

Senate Committee on Education
Outline of *Potential* Committee Bill / Amendment
(draft 1.1; 3/30/15) – ***DRAFT!***

* * * **Goals; Obstacles** * * *

Sec. 1. EDUCATION POLICY GOALS & OBSTACLES (*pages 1–3*)

(a) GOALS

- (1) **decreased** growth rate for education **spending**
 - (A) flexibility to manage, share, and transfer resources
 - (B) higher student-to-adult ratios, at both the local and more regional levels
 - (C) greater public accountability and transparency

- (2) **substantial equity** in the quality / variety of educational **opportunities**
 - (A) course offerings
 - (B) potential teachers and other adult mentors
 - (C) potential peer groups
 - (D) co-curricular and extracurricular activities

- (3) **improved** student **outcomes**
 - (A) multiple forms of assessment
 - (B) ability both to
 - (i) collect, share, analyze, and compare at the local, regional, and State levels
 - (ii) gauge individual student’s improvement from year to year

- (4) **promote:**
 - (A) effective, consistent, stable leadership
 - (B) excellent teaching
 - (C) active parental and community involvement

(b) OBSTACLES to achieving goals include:

- (1) the variety and complexity of governance units
- (2) the large number of relatively autonomous governance units
- (3) the small size of some governance units and some schools
- (4) student population decline versus comparatively constant number of personnel

* * * **Quality Assurance; Data-Driven Partnerships** * * *

Sec. 2. Explicitly states that in 16 V.S.A. § 165, the term “SU” includes an SD (*page 3*)

Sec. 3. 16 V.S.A. § 165(b) (Education Quality Standards) (*pages 3–7*)

[NOTE: *some of this is existing law*]

(b) Quality assurance.

(1) Comprehensive educational data (“the dashboard”)

(A) Secretary gathers and reviews data annually regarding:

(i) efficient use of financial, human, and other resources, including:

- flexibility in resource management
- staffing ratios
- per pupil costs
- public accountability and transparency

(ii) equity in the quality and variety of educational opportunities

(iii) academic outcomes

(iv) other issues including:

- enrollment conditions
- condition of physical plant

(B) Secretary publishes data to extent possible

(2) Regional education quality review teams

(A) Secretary establishes

(B) Teams conduct on-site reviews based on data collected in (1)

(3) Noncompliance; performance goals – based on data and information from subdivisions (1) and (2) above, the Secretary issues detailed goals if:

(A) school not meeting education quality standards

(B) school not making sufficient progress meeting student performance standards

(C) continued operation of the school is not financially viable

(4) Technical Assistance – AOE and education quality review teams provide guidance and technical assistance to schools / districts / SUs. to meet performance goals set in (3)

(5) Continued failure to meet goals or progress toward meeting them for two years – Secretary makes recommendations to State Board of Ed (SBE) [*mostly existing law*]:

(A) continued technical assistance

(B) SBE readjusts boundaries per § 261

(C) Secretary or SBE [*not clear in existing law*] assumes administrative control

(D) SBE closes school

(c) [*amends a cross-reference for clarity*]

* * * Governance Transitions * * *

Sec. 4. GUIDELINES *[concept is from H.361 – include??] (pages 7–8)*

- In connection with AOE work on education quality standards indicators
- SBE issues guidelines:
 - to help districts meet goals in Sec. 1
 - to help districts create governance proposals per Sec. 5
 - to guide SBE to evaluate proposals
- due December 15, 2015

Sec. 5. GOVERNANCE TRANSITIONS TO ACHIEVE ED POLICY GOALS *(pages 8–15)*

(a) Intent *[is this redundant because of (b) or good to have overview of whole concept]*

- By July 1, 2019
- Education governance structures that promote increase equity of opportunity and greater cost efficiency
- One of two models:
 - preK-12 with minimum ADM
 - SU with:
 - minimum ADM
 - minimum # districts

(b) Size and structure

- (1) by July 1, 2019, each district shall be in at least one of following:
 - (A) Prekindergarten – grade 12 district
 - (i) responsible PreK-12 by operating school, paying tuition, or both
 - (ii) minimum ADM = [900] *[and incorporate projected ADM criterion?]*
 - (B) Supervisory union
 - (i) minimum ADM = [1,500] *[and incorporate projected ADM criterion?]*
 - (ii) maximum # districts = [6] EXCEPT per (e)(2)(B) below
- (2) Identified Districts – Secretary lists districts that don't meet (A) or (B) by 7/1/15

(c) Self-evaluation – by [DATE #1]:

- In consultation w/ education quality review teams from Sec. 3, 16 V.S.A. § 165(b)
- *[and using guidelines from Sec. 4]*
- Board of every school district:
 - (1) evaluates district's financial efficiencies / ed opportunities / student outcomes
 - (2) meets with other school district boards to discuss how to improve (1) in region

