

1 H.31

2 Introduced by Representatives Ancel of Calais, Donahue of Northfield,

3 Goslant of Northfield, Jessup of Middlesex, Patt of Worcester,

4 and Yacovone of Morristown

5 Referred to Committee on

6 Date:

7 Subject: Education; Act 46 involuntary mergers; hold harmless; small schools

8 grants

9 Statement of purpose of bill as introduced: This bill proposes to entitle school  
10 districts that were involuntarily merged under the State Board of Education's  
11 Act 46 merger order to benefit from the same declining enrollment hold-  
12 harmless and merger-support provisions afforded to districts that voluntarily  
13 merged.

14 An act relating to extending merger benefits to school districts that were  
15 involuntarily merged under the State Board of Education's Act 46 merger  
16 order

17 It is hereby enacted by the General Assembly of the State of Vermont:

18 Sec. 1. ACT 46; INVOLUNTARILY MERGED DISTRICTS

19 (a) Declining enrollment; 3.5 percent hold harmless. Beginning in fiscal  
20 year 2023, for purposes of determining weighted membership under 16 V.S.A.  
21 § 4010, a school district's equalized pupils shall in no case be less than 96 and

1 one-half percent of the actual number of equalized pupils in the district in the  
2 previous year, prior to making any adjustment under this section, if the district  
3 was formed by, or had another school district added to it, under the “Final  
4 Report of Decisions and Order on Statewide School District Merger Decisions  
5 Pursuant to Act 46, Sections 8(b) and 10” issued by the State Board of  
6 Education on November 28, 2018 (involuntarily merged districts).

7 (b) Merger Support Grant.

8 (1) Notwithstanding any provision of law to the contrary, if an  
9 involuntarily merged district included a forming district that was an “eligible  
10 school district,” as defined in 16 V.S.A. § 4015 as then in effect, that received  
11 a small school support grant under section 4015 in the fiscal year two years  
12 prior to the first fiscal year of merger, then, commencing with the 2022 fiscal  
13 year, the involuntarily merged district shall receive an annual Merger Support  
14 Grant in an amount equal to the small school support grant received by the  
15 eligible school district in the fiscal year two years prior to the first fiscal year  
16 of merger. If more than one forming district was an eligible school district,  
17 then the merger support grant shall be in an amount equal to the total combined  
18 small school support grants they received in the fiscal year two years prior to  
19 the first fiscal year of merger.

20 (2) Payment of the grant under this subsection shall continue annually  
21 unless explicitly repealed by the General Assembly; provided, however, that

1 the Secretary shall discontinue payment of the grant in the fiscal year  
2 following closure by the involuntarily merged district of a school located in  
3 what had been an “eligible school district” prior to merger; and further  
4 provided that if a school building located in a formerly “eligible school  
5 district” is closed in order to consolidate with another school into a renovated  
6 or new school building, then the Secretary shall continue to pay the grant  
7 during the repayment term of any bonded indebtedness incurred in connection  
8 with the consolidation-related renovation or construction.

9 (3) If an involuntarily merged district that receives incentives under this  
10 section also meets the eligibility criteria to receive incentives as a regional  
11 education district, then the involuntarily merged district shall not also receive  
12 the comparable incentives available pursuant to 2010 Acts and Resolves  
13 No. 153, Sec. 4, as amended by 2012 Acts and Resolves No. 156, Sec. 13.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on passage.