

1 TO THE HONORABLE SENATE:

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 bill be amended by striking out all after the enacting clause and
6 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) As a corrective to this situation, the major recommendations of the
4 Report are straightforward, specifically that the General Assembly increase
5 certain of the existing weights and that it add population density (rurality) as a
6 new weighting factor, given the Report’s finding that rural districts pay more
7 to educate a student. However, given the statewide nature of Vermont’s
8 education funding system and the reality that any change in the weighting
9 formula is complex due to its relationship to other educational policies and will
10 produce fluctuations in tax rates across the State, the General Assembly has
11 chosen to 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 composed of the following six
21 members:

1 (1) a member of the Senate Committee on Finance, appointed by the
2 Chair of the Committee;

3 (2) a member of the Senate Committee on Education, appointed by the
4 Chair of the Committee;

5 (3) a member of the House Committee on Ways and Means, appointed
6 by the Chair of the Committee;

7 (4) a member of the House Committee on Education, appointed by the
8 Chair of the Committee;

9 (5) the Secretary of Education or designee; and

10 (6) the Chair of the State Board of Education or designee.

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

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

18 (2) consider use of categorical aid, including whether categorical aid
19 should be used instead of some or all of the weighting factors and, if weighting
20 factors are used, whether small schools grants, transportation aid, and other

1 State grant funding targeted for a specific purpose should be adjusted or
2 terminated;

3 (3) recommend how to ensure that school districts are using funding to
4 meet education quality standards and improve student outcomes and
5 opportunities;

6 (4) consider education property tax rates and the taxing capacity of
7 school districts and how the Task Force’s recommendations relate to the
8 recommendations of the Vermont Tax Structure Commission Report dated
9 February 8, 2021;

10 (5) recommend how to transition to the new weights or 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 (6) recommend how tuition rates for non-operating school districts and
14 career technical centers should be adjusted to account for the cost of educating
15 students as reflected in the recommended weights or categorical aid;

16 (7) consider school funding formulas in other states and alternative
17 models for school funding;

18 (8) consider the relationship between the recommended weights or
19 categorical aid and the changes to special education funding under 2018 Acts
20 and Resolves No. 173; and

1 (9) consider the impact of the recommended weights or categorical aid
2 on the goals and outcomes of 1997 Acts and Resolves No. 60 and 2015 Acts
3 and Resolves No. 46, each as amended.

4 (d) Consultant. The Task Force shall retain a consultant to assist it with
5 executing its powers and duties. The consultant shall have expertise and
6 experience in providing advice on Vermont’s education funding and tax
7 system and shall be nationally recognized in the field of education funding and
8 tax systems.

9 (e) Collaboration. In performing its duties under this section, the Task
10 Force shall collaborate with the Vermont Superintendents Association, the
11 Vermont School Boards Association, the Vermont Council of Special
12 Education Administrators, the Vermont Principals’ Association, and the
13 Vermont-National Education Association.

14 (f) Report. On or before January 15, 2022, the Task Force shall submit a
15 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 (g) Meetings.

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

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

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

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

5 (h) Assistance. The Task Force shall have the:

6 (1) administrative assistance of the Agency of Education, which shall
7 include organizing meetings and taking minutes;

8 (2) technical assistance of the Joint Fiscal Office, which shall include
9 data analysis and computation;

10 (3) assistance from the consultant, which shall include assistance with
11 executing its powers and duties as directed by the Task Force and writing the
12 report required under subsection (f) of this section; and

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

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

20 Sec. 3. REQUIREMENT FOR ADDITIONAL LEGISLATIVE ACTION

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

11 Sec. 4. APPROPRIATIONS

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

16 (b) The sum of \$150,000.00 is appropriated from the General Fund in fiscal
17 year 2022 to the General Assembly for consultant expenses of the Task Force
18 on the Implementation of the Pupil Weighting Factors Report created under
19 Sec. 2 of this act.

20 Sec. 5. EFFECTIVE DATE

21 This act shall take effect on passage.

1

2 (Committee vote: _____)

3

4

Senator _____

5

FOR THE COMMITTEE