

Sec. X. 2024 Acts and Resolves No. 183, Sec. 1 is amended to read:

Sec. 1. THE COMMISSION ON THE FUTURE OF PUBLIC
EDUCATION; REPORTS

(a) Creation. There is hereby created the Commission on the Future of Public Education in Vermont. The right to education is fundamental for the success of Vermont's children in a rapidly changing society and global marketplace as well as for the State's own economic and social prosperity. The Commission shall study the provision of education in Vermont and make recommendations for a statewide vision for Vermont's public education system to ensure that all students are afforded substantially equal educational opportunities in an efficient, sustainable, and stable education system. The Commission shall also make recommendations for the strategic policy changes necessary to make Vermont's educational vision a reality for all Vermont students.

(b) Membership. The Commission shall be composed of the following members and, to the extent possible, the members shall represent the State's geographic, gender, racial, and ethnic diversity:

(1) Voting members. The following members shall be voting members of the Commission:

(A) the Secretary of Education or designee;

~~(2)~~(B) the Chair of the State Board of Education or designee;

~~(3)~~(C) the Tax Commissioner or designee;

~~(4)~~(D) one current member of the House of Representatives, appointed by the Speaker of the House;

~~(5)~~(E) one current member of the Senate, appointed by the Committee on Committees;

~~(6)~~(F) one representative from the Vermont School Boards Association (VSBA), appointed by the VSBA Executive Director;

~~(7)~~(G) one representative from the Vermont Principals' Association (VPA), appointed by the VPA Executive Director;

~~(8)~~(H) one representative from the Vermont Superintendents Association (VSA), appointed by the VSA Executive Director;

~~(9)~~(I) one representative from the Vermont National Education Association (VTNEA), appointed by the VTNEA Executive Director;

~~(10)~~(J) one representative from the Vermont Association of School Business Officials (VASBO) with experience in school construction projects, appointed by the President of VASBO;

~~(11)~~(K) the Chair of the Census-Based Funding Advisory Group, created under 2018 Acts and Resolves No. 173;

~~(12)~~(L) the Executive Director of the Vermont Rural Education Collaborative;
and

~~(13)~~(M) one representative from the Vermont Independent Schools Association (VISA), appointed by the President of VISA.

(2) Nonvoting members. The following members shall be nonvoting members of the Commission who shall be appointed on or before July 15, 2025 and all of whom shall have extensive experience working within the Vermont public education system.

Appointing authorities shall coordinate to ensure that, to the extent possible, each of the five nonvoting members represents a different geographic region of the State.

(A) Two members shall be appointed by the Speaker of the House, one of whom shall be a retired or former Vermont superintendent of a supervisory union with multiple member school districts and one of whom shall be a retired or former Vermont school business manager.

(B) Two members shall be appointed by the Committee on Committees, one of whom shall be a retired or former Vermont superintendent and one of whom shall be a retired or former Vermont school business manager.

(C) One member shall be appointed by the Governor and shall be a retired or former Vermont superintendent.

(c) Steering group. On or before July 1, 2024, the Speaker of the House shall appoint two members of the Commission, the Committee on Committees shall appoint two members of the Commission, and the Governor shall appoint two members of the Commission to serve as members of a steering group. The steering group shall provide leadership to the Commission and shall work with a consultant or consultants to analyze the issues, challenges, and opportunities facing Vermont's public education system, as well as develop and propose a work plan to formalize the process through which the Commission shall seek to achieve its final recommendations. The formal work plan shall be approved by a majority of the Commission members. The steering group shall form a subcommittee of the Commission to address education finance topics in greater depth and may form one or more additional subcommittees of the Commission to address other key topics in greater depth, as necessary. The steering group may appoint non-Commission

members to the education finance subcommittee. All other subcommittees shall be composed solely of Commission members.

(d) Collaboration and information review.

(1) The Commission shall seek input from and collaborate with key stakeholders, as directed by the steering group. At a minimum, the Commission shall consult with:

(A) the Department of Mental Health;

(B) the Department of Labor;

(C) the President of the University of Vermont or designee;

(D) the Chancellor of the Vermont State Colleges Corporation or designee;

(E) a representative from the Prekindergarten Education Implementation Committee;

(F) the Office of Racial Equity;

(G) a representative with expertise in the Community Schools model in Vermont;

(H) the Vermont Youth Council;

(I) the Commission on Public School Employee Health Benefits; and

(J) an organization committed to ensuring equal representation and educational equity.

(2) The Commission shall also review and take into consideration existing educational laws and policy, including legislative reports the Commission deems relevant to its work and, at a minimum, 2015 Acts and Resolves No. 46, 2018 Acts and Resolves No. 173, 2022 Acts and Resolves No. 127, and 2023 Acts and Resolves No. 76.

