

1 **Draft language for budget bill; amendments to S.287**

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3 Sec. 1. Subdivision (d)(1) of Sec. 4, amendment to 16 V.S.A. § 4010;
4 determination of weighted long-term membership and per pupil education
5 spending, of S.287 as enacted is amended to read:

6 (1) The Secretary shall first apply grade level weights. Each pupil
7 included in long-term membership ~~from subsection (b) of this section~~ shall
8 count as one, multiplied by the following amounts:

9 (A) prekindergarten—negative 0.54;

10 (B) grades six through eight—0.36; and

11 (C) grades nine through 12—0.39.

12 Sec. 2. Subdivision (b)(1) of Sec. 7, calculation of tax rates; tax rate review;
13 fiscal years 2025–2029; of S.287 as enacted is amended to read:

14 (b)(1) In order to determine which school districts shall be subject to a Tax
15 Rate Review, the Secretary of Education shall calculate the fiscal year 2024
16 per pupil education spending, as defined in 16 V.S.A. § 4001(14) as in effect
17 on July 1, 2024, of each school district subject to subsection (a) of this section
18 as though the funding formula created under this act applied to fiscal year
19 2024. In fiscal year 2025, if a school district’s per pupil education spending
20 calculated using the funding formula created under this act increases by
21 10 percent or more over the school district’s fiscal year 2024 per pupil

1 education spending as calculated by the Secretary under this subsection, then
2 the school district shall be subject to a Tax Rate Review. In fiscal years 2026–
3 2029, if a school district’s per pupil education spending calculated using the
4 funding formula created under this act increases by 10 percent or more over the
5 school district’s prior fiscal year per pupil education spending, then the school
6 district shall be subject to a Tax Rate Review. Upon request of the Secretary, a
7 school district shall submit its budget to a Tax Rate Review to determine
8 whether its increase in per pupil education spending was beyond the school
9 district’s control or for other good cause. In conducting the Review, the
10 Secretary shall select three business managers and three superintendents to
11 serve in an advisory role in the Review. The Review shall consider the extent
12 to which the increase in per pupil education spending is caused by at least the
13 following factors:

14 (A) ~~the extent to which the increase in per pupil education spending~~
15 ~~is caused by declining enrollment in the school district; and declining~~
16 enrollment in the school district;

17 (B) ~~the extent to which the increase in per pupil education spending~~
18 ~~is caused by increases in tuition paid by the school district;~~

19 (C) costs associated with facilities improvements required to protect
20 the health and safety of students, teachers, and staff; and

21 (D) new State and federal requirements.

1 Sec. 3. Sec. 15, evaluation and reporting on implementation of act, of S.287 as
2 enacted is amended to read:

3 Sec. 15. EVALUATION AND REPORTING ON IMPLEMENTATION OF
4 ACT

5 (a) The Joint Fiscal Office shall design and contract for an evaluation of the
6 impact of the changes required under this act in achieving the goals under
7 Sec. 2 of this act. ~~On or before December 15, 2029, the Joint Fiscal Office~~
8 ~~shall submit to the House and Senate Committees on Education, the House~~
9 ~~Committee on Ways and Means, and the Senate Committee on Finance its~~
10 ~~written evaluation report.~~ In order to maintain independence, the Joint Fiscal
11 Office shall not contract with an individual who has consulted on, or
12 contracted to provide services in relation to, the Pupil Weighting Factors
13 Report dated December 24, 2019 or the December 17, 2021 report prepared in
14 accordance with 2021 Acts and Resolves No. 59.

15 (b) The contractor shall consult with the Joint Fiscal Office and the Agency
16 of Education to determine appropriate metrics such as Vermont Education
17 Quality Standards and other common educational standards; standardized test
18 scores, graduation rates, and other student performance measures; student
19 health and wellness measures; budget and finance measures; teacher and staff
20 compensation comparisons; and educational opportunity comparisons across

1 school districts. The evaluation shall be conducted using rigorous and
2 objective standards for fiscal and educational program review.

3 (c) On or before December 15, 2029, the Joint Fiscal Office shall submit to
4 the House and Senate Committees on Education, the House Committee on
5 Ways and Means, and the Senate Committee on Finance its written evaluation
6 report.

7 Sec. 4. EFFECTIVE DATE; APPLICATION

8 Sec. 1–3 of this act shall be effective as of the date of enactment of S.287
9 (2022).