proposal may also include alternative governance structures
5 as necessary, such as a supervisory union with member districts or a unified
6 union school district with a smaller average daily membership; provided,
7 however, that any proposed alternative governance structure shall be
8 designed to:

9 (A) ensure adherence to the protections of Sec. 4 of this act; and

10 (B) promote the purpose stated at the beginning of this subsection (a).

11 (b) State Board's plan. On or before November 30, 2018, the State Board
12 shall review and analyze the Secretary's proposal under the provisions in
13 subsection (a) of this section, may take testimony or ask for additional
14 information from districts and supervisory unions, ~~shall approve~~ may
15 recommend the proposal either in its original form or in an amended form that
16 adheres to the provisions of subsection (a) of this section, and shall publish on
17 the Agency's website its ~~order~~ recommendations for merging and realigning
18 districts and supervisory unions where necessary. The State Board's
19 recommendations shall not be binding on any district.

20 (c) Applicability. This section shall not apply to:

21 (1) an interstate school district;

1 (2) a regional career technical center school district formed under
2 16 V.S.A. chapter 37, subchapter 5A; or

3 (3) a district that, between June 30, 2013 and July 2, 2019, began to
4 operate as a unified union school district and:

5 (A) voluntarily merged into the preferred education governance
6 structure, an Education District, as set forth Sec. 5(b) of this act; or

7 (B) is a regional education district or any other district eligible to
8 receive incentives pursuant to 2010 Acts and Resolves No. 153, as amended by
9 2012 Acts and Resolves No. 156.

10 and by renumbering the remaining section sequentially