

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Ways and Means to which was referred Senate Bill No.
3 13 entitled “An act relating to “ respectfully reports that it has considered the
4 same and recommends that the House propose to the Senate that

5 Sec. 1. FINDINGS

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

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

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

10 (d) [Tax Commission finding tbd]

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

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

19 (b) Membership.

20 (1) The Task Force shall be a legislative task force and shall be
21 composed of the following eight members:

- 1 (A) two members of the Senate Committee on Finance;
- 2 (B) two members of the Senate Committee on Education;
- 3 (C) two members of the House Committee on Ways; and
- 4 (D) two members of the House Committee on Education.

5 (2) Members from the House Committees shall be appointed by the
6 Speaker of the House and members from the Senate Committees shall be
7 appointed by the President Pro Tempore and shall not all be from the same
8 party.

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

13 (1) consider how to integrate the weighting calculations from the Report
14 with Vermont’s equalized pupil calculations, excess spending threshold, and
15 yield calculations;

16 (2) consider how categorical aid can address cost differentials across
17 school districts;

18 (3) for the purpose of calculating equalized pupils, recommend how to
19 define a “person from an economically deprived background” taking into
20 account the current definition in 16 V.S.A. § 4001(8) and similar definitions in
21 Part A, Title I, of the Elementary and Secondary Education Act, as amended

1 by the Every Student Succeeds Act, and eligibility for free and reduced-priced
2 lunch under the National School Lunch Act;

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

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

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

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; and

20 (9) recommend whether prekindergarten students should be weighted
21 and if so the weighting.

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 two 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. The Task Force shall
13 include time during each of its meetings for public comment.

14 (g) Report. On or before December 15, 2021, the Task Force shall submit
15 a written report to the House and Senate Committees on Education, the House
16 Committee on Ways and Means, and the Senate Committee on Finance with its
17 action plan and proposed legislation.

18 (h) Meetings.

19 (1) The Joint Fiscal Office shall call the first meeting of the Task Force
20 to occur on or before June 1, 2021.

1 (2) The Task Force shall select co-chairs from among its members at the
2 first meeting, one a member of the House and the other a member from the
3 Senate.

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

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

6 (i) Assistance. The Task Force shall have the:

7 (1) administrative assistance from the Joint Fiscal Office which shall
8 include organizing meetings and taking minutes;

9 (2) technical assistance from the Joint Fiscal Office, which shall include
10 contracting with, and overseeing the work of, the consultant if retained; and

11 (3) legal assistance from Office of Legislative Counsel, which shall
12 include legal advice and drafting proposed legislation.

13 (j) Compensation and reimbursement. For attendance at meetings during
14 adjournment of the General Assembly, a legislative member of the Task Force
15 shall be entitled to per diem compensation and reimbursement of expenses
16 pursuant to 2 V.S.A. § 23 for not more than 12 meetings. These payments
17 shall be made from monies appropriated to the General Assembly.

18 Sec. 3. WEIGHTING FACTORS SIMULATOR

19 The Agency of Education, in collaboration with the Joint Fiscal Office and
20 subject to the direction of the Task Force, shall create a user-friendly weighting

1 factors simulator that will allow users to model the impact of proposed changes
2 in weights on all school district tax rates.

3 Sec. 4. REQUIREMENT FOR ADDITIONAL LEGISLATIVE ACTION

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

12 Sec. 5. APPROPRIATIONS

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

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

21 Sec. 6. EFFECTIVE DATE

1 This act shall take effect on passage.

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

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10 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE