

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred Senate Bill No. 13
3 entitled “An act relating to the implementation of the Pupil Weighting Factors
4 Report” respectfully reports that it has considered the same and recommends
5 that the House propose to the Senate that the bill be amended by striking out all
6 after the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. FINDINGS

8 (a) 2018 Acts and Resolves No. 173, Sec. 11 directed the Agency of
9 Education to undertake a study examining and evaluating the current formula
10 used to weigh economically disadvantaged students, English language learners,
11 and secondary-level students in Vermont for purposes of calculating equalized
12 pupils. The study was also to consider whether new cost factors and weights
13 should be included in the equalized pupil calculation.

14 (b) The findings from the Pupil Weighting Factors Report dated
15 December 24, 2019 (Report), produced by a University of Vermont-led team
16 of researchers, including national experts on student weighting, were stark,
17 stating that “[n]either the factors considered by the [current] formula nor the
18 value of the weights reflect contemporary educational circumstances and
19 costs.” The Report also found that the current “values for the existing weights
20 have weak ties, if any, with evidence describing the difference in the costs of

1 educating students with disparate needs or operating schools in different
2 contexts.”

3 (c) The major recommendations of the Report are straightforward,
4 specifically that the General Assembly increase certain of the existing weights
5 and that it add population density (rurality) as a new weighting factor, given
6 the Report’s finding that rural districts pay more to educate a student.
7 However, given the statewide and unique nature of Vermont’s education
8 funding system and the reality that any change in the weighting formula is
9 complex due to its relationship to other educational policies and will produce
10 fluctuations in tax rates across the State, the General Assembly has chosen to
11 develop a phased approach to revising the weighting formula.

12 Sec. 2. TASK FORCE ON THE IMPLEMENTATION OF THE PUPIL
13 WEIGHTING FACTORS REPORT

14 (a) Creation. There is created the Task Force on the Implementation of the
15 Pupil Weighting Factors Report. The Task Force shall recommend to the
16 General Assembly an action plan and proposed legislation to ensure that all
17 public school students have equitable access to educational opportunities,
18 taking into account the Pupil Weighting Factors Report dated December 24,
19 2019 (Report), produced by a University of Vermont-led team of researchers.

20 (b) Membership. The Task Force shall be a legislative task force and shall
21 be composed of the following six members:

- 1 (1) the Chair of the Senate Committee on Finance or designee;
- 2 (2) the Chair of the Senate Committee on Education or designee;
- 3 (3) the Chair of the House Committee on Ways and Means or designee;
- 4 (4) the Chair of the House Committee on Education or designee;
- 5 (5) the Secretary of Education or designee; and
- 6 (6) the Chair of the State Board of Education or designee.

7 (c) Powers and duties. The Task Force shall recommend to the General
8 Assembly an action plan and proposed legislation to ensure that all public
9 school students have equitable access to educational opportunities, taking into
10 account the Report, and shall:

11 (1) recommend which weighting factors to modify or create and their
12 associated weights and whether any weights should be eliminated in lieu of
13 categorical aid;

14 (2) for the purpose of calculating equalized pupils, recommend how to
15 define a “person from an economically deprived background” taking into
16 account the current definition in 16 V.S.A. § 4001(8) and similar definitions in
17 Part A, Title I, of the Elementary and Secondary Education Act, as amended
18 by the Every Student Succeeds Act, and eligibility for free and reduced-priced
19 lunch under the National School Lunch Act;

20 (3) consider use of categorical aid, including whether categorical aid
21 should be used instead of some or all of the weighting factors and, if weighting

1 factors are used, whether small schools grants, transportation aid, and other
2 State grant funding targeted for a specific purpose should be adjusted or
3 terminated;

4 (4) in recognition that the current formula used to calculate equalized
5 pupils uses more than one mathematical method, consider changes to the
6 formula to simplify it and make its calculation more transparent;

7 (5) recommend statutory changes in the Agency of Education’s powers
8 and duties to ensure that all school districts are meeting education quality
9 standards and improving student outcomes and opportunities;

10 (6) recommend how to transition to the new weights and categorical aid
11 to promote equity and ease the financial impact on school districts during the
12 transition, including the availability and use of federal funding;

13 (7) consider the relationship between the recommended weights and
14 categorical aid and the changes to special education funding under 2018 Acts
15 and Resolves No. 173, including the impact on federally required maintenance
16 of effort and maintenance of financial support; and

17 (8) consider the impact of the recommended weights and categorical aid
18 on the goals and outcomes of 1997 Acts and Resolves No. 60 and 2015 Acts
19 and Resolves No. 46, each as amended.