(e) Duties of the Commission. The Commission shall study Vermont's public education system and make recommendations to ensure all students are afforded quality educational opportunities in an efficient, sustainable, and equitable education system that will enable students to achieve the highest academic outcomes. The result of the Commission's work shall be a recommendation for a statewide vision for Vermont's public education system, with recommendations for the policy changes necessary to make Vermont's educational vision a reality. In creating and making its recommendations, the Commission shall engage in the following:

(1) Public engagement. The Commission shall conduct not fewer than 14 public meetings to inform the work required under this section. At least one meeting of the Commission as a whole or a subcommittee of the Commission shall be held in each county. The Commission shall publish a draft of its final recommendations on or before October 1, 2025, solicit public feedback, and incorporate such feedback into its final recommendations. When submitting its final recommendations to the General Assembly, the Commission shall include all public feedback received as an addendum to its final report. The public feedback process shall include:

(A) a minimum 30-day public comment period, during which time the Commission shall accept written comments from the public and stakeholders; and

(B) a public outreach plan that maximizes public engagement and includes notice of the availability of language assistance services when requested.

(2) Policy considerations. In developing its recommendations, the Commission shall consider and prioritize the following topics:

(A) Governance, resources, and administration. The Commission shall study and make recommendations regarding education governance at the State level, including the role of the Agency of Education in the provision of services and support for the education system. Recommendations under this subdivision (A) shall include, at a minimum, the following:

(i) whether changes need to be made to the structure of the Agency of Education, including whether it better serves the recommended education vision of the State as an agency or a department;

(ii) what are the staffing needs of the Agency of Education;

(iii) whether changes need to be made to the composition, role, and function of the State Board of Education to better serve the recommended education vision of the State;

(iv) what roles, functions, or decisions should be a function of local control and what roles, functions, or decisions should be a function of control at the State level; and

(v) the effective integration of career and technical education in the recommended education vision of the State.

(B) Physical size and footprint of the education system. The Commission shall study and make recommendations regarding how the unique geographical and socioeconomic needs of different communities should factor into the provision of education in Vermont, taking into account and building upon the recommendations of the State Aid to School Construction Working Group. Recommendations under this subdivision (B) shall include, at a minimum, the following:

(i) an analysis and recommendation for the most efficient and effective number and location of school buildings, school districts, and supervisory unions needed to achieve Vermont's vision for education, provided that if there is a recommendation for any change, the recommendation shall include an implementation plan;

(ii) an analysis of the capacity and ability to staff all public schools with a qualified workforce, driven by data on class-size recommendations;

(iii) analysis of whether, and if so, how, collaboration with Vermont's postsecondary schools may support the development and retention of a qualified educator workforce;

(iv) an analysis of the current town tuition program and whether, and if so, what, changes are necessary to meet Vermont's vision for education, including the legal and financial impact of funding independent schools and other private institutions, including consideration of the following:

(I) the role designation, under 16 V.S.A. § 827, should play in the delivery of public education; and

(II) the financial impact to the Education Fund of public dollars being used in schools located outside Vermont; and

(v) an analysis of the current use of private therapeutic schools in the provision of special education services and whether, and if so, what, changes are necessary to meet Vermont's special education needs, including the legal and financial impact of funding private therapeutic schools.

(C) The role of public schools. The Commission shall study and make recommendations regarding the role public schools should play in both the provision of

education and the social and emotional well-being of students. Recommendations under this subdivision (C) shall include, at a minimum, the following:

- (i) how public education in Vermont should be delivered;
- (ii) whether Vermont's vision for public education shall include the provision of wraparound supports and collocation of services;
- (iii) whether, and if so, how, collaboration with Vermont's postsecondary schools may support and strengthen the delivery of public education; and
- (iv) what the consequences are for the Commission's recommendations regarding the role of public schools and other service providers, including what the role of public schools means for staffing, funding, and any other affected system, with the goal of most efficiently utilizing State funds and services and maximizing federal funding.

(D) Education finance system. The Commission shall explore the efficacy and potential equity gains of changes to the education finance system, including weighted educational opportunity payments as a method to fund public education. The Commission's recommendations shall be intended to result in an education funding system designed to afford substantially equal access to a quality basic education for all Vermont students in accordance with *State v. Brigham*, 166 Vt. 246 (1997).

Recommendations under this subdivision (D) shall include, at a minimum, the following:

- (i) allowable uses for the Education Fund that shall ensure sustainable and equitable use of State funds;
- (ii) the method for setting tax rates to sustain allowable uses of the Education Fund;

(iii) whether, and if so, what, alternative funding models would create a more affordable, sustainable, and equitable education finance system in Vermont, including the consideration of a statutory, formal base amount of per pupil education spending and whether school districts should be allowed to spend above the base amount;

(iv) adjustments to the excess spending threshold, including recommendations that target specific types of spending;

(v) the implementation of education spending caps on different services, including administrative and support services and categorical aid;

(vi) how to strengthen the understanding and connection between school budget votes and property tax bills;

(vii) adjustments to the property tax credit thresholds to better match need to the benefit;

(viii) a system for ongoing monitoring of the Education Fund and Vermont's education finance system, to include consideration of a standing Education Fund advisory committee;

(ix) an analysis of the impact of ~~healthcare~~ health care costs on the Education Fund, including recommendations for whether, and if so, what, changes need to be made to contain costs; and

(x) implementation details for any recommended changes to the education funding system.

