



To: House Education Committee  
From: Nicole Mace, VSBA Executive Director  
Re: Districts Impacted by S.122  
Date: April 4, 2017

As school districts and supervisory unions work to unify under Act 46, some systems have encountered challenges associated with differences in operating structures and geographic isolation.

In the weeks following Town Meeting Day 2017, unconfirmed reports have circulated regarding the number of school districts preparing to submit alternative structure proposals to the state under Act 46. In response, the Act 46 Implementation Project, a collaboration of the VSBA, VSA and VSBIT, attempted to determine which districts plan to submit alternative structure proposals and, by extension, how many. Through email, phone calls and an online survey, the Project asked superintendents to submit information about alternative structure activity in their respective systems.

The Project received information from nearly every system that hasn't merged and isn't formally engaged in a merger study. In cases where data was not available or incomplete, the Project counted districts within those systems among those who might apply for an alternative structure.

The Project confirmed that 40 school districts are in the process of preparing alternative structure proposals. An additional 27 districts might submit alternative structure proposals.

S.122 makes some changes to Acts 153, 156 and 46 that would provide some flexibility in the types of structures that districts could be eligible for financial incentives and/or exempt from the statewide plan or the requirement to submit an alternative structure proposal.

In response to a request from this committee, the Act 46 Implementation Project, a collaboration of the VSBA, VSA, and VSBIT, compiled this summary of systems that *could* respond to the proposed changes in S.122.

***This document suggests what possibilities may exist and is not intended to represent that the districts will actually avail themselves of these options or to imply the Project's endorsement of these configurations in these districts.***

## **Eliminating the K-12 Operating Side for a Side-by-Side**

The current side-by-side structure – two districts come together on each side, with one side forming a district that operates K-12 – allowed for a successful merger in the Rutland Northeast Supervisory Union. However, other systems are not in proximity to districts that could become the K-12 operating side. Some systems would be able to form a side-by-side structure now, if not for the requirement that one side operate grades K-12. Below are some systems that could benefit from eliminating this requirement.

### **Bennington-Rutland Supervisory Union**

Removing the requirement that a side-by-side requires one side to operate K-12 would allow the creation of a side-by-side. The recently merged Taconic and Green School District, which operates K-8 and tuitions 9-12, could be paired with a district created by the merger of Pawlet and Rupert, which operate K-6 and designate 7-12.

### **Grand Isle Supervisory Union**

Grand Isle, Isle La Motte and North Hero, merged in November into a single district that operates K-6 and tuitions 7-12. South Hero, which operates K-8, could merge with Alburg, which also operates K-8, and be a side-by-side with Grand Isle, Isle La Motte and North Hero.

## **Three-by-One Side-by-Side Structure**

The three-by-one proposal could benefit the following systems:

### **Caledonia Central and Essex-Caledonia supervisory unions**

A three-by-one side-by-side structure would allow for a merger of Barnet, Walden and Waterford – which would operate K-8 and tuition 9-12 – on one side, and Peacham – which operates K-6 – on the other. Current language isn't keeping Barnet, Walden and Waterford from moving forward, as they are presenting a proposal to the SBE in April. They hope to be a side by side under the original language with Danville, Cabot, and Twinfield, who may present a proposal to the SBE in May. However, this structure would provide some certainty to Peacham, and would allow the Barnet, Walden, and Waterford side to move forward if the K-12 side decides not to.

### **Franklin Northwest Supervisory Union**

A three-by-one structure would allow Franklin, Highgate and Swanton – which operate K-12 – to merge, while maintaining a supervisory union with Sheldon as a single district, which operates K-8, assuming Sheldon could qualify as an “Existing District.”

### **Grand Isle Supervisory Union**

South Hero, which operates K-8, could make the case to the SBE that it is geographically and structurally isolated and be part of a three-by-one side-by-side with Grand Isle, Isle La Motte and North Hero, which merged in November into a single district that operates K-6.

### **Orange East Supervisory Union and Blue Mountain School District**

Currently, the Blue Mountain, Bradford, Newbury and Oxbow school districts are working toward a proposal to merge into a single district that operates grades K-12. Thetford – which operates K-6 and designates Thetford Academy as its high school – could then join as the “one” in a three-by-one, which would allow the district to remain within its current supervisory union. Current law allows the SBE to do this without the 3 by 1 structure; however, the 3 by 1 structure provides certainty to both Thetford and the K-12 operating side that they will be able to maintain their current relationship. (Note: SBE cannot force Thetford to merge with any other district because there are no like districts in the state.)

### **Windsor Southeast Supervisory Union**

The supervisory union is composed of four districts; one operates K-12, another operates K-6 and the remaining two operate K-8. A three-by-one side-by-side structure could be created with a K-12 on one side and the remaining three districts on the other side. To make this happen, however, the remaining districts would need to reach an agreement as to whether they would operate K-6 or K-8.

### **North Country Supervisory Union**

Coventry, which is the only district in the supervisory union that tuitions grades 9-12, could form a three-by-one if three districts of like structure within the supervisory union move forward with a merger. This would give Coventry assurances it would stay within its current SU. Current law allows the SBE to do this without the 3 by 1 structure; however, the 3 by 1 structure provides certainty to both Coventry and the K-12 operating side that they will be able to maintain their current relationship.

### **Two-by-Two-by-One Side-by-Side**

Expanding the definition of a side-by-side to include a side created by single district could assist some systems that are facing geographical or structural isolation.

### **Rutland Central and Rutland Southwest supervisory unions**

A two-by-two-by-one structure could benefit these two supervisory unions, which voted in March on a proposal to create a side-by-side with K-12 operating on one side and K-6 operating on the other side. That merger hinges on a revote happening in Wells in April. A two-by-two-by-one structure would allow Ira, which tuitions K-12 and is structurally isolated, to be part of a Rutland Central/SW merger, with Ira being the one. Current law allows the SBE to do this without the 2 by 2 by 1 structure; however, the 2 by 2 by 1 structure provides certainty to both Ira and the K-12 operating side that they will be able to maintain their current relationship.

### **Windham Central Supervisory Union**

The West River Valley MUUD is being formed by 4 of five member districts of Leland and Gray. If Dover and Wardsboro are able to form a K-6 “side” if there is a re-vote in Wardsboro, Marlboro may be able to propose that they be the “one,” if they are able to meet the criteria for an “Existing District.”

**Issues to resolve moving forward:**

- **Process:** How does a single district side approve a plan? Do they have articles of agreement when no merger is involved? Does the electorate vote to approve joining the other “sides”?
- **Timing:** Can a single district side vote to join a “side-by-side” that has already been approved by the electorate but is not yet operational? What if it is already operational?

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