1 (d) Consultant. The Task Force may retain a consultant or consultants to
2 assist it with modeling education finance scenarios developed by the Task
3 Force and in writing the report required under subsection (g) of this section.

4 (e) Collaboration. In performing its duties under this section, the Task
5 Force shall collaborate with the Vermont Superintendents Association, the
6 Vermont School Boards Association, the Vermont Council of Special
7 Education Administrators, the Vermont Principals' Association, the Vermont
8 Independent Schools Association, and the Vermont-National Education
9 Association.

10 (f) Public meetings. The Task Force shall hold one or more meetings to
11 share information and receive input from the public concerning its work, which
12 may be part of or separate from its regular meetings.

13 (g) Report. On or before January 15, 2022, the Task Force shall submit a
14 written report to the House and Senate Committees on Education, the House
15 Committee on Ways and Means, and the Senate Committee on Finance with its
16 action plan and proposed legislation.

17 (h) Meetings.

18 (1) The Secretary of Education shall call the first meeting of the Task
19 Force to occur on or before August 1, 2021.

20 (2) The Task Force shall select a chair from among its members at the
21 first meeting.

1 (3) A majority of the membership shall constitute a quorum.

2 (4) The Task Force shall meet not more than 12 times.

3 (i) Assistance.

4 (1) The Task Force shall have the:

5 (A) administrative assistance from the Agency of Education, which
6 shall include organizing meetings and taking minutes;

7 (B) technical assistance of the Joint Fiscal Office, which shall include
8 contracting with, and overseeing the work of, the consultant and data analysis
9 and computation;

10 (C) assistance from the consultant or consultants, if retained, which
11 shall include assistance with modeling education finance scenarios and writing
12 the report required under subsection (g) of this section; and

13 (D) legal assistance from Office of Legislative Counsel, which shall
14 include legal advice and drafting proposed legislation.

15 (2) If a consultant or consultants are not retained, the Agency of
16 Education, in collaboration with the Joint Fiscal Office, shall write the report
17 required under subsection (g) of this section and model education finance
18 scenarios.

19 (j) Compensation and reimbursement. For attendance at meetings during
20 adjournment of the General Assembly, a legislative member of the Task Force
21 shall be entitled to per diem compensation and reimbursement of expenses

1 pursuant to 2 V.S.A. § 23 for not more than 12 meetings. These payments
2 shall be made from monies appropriated to the General Assembly.

3 **Sec. 3. WEIGHTING FACTORS SIMULATOR**

4 The Agency of Education, in collaboration with the Joint Fiscal Office,
5 shall create a user-friendly weighting factors simulator that will allow users to
6 model the impact of proposed changes in weights on all school district tax
7 rates.

8 **Sec. 4. REQUIREMENT FOR ADDITIONAL LEGISLATIVE ACTION**

9 During the second year of the 2021–2022 biennium, the House and Senate
10 Committees on Education, the House Committee on Ways and Means, and the
11 Senate Committee on Finance shall consider the action plan and legislation
12 proposed by the Task Force on the Implementation of the Pupil Weighting
13 Factors Report created under Sec. 2 of this act. It is the intent of the General
14 Assembly that it pass legislation during the second year of the biennium that
15 implements changes to how education is funded to ensure that all public school
16 students have equitable access to educational opportunities.

17 **Sec. 5. APPROPRIATIONS**

18 (a) The sum of \$10,800.00 is appropriated from the General Fund in fiscal
19 year 2022 to the General Assembly for per diem and reimbursement of
20 expenses for members of the Task Force on the Implementation of the Pupil
21 Weighting Factors Report created under Sec. 2 of this act.

1 (b) The sum of \$25,000.00 is appropriated from the General Fund in fiscal
2 year 2022 to the Joint Fiscal Office for consultant expenses of the Task Force
3 on the Implementation of the Pupil Weighting Factors Report created under
4 Sec. 2 of this act.

5 Sec. 6. EFFECTIVE DATE

6 This act shall take effect on passage.

7 and that after passage the title of the bill be amended to read: “An act
8 relating to the Pupil Weighting Factors Report”

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12 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE

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