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H.861

Introduced by Representatives Noyes of Wolcott, Hill of Wolcott, Keefe of  
Manchester, and Troiano of Stannard

Referred to Committee on

Date:

Subject: Education; supervisory unions; reduction and realignment

Statement of purpose of bill as introduced: This bill proposes to require the  
State Board of Education to reorganize the State's supervisory unions to  
correspond to the number of career technical center service regions, plus one  
additional supervisory union for students placed within a correctional facility  
or in the Woodside Juvenile Rehabilitation Center. Each supervisory union,  
except for the supervisory union for students placed within a correctional  
facility or in the Woodside Juvenile Rehabilitation Center, would cover the  
same geographical region as its corresponding career technical center service  
region, and school districts within that career technical center service region  
would be member districts of the supervisory union.

An act relating to the reduction and realignment of supervisory unions

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. 16 V.S.A. § 11 is amended to read:

3 § 11. CLASSIFICATIONS AND DEFINITIONS

4 (a) As used in this title, unless the context otherwise clearly requires:

5 \* \* \*

6 (23) “Supervisory union” means an administrative, planning, and  
7 educational service unit created by the State Board under section 261 of this  
8 title; that consists of two or more school districts; ~~if the context clearly allows,~~  
9 ~~the term also means a supervisory district.~~

10 (24) ~~“Supervisory district” means a supervisory union that consists of~~  
11 ~~only one school district, which may be a unified union district. [Repealed.]~~

12 \* \* \*

13 Sec. 2. 16 V.S.A. § 261 is amended to read:

14 § 261. ORGANIZATION AND ADJUSTMENT OF SUPERVISORY

15 UNIONS

16 (a) The State Board shall limit the number of supervisory unions to  
17 correspond to the number of service regions designated by the State Board  
18 under subsection 1531(b) of this title, plus one additional supervisory union for  
19 students placed within a correctional facility or in the Woodside Juvenile  
20 Rehabilitation Center. Each supervisory union, except for the supervisory  
21 union for students placed within a correctional facility or in the Woodside

1 Juvenile Rehabilitation Center, shall cover the same geographical region as its  
2 corresponding service region, and school districts within that service region  
3 shall be member districts of the supervisory union. The supervisory union for  
4 students placed within a correctional facility or in the Woodside Juvenile  
5 Rehabilitation Center shall be responsible for these students regardless of their  
6 geographical location.

7 (b) Subject to subsection (a) of this section, the State Board shall review on  
8 its own initiative or when requested pursuant to subsection ~~(b)~~(c) of this  
9 section and may regroup the supervisory unions of the State or create new  
10 supervisory unions in such manner as to afford increased efficiency or greater  
11 convenience and economy and to facilitate prekindergarten through grade 12  
12 curriculum planning and coordination as changed conditions may seem to  
13 require.

14 ~~(b)~~(c)(1) Any school district that has so voted at its annual school district  
15 meeting, if ~~said~~ the meeting has been properly warned regarding such a vote,  
16 may request that the State Board adjust the existing boundaries of the  
17 supervisory union of which it is a member district.

18 (2) Any group of school districts that have so voted at their respective  
19 annual school district meeting, regardless of whether the districts are members  
20 of the same supervisory union, may request that the State Board adjust existing  
21 supervisory union boundaries and move one or more nonrequesting districts to

1 a different supervisory union if such adjustment would assist the requesting  
2 districts to realign their governance structures into a unified union school  
3 district pursuant to chapter 11 of this title.

4 (3) The State Board shall act on a request made pursuant to this  
5 subsection within 75 days of following receipt of the request and, subject to  
6 subsection (a) of this section, may regroup the school districts of the area so as  
7 to ensure reasonable supervision of all public schools therein.

8 ~~(c) The State Board may designate any school district, including a unified~~  
9 ~~union district, as a supervisory district if it will provide for the education of all~~  
10 ~~resident students in prekindergarten through grade 12 and is large enough to~~  
11 ~~support the planning and administrative functions of a supervisory union.~~

12 (d) Upon application by a supervisory union board, the State Board may  
13 waive any requirements of chapter 5 or 7 of this title with respect to the  
14 supervisory union board structure, board composition, or board meetings, or  
15 the staffing pattern of the supervisory union, if it can be demonstrated that such  
16 a waiver will result in efficient and effective operations of the supervisory  
17 union; will not result in any disproportionate representation; and is otherwise  
18 in the public interest.