- (d) NON-Identified Districts – Declaration; Demonstration, & Proposal
- (1) NON-Identified District MAY submit letter to SBE by [DATE #2]
 - (A) declaring wish to retain current governance
 - (B) demonstrating how declaration supports ability to provide equitable, cost-efficient educational opportunities
 - (C) proposing how will increase financial efficiencies, enhance opportunities, and improve student outcomes
 - (2) If district is member of SU that meets criteria – may submit letter per (1) only if:
 - (A) districts submits it with all other member districts of conforming SU AND
 - (B) SU has no more than [six] members
- (e) Identified Districts AND district s that didn't submit per (d) –
- Forms study committee per 16 V.S.A. chapter 11
 - Develops proposal how best to:
 - meet requirements in (b) and
 - increase financial efficiencies, enhance opportunities, & improve outcomes
 - By [DATE #2] performs one of following:
 - (1) Prekindergarten – grade 12 district
 - (A) Submits report proposing to form union school district to Secretary & SBE
 - (B) Report demonstrates how will increase financial efficiencies, enhance opportunities, and improve student outcomes and:
 - (i) it will be presented to voters by [DATE #3]
 - (ii) if approved by voters, new district will be operational by 7/1/19
 - (C) Report is articles of agreement if approved by SBE and subsequently by voters
 - (2) Expanded SU
 - (A) Submits petition to SBE requesting adjustment of SU boundaries and demonstrating how will increase financial efficiencies, enhance opportunities, and improve student outcomes
 - (B) Maximum # districts = greater of:
 - (i) [six] or
 - (ii) 1/2 total number on 7/1/15 within geographic boundaries of expanded SU
 - (C) Merged districts – may also have to go through merger process of (1) to meet maximum # district criterion
 - (D) Existing SU – if meets minimum ADM but has more than [six] districts, follows (B) and (C) then requests confirmation per (A)
- (f) SBE evaluation of (d) and (e) proposals
- (1) Potentially isolated districts – protections
 - (2) SU budgets – transparency and accountability

- (g) Interstate school districts – section doesn't apply
- (h) [*include?*] No school closure in first 4 years if form preK – grade 12 district

Sec. 6. COMPLIANCE with Sec. 5 (Incentives) (*pages 15–16*)

- (a) Prek – grade 12 District – if favorable vote by [*DATE #3*] and operational by 7/1/19 then receives \$400 multiplied by total student count
- (b) Expanded SU – if operational by 7/1/19, then up to \$20,000 reimbursement

Sec. 7. NONCOMPLIANCE with Sec. 5 (Secretary's Proposal / SBE's Order) (*pages 16–18*)

- (a) Proposal – Secretary develops proposal and presents to SBE by [*DATE #4*]
 - meets goals, etc.
 - to extent possible because of tuition-paying/operating protections in Sec. 14
- (b) SBE Order by [*DATE #5*] – Secretary's proposal or an amendment of it
- (c) Operational by 7/1/19 – new preK–12 district or Expanded (or otherwise realigned) SU
- (d) Model Articles of Agreement – to help new preK–12 district until adopts its own

***** Small School Support *****

Sec. 8. 16 V.S.A. § 4015 (*pages 18–20*)

- *School* (rather than district) must be:
 - eligible due to geographic necessity AND
 - have average grade size of 20 or fewer
- Repeals 2-year average of fewer than 100 students in district as alternate criterion
- Repeals additional grant for rapidly declining population (subsection (c))
- Repeals outdated language (subsection (d))

Sec. 9. TRANSITION of Sec. 8 (*page 20*)

- Sample dates provided to transition existing recipients off small school support – actual dates depend on other decisions Committee makes

***** Declining Enrollment; 3.5% Hold-Harmless *****

Sec. 10. 16 V.S.A. § 4010(f) (*page 21*)

- Removes “tail” so never more than 3.5% discrepancy
- Provides this protection to districts with declining enrollment only if district:
 - Is a unified union school district or supervisory district with minimum ADM
 - OR
 - Is in SU that has minimum ADM

Sec. 11. TRANSITION for Sec. 10 (*pages 21–22*)

- Transitions districts off inflated equalized pupil counts over 3-year period

***** Joint Activity; Current Incentives *****

Sec. 12. CURRENT INCENTIVES FOR JOINT ACTIVITY; LIMITATIONS ON APPLICABILITY (*pages 22–24*)

- Menu of reimbursements and incentive grants currently available to districts and SUs that have conversations about working together or merging, that work together contractually, or that merge (including REDs)
 - currently available if meet eligibility criteria by July 1, 2017
- This amendment restricts the incentives to districts / SUs that meet eligibility criteria by [December 31, 2015]

***** Transition of Employees *****

Sec. 13. Adds New 16 V.S.A. chapter 53, subchapter 3 (*pages 24–28*)

- Codifies in Title 16 a global version of language that the General Assembly has adopted for specific situations in the past to ensure smooth transition of employees when changing governance structure

***** Legislative Intent *****

Sec. 14. Protects Districts that Pay Tuition, that Operate Schools, and/or that Do Both (*pages 28–29*)

- ... from being required to change how they choose to educate their resident students – unless the district chooses to change

Sec. 15. School Closure (*page 30*)

- (a) Act doesn't require, encourage, or contemplate closure of schools
- (b) It is not the State's intent to close small schools, but to ensure they enjoy expanded opportunities and economies of scale

[some additional intent language from Senator Baruth's earlier drafts is included on pages 30–31 for review and discussion – include?]

***** Reports *****

Sec. 16. Governance Changes – Leading to Achievement of Ed Policy Goals?? (*page 31*)

- From: Secretary of Ed
- To: General Assembly
- Due: January 15, 2021