

Summary of S. 15

The draft bill would:

(1) require the State Board of Education to evaluate Alternative Structure proposals on a case-by-case basis, as opposed to only on the back-end as part of a State-wide plan (note that an Alternative Structure is a governance structure with a supervisory union that is responsible for more than one school district; this is in contrast to an Education District, which is a prekindergarten through grade 12 single supervisory district);

(2) amend the factors relevant to proposing an Alternative Structure to the State Board;

(3) require the State Board to evaluate an Alternative Structure proposal using the same criteria as it uses to evaluate an Education District proposal;

(4) eliminate the requirement that the State Board find that a proposed Alternative Structure is the “best means” of meeting the goals of moving the State toward sustainable models of education governance;

(5) eliminate the references in Act 46 to a “preferred” educational governance structure;

(6) prohibit the State Board from imposing additional requirements to those envisioned by the bill; and

(7) extend the time frames for school district consolidation and associated dates by one year.

The theme of this draft bill is to even the playing field between Education Districts (referred to in Act 46 as “preferred”) and Alternative Structures. While an Alternative Structure would not get the Act 46 tax and other incentives, it would under this bill be evaluated by the State Board the same way that the Board evaluates a proposal to create an Education District. This parity is conditional—the member districts proposing the Alternative Structure would need to have formed a study committee, considered the creation of an Education District, and demonstrated in their study committee report presented to the State Board why the Alternative Structure is better suited to them and how it meets the State goals set out in Sec. 2 of Act 46.

Points to note

Case-by-case review—timing

The draft bill would create a process for case-by-case evaluation by the State Board of Alternate Structures. Member districts that receive State Board approval of an Alternative Structure on or before November 1, 2018, and operate under that approved Alternative Structure by July 2, 2020, would be exempt from being part of the back-end State-wide plan (as set forth in Secs. 9 and 10 of Act 46). Note that the Alternative Structure proposed to the State Board could be for the creation of a new Alternative Structure or the expansion or continuation of an existing Alternative Structure.

Case-by-case review—factors relevant to proposing an Alternative Structure

The factors relevant for proposing an Alternative Structure to the State Board are set out in Sec. 1 of the draft bill, which revises Sec. 5(c) of Act 46. Please note the following:

(1) Subdivisions (1) and (2) are new. As noted above, they require the member districts to form a study committee, consider the creation of an Education District, and demonstrate in their study committee report presented to the State Board why the Alternative Structure is better suited to them and how it meets the State goals set out in Sec. 2 of Act 46; and

(2) Subdivision (6) reduces the ADM from 1,100 to 500.

Case-by-case review—State Board evaluation of an Alternative Structure

The State Board would be required to evaluate an Alternative Structure proposal using the same criteria it uses to evaluate an Education District proposal. This alignment is designed to ensure that Alternative Structures are not held to higher standards, as is the case under current law. The requirement that the State Board find that a proposed Alternative Structure is the “best means” of meeting the goals of moving the State toward sustainable models of education governance has been eliminated, again because this is a higher standard than required for the evaluation of an Education District proposal.