1 Sec. 3. 16 V.S.A. § 261a is amended to read:

2 § 261a. DUTIES OF SUPERVISORY UNION BOARD

3 (a) Duties. The board of each supervisory union shall:

4 \* \* \*

5 (10) Submit to the board of each member school district, on or before  
6 January 15 of each year, a summary report of financial operations of the  
7 supervisory union for the preceding school year, an estimate of its financial  
8 operations for the current school year, and a preliminary budget for the  
9 supervisory union for the ensuing school year. ~~This requirement shall not  
10 apply to a supervisory district.~~ For each school year, the report shall show the  
11 actual or estimated amount expended by the supervisory union for special  
12 education-related services, including:

13 (A) a breakdown of that figure showing the amount paid by each  
14 school district within the supervisory union; and

15 (B) a summary of the services provided by the supervisory union's  
16 use of the expended funds;

17 \* \* \*

1 Sec. 4. 16 V.S.A. § 421 is amended to read:

2 § 421. TOWN SCHOOL DISTRICTS

3 (a) A town shall constitute a school district, except that when a town  
4 contains an incorporated school district, the town school district shall consist  
5 of that part of the town not embraced within the incorporated school district.

6 ~~(b) It is the policy of the State to support two or more school districts within~~  
7 ~~a supervisory union in establishing a unified union district in accordance with~~  
8 ~~section 722 of this title, if such unified union district would then be large~~  
9 ~~enough to qualify for designation by the State Board as a supervisory district.~~

10 Sec. 5. 16 V.S.A. § 1576 is amended to read:

11 § 1576. EFFECT OF CERTIFICATION; APPLICATION OF OTHER LAWS

12 (a) Upon certification under section 1575 of this title, the career technical  
13 center region shall become a public school district and shall constitute a body  
14 politic and corporate, with all the rights and responsibilities pertaining thereto,  
15 as specified in this subchapter; and as specified in the approval granted by the  
16 State Board. ~~The career technical center school district shall also be a~~  
17 ~~supervisory district for the purpose of providing the planning and~~  
18 ~~administrative functions of a supervisory union for the programs offered.~~

19 \* \* \*

1 Sec. 6. 16 V.S.A. § 1700 is amended to read:

2 § 1700. INVESTIGATION

3 \* \* \*

4 (c) Formal investigation. If the Secretary decides to conduct a formal  
5 investigation, the Secretary shall:

6 (1) notify the educator and direct the investigation committee to proceed  
7 with a formal investigation; and

8 (2) notify the superintendent of the school district in which the educator  
9 may be employed, or if the educator is currently employed as a superintendent,  
10 the chair of the board of the supervisory union ~~or supervisory district~~ that  
11 employs the superintendent, that the office has commenced a formal  
12 investigation of an allegation of unprofessional conduct or incompetence and  
13 shall specify the provisions of section 1698 of this title that best describe the  
14 allegation.

15 \* \* \*

16 Sec. 7. 16 V.S.A. § 1801 is amended to read:

17 § 1801. DEFINITIONS

18 As used in this subchapter:

19 (1) "New District" means a district created by the realignment or merger  
20 of two or more current districts into a new ~~supervisory district~~, union school  
21 district, or any other form of merged or realigned district authorized by law,

1 including by chapter 11, subchapter 1, of this title, regardless of whether one or  
2 more of the districts creating the New District (a Realigning District) is a town  
3 school district, a city school district, an incorporated school district, a union  
4 school district, or a unified union school district, ~~or a supervisory district.~~

5 \* \* \*

6 (3) "Employees of a Realigning Entity" means the licensed and  
7 nonlicensed employees of a Realigning District or Realigning SU, or both, that  
8 create the New District or New SU, and includes employees of an Absorbing  
9 SU and employees of a Realigning SU whose functions will be performed by  
10 employees of a New District ~~that is a supervisory district.~~

11 \* \* \*

12 Sec. 8. 16 V.S.A. § 1981 is amended to read:

13 § 1981. DEFINITIONS

14 As used in this chapter, unless the context requires otherwise:

15 \* \* \*

16 (8) "School board negotiations council" means, ~~for a supervisory~~  
17 ~~district, its school board, and,~~ for school districts within a supervisory union,  
18 the body comprising representatives designated by each school board within  
19 the supervisory union and by the supervisory union board to engage in  
20 professional negotiations with a teachers' or administrators' organization.



1           (9) “Teachers’ organization negotiations council” or “administrators’  
2 organization negotiations council” means the body comprising representatives  
3 designated by each teachers’ organization or administrators’ organization  
4 within a ~~supervisory district~~ or supervisory union to act as its representative for  
5 professional negotiations.

6           Sec. 9. 16 V.S.A. § 3824 is amended to read:

7           § 3824. ~~THE AUSTINE SCHOOL FOR THE DEAF; SELECTION OF~~  
8                                   **PRESIDENT**

9           ~~Any president of the Vermont Center for the Deaf and Hard of Hearing~~  
10           ~~selected and hired subsequent to the effective date of this section shall be~~  
11           ~~selected and hired pursuant to the provisions for employing a superintendent of~~  
12           ~~schools in section 241 of this title. For purposes of this section, the terms~~  
13           ~~“supervisory union,” “supervisory union board,” and “supervisory district~~  
14           ~~board” as used in section 241 shall mean the Board of Trustees of the Vermont~~  
15           ~~Center for the Deaf and Hard of Hearing. [Repealed.]~~

16           Sec. 10. EFFECTIVE DATE

17           This act shall take effect on July 1, 2019.