

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred House Bill No. 39
3 entitled “An act relating to the extension of the deadline of school district
4 mergers required by the State Board of Education” respectfully reports that it
5 has considered the same and recommends that the bill be amended by striking
6 out all after the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. SCHOOL DISTRICT MERGERS; STATE BOARD OF
8 EDUCATION ORDER

9 (a) Definitions. As used in this section:

10 (1) “Existing district” means a union school district created by vote of
11 the electorate on or after July 1, 2015 into which a merging district is ordered
12 by the State Board Order to merge, whether or not that merger is conditioned
13 upon acceptance by the existing district of the merging district.

14 (2) “Forming district” means a school district that is ordered by the
15 State Board Order to merge with other forming districts to create a newly
16 formed district.

17 (3) “Merging district” means a school district that is ordered by the
18 State Board Order to merge into an existing district.

19 (4) “Newly formed district” means a union school district that is formed
20 by the State Board Order by merging forming districts.

1 (5) “State Board Order” means the section of the State Board Report
2 entitled “State Board of Education’s ‘order merging and realigning districts
3 and supervisory unions where necessary pursuant to Act 46, Sec. 10(b).”

4 (6) “State Board Report” means the “Final Report of the Decisions and
5 Order on Statewide School District Merger Decisions Pursuant to Act 46,
6 Sections 8(b) and 10” issued by the State Board of Education dated November
7 28, 2018.

8 (7) “Study committee” means a study committee formed under 16
9 V.S.A. chapter 11.

10 (b) Notwithstanding any provision of law to the contrary:

11 (1) Deadline for mergers.

12 (A) A newly formed district shall become operational on July 1, 2019
13 if each forming district was a member of a study committee that, on or after
14 July 1, 2015 and on or before November 30, 2018, presented a proposal to the
15 voters of each forming district to merge into a new union district.

16 (B) A newly formed district shall become operational on July 1, 2020
17 if each forming district was not a member of a study committee that, on or
18 after July 1, 2015 and on or before November 30, 2018, presented a proposal to
19 the voters of each forming district to merge into a new union district.

1 (C) The operational date of the merger of a merging district into an
2 existing district that is not a modified unified union school district shall be July
3 1, 2020.

4 (D) The operational date of the merger of a merging district into an
5 existing district that is a modified unified union school district, where, on or
6 before November 30, 2018, the merger was accepted by the existing district,
7 shall be July 1, 2019.

8 (E)(i) Except as provided in subdivision (ii) of this subdivision (E),
9 the operational date of the merger of a merging district into an existing district
10 that is a modified unified union school district, where the merger is
11 conditioned by the State Board Order upon the acceptance by the existing
12 district of the merging district, shall be either July 1, 2019 or July 1, 2020. The
13 school board of the existing district shall determine, by majority vote of
14 members representing a quorum, the proposed date of merger, and shall submit
15 to voters of the existing district a proposal to approve the admission of the
16 merging district as a member of the existing district as of that date.

17 (ii) If the board of an existing district submitted a proposal to its
18 voters on or after November 1, 2018 and on or before March 31, 2019 to
19 approve admission of the merging district and the proposal included an
20 operational date of July 1, 2019, then no further action by the board or the
21 voters is required under this subdivision (E).

1 (2) Default Articles. For any newly formed district that has an
2 operational deadline of July 1, 2020 under subdivision (1)(B) of this
3 subsection, the default articles of agreement issued with the State Board Report
4 are amended as follows:

5 (A) by striking out the date “July 1, 2019” wherever it appears and
6 inserting in lieu thereof the date “July 1, 2020”; and

7 (B) by striking out the date “February 28, 2019” in Article 9(D)(ii)(b)
8 and Article 14 and inserting in lieu thereof the date “July 1, 2019”.

9 (3) Authority to borrow. If the first budget of a newly formed district
10 has not been approved by voters on or before June 30 for the next fiscal year,
11 the school board may borrow funds necessary to enable it to operate the
12 schools on a budget of up to 87 percent of the cumulative budget amount of the
13 most recently approved school budgets of the forming districts. If the school
14 board borrows money under this section, it shall determine how all funds shall
15 be expended.

16 Sec. 2. EFFECTIVE DATE

17 This act shall take effect on passage

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(Committee vote: _____)

Representative _____

FOR THE COMMITTEE

1 H.39

2 Representatives Conlon of Cornwall, Cupoli of Rutland City, and Webb of
3 Shelburne move to amend the amendment to H.39 offered by Representatives
4 Conlon of Cornwall, Cupoli of Rutland City, and Webb of Shelburne as
5 follows:

6 First: in Sec. 1(a)(1), by striking out “July 1, 2015” and inserting in lieu
7 thereof “July 1, 2014”.

8 Second: by adding a new section, to be Sec. 2, to read:

9 Sec. 2. 2015 Acts and Resolves No. 46, Sec. 10, as amended by 2017 Acts
10 and Resolves No. 49, Sec. 8, is further amended to read:

11 Sec. 10. TRANSITION TO SUSTAINABLE GOVERNANCE
12 STRUCTURES; PROPOSAL; FINAL PLAN

13 * * *

14 (d) The statewide plan required by subsection (b) of this section shall
15 include default Articles of Agreement to be used by all new unified union
16 school districts created under the plan unless and until new or amended articles
17 are approved.

18 * * *

19 (2) If the committee’s draft Articles of Agreement are not approved
20 ~~within the 90-day period~~ on or before July 1, 2019, then the provisions in the

- 1 State Board's default Articles of Agreement included in the statewide plan
- 2 shall apply to the new district.
- 3 * * *
- 4 and by renumbering the remaining section to be numerically correct