(E) Additional considerations. The Commission may consider any other topic, factor, or issue that it deems relevant to its work and recommendations.

(f) Reports and proposed legislation. The Commission shall prepare and submit to the General Assembly the following:

(1) a formal, written work plan, which shall include a communication plan to maximize public engagement, on or before September 15, 2024;

(2) a written report containing its preliminary findings and recommendations, including short-term cost containment considerations for the 2025 legislative session, on or before December 15, 2024;

(3) a written report containing its final findings and recommendations for a statewide vision for Vermont's public education system and the policy changes necessary to make that educational vision a reality on or before December 1, 2025; and

(4) proposed legislative language to advance any recommendations for the education funding system on or before December 15, 2025.

(g) Assistance. The Agency of Education shall contract with one or more independent consultants or facilitators to provide technical and legal assistance to the Commission for the work required under this section. For the purposes of scheduling meetings and providing administrative assistance, the Commission shall have the assistance of the Agency of Education. The Agency shall also provide the educational and financial data necessary to facilitate the work of the Commission. School districts shall comply with requests from the Agency to assist in data collections.

(h) Meetings.

(1) The Secretary of Education shall call the first meeting of the Commission to occur on or before July 15, 2024.

(2) The Speaker of the House and the President Pro Tempore shall jointly select a Commission chair.

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

(4) Meetings shall be conducted in accordance with Vermont's Open Meeting Law pursuant to 1 V.S.A. chapter 5, subchapter 2.

(5) The Commission shall cease to exist on December 31, 2025.

(i) Compensation and reimbursement. Members of the Commission shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than 30 meetings, including subcommittee meetings. These payments shall be made from monies appropriated to the Agency of Education.

(j) School district boundary subcommittee. There is created a subcommittee of the Commission to be composed of the five nonvoting members of the Commission, that shall determine the most efficient number of school districts and proposed boundary lines, based on educational research, Vermont's landscape, and a comprehensive analysis of school locations, conditions, and capacity.

(1) Duties of the district boundaries subcommittee.

(A) The subcommittee shall recommend not more than three school district boundary proposals to the General Assembly. The proposed school district boundaries shall:

(i) increase equitable access to educational opportunity;

(ii) maximize opportunities for modern, regional middle and high schools,

with the least disruption to students;

(iii) provide for the education of their resident students by operating kindergarten through grade 12;

(iv) provide access to career and technical education (CTE) for all eligible students;

(v) to the extent practical, not separate towns within school districts as those boundaries exist on July 1, 2025;

(vi) to the extent practical, consider the availability of regional services for students, such as designated agencies, and how those services would integrate into the new proposed school district boundaries; and

(vii) to the extent practical, result in school districts with a minimum average daily membership of approximately 4,000 students.

(B) The subcommittee may consider and make recommendations for the optimal location of schools, including CTE programs, to meet the requirements contained in subdivision (A) of this subdivision (1).

(C) The subcommittee shall provide regular updates to the Commission regarding its work.

(D) The subcommittee shall have the sole authority to determine the contents of the report and maps required under subdivision (4) of this subsection (j). The Commission may provide its own comments to the subcommittee and the relevant committees of jurisdiction.

(2) Public engagement. The district boundary subcommittee shall engage and coordinate with the Commission's public engagement subcommittee and the public

engagement consultant to maximize public input and feedback regarding the development of the proposed new school district boundaries.

(3) Assistance. The district boundary subcommittee shall have the assistance of the Agency of Digital Services, Vermont Center for Geographic Information, which may also retain the services of one or more independent third parties to provide facilitation and mediation services to the subcommittee.

(4) Report and maps. On or before December 1, 2025, the district boundary subcommittee shall submit the following to the House and Senate Committees on Education, the House Committee on Government Operations and Military Affairs, the Senate Committee on Government Operation, the House Committee on Ways and Means, and the Senate Committee on Finance.

(A) Report. The district boundary subcommittee shall submit a written report with the subcommittee's proposed new school district boundaries. The report shall detail how each proposed option meets the requirements of subdivision (1)(A) of this subsection (j).

(B) Maps. The subcommittee shall also submit detailed maps for each school district boundary proposal, which, in addition to the school district boundaries themselves, shall include:

(i) average daily membership for each proposed school district for the 2023-2024 school year;

(ii) the member towns for each school district;

(iii) the location of public schools and the grades operated by each of those schools;

(iv) the five-year facility condition index score for each school;

(v) PCB testing score; and

(vi) 10-year change in enrollment between 2013 and 2023.