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H.853

Representative Browning of Arlington moves that the bill be amended by inserting four new Secs. to be Secs. 10, 11, 12, and 13 with reader assistance to read as follows:

\* \* \* Side-by-Side Mergers \* \* \*

Sec. 10. 2012 Acts and Resolves No. 156, Sec. 15 is amended to read:

Sec. 15. TWO OR MORE MERGERS; REGIONAL EDUCATION  
DISTRICT INCENTIVES

(a) Notwithstanding Sec. 3(a)(1) of No. 153 of the Acts of the 2009 Adj. Sess. (2010) that requires a single regional education district (“RED”) to have an average daily membership of at least ~~1,250~~ 950 or result from the merger of at least four districts, or both, two or more ~~new~~ districts, referred to in this section as “side-by-side districts,” shall be eligible jointly for the incentives provided in Sec. 4 of No. 153 if:

(1) either:

(A) each ~~new~~ side-by-side district is newly formed by the merger of at least two existing districts; or

(B) one side-by-side district is newly formed by the merger of at least three existing districts and the other side-by-side district is an existing district not formed as a result of a merger;

1           (2) each ~~new~~ side-by-side district meets all criteria for RED formation  
2 other than the size criterion of Sec. 3(a)(1) of No. 153 and otherwise as  
3 provided in this section;

4           (3) ~~one of the new districts provides education in all elementary and~~  
5 ~~secondary grades by operating one or more schools and the other new district~~  
6 ~~or districts pay tuition for students in one or more grades;~~

7           (4) each ~~new~~ newly formed side-by-side district has the same effective  
8 date of merger;

9           (5)(4) the ~~new~~ side-by-side districts, ~~when merged~~, are members of one  
10 supervisory union; and

11           (6)(5) the ~~new~~ side-by-side districts jointly ~~satisfy the size criterion of~~  
12 ~~Sec. 3(a)(1) of No. 153~~ have an average daily membership of at least 950.

13           (b) Each side-by-side district may operate schools for one or more grades,  
14 may pay tuition for one or more grades, or may operate schools for some  
15 grades and pay tuition for other grades.

16           (c) The tax incentives provided in Sec. 4 of No. 153 shall not be available  
17 to a side-by-side district that was an existing district not formed as a result of a  
18 merger.

19           ~~(b)(d)~~ This section is repealed on July 1, 2017.

20           Sec. 11. 2010 Acts and Resolves No. 153, Sec. 3(a)(1) is amended to read:

21           (1) School districts, which may include one or more union school districts,  
22 may merge to form a union school district pursuant to 16 V.S.A. chapter 11 ~~of~~

1 ~~Title 16~~ (a “Regional Education District” or “RED”) that shall have an average  
2 daily membership of at least ~~1,250~~ 950 or result from the merger of at least four  
3 districts, or both.

4 \* \* \* Reducing Average Daily Membership Requirements \* \* \*

5 Sec. 12. 2015 Acts and Resolves No. 46, Sec. 5 is amended to read:

6 Sec. 5. PREFERRED EDUCATION GOVERNANCE STRUCTURE;

7 ALTERNATIVE STRUCTURE

8 (a) On or before July 1, 2019, the State shall provide educational opportunities  
9 through sustainable governance structures designed to meet the goals set forth in  
10 Sec. 2 of this act pursuant to one of the models described in this section.

11 (b) Preferred structure: prekindergarten–grade 12 supervisory district  
12 (Education District). The preferred education governance structure in Vermont is a  
13 school district that:

14 (1) is responsible for the education of all resident prekindergarten through  
15 grade 12 students;

16 (2) is its own supervisory district;

17 (3) has a minimum average daily membership of ~~900~~ 600; and

18 \* \* \*

19 (c) Alternative structure: supervisory union with member districts. An  
20 Education District as envisioned in subsection (b) of this section may not be  
21 possible or the best model to achieve Vermont’s education goals in all regions of  
22 the State. In such situations, a supervisory union composed of multiple member

1 districts, each with its separate school board, can meet the State’s goals,  
2 particularly if:

3 \* \* \*

4 (4) the combined average daily membership of all member districts is not  
5 less than ~~1,100~~ 800.

6 Sec. 13. 2015 Acts and Resolves No. 46, Sec. 6(a) is amended to read:

7 (a) A newly formed school district shall receive the incentives set forth in  
8 subsection (b) of this section if it:

9 (1) is formed by merging the governance structures of all member districts  
10 of a supervisory union into one unified union school district pursuant to the  
11 processes and requirements of 16 V.S.A. chapter 11, and also could include  
12 merger with a neighboring supervisory district;

13 (2) obtains an affirmative vote of all “necessary” districts on or after July 1,  
14 2015, and prior to July 1, 2016;

15 (3) is responsible for the education of all resident prekindergarten through  
16 grade 12 students;

17 (4) is its own supervisory district;

18 (5) has a minimum average daily membership of ~~900~~ 600 in its first year of  
19 operation; and

20 \* \* \*

21 and by renumbering the remaining section to be numerically correct