

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

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

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

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

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

18 (A) the Secretary of Education or designee;

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

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

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

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

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

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

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

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

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

14 ~~(11)~~(K) the Chair of the Census-Based Funding Advisory Group, created under
15 2018 Acts and Resolves No. 173;

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

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

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

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

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

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

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

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

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

3 (d) Collaboration and information review.

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

6 (A) the Department of Mental Health;

7 (B) the Department of Labor;

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

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

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

12 (F) the Office of Racial Equity;

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

15 (H) the Vermont Youth Council;

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

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

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

1 (e) Duties of the Commission. The Commission shall study Vermont's public
2 education system and make recommendations to ensure all students are afforded quality
3 educational opportunities in an efficient, sustainable, and equitable education system that
4 will enable students to achieve the highest academic outcomes. The result of the
5 Commission's work shall ~~be a recommendation for a statewide vision for Vermont's~~
6 ~~public education system~~ recommendations for the State-level education governance
7 system, including the roles and responsibilities of the Agency of Education and the State
8 Board of Education, with recommendations for the policy changes necessary to make
9 ~~Vermont's educational vision a reality.~~ In creating and making its recommendations, the
10 Commission shall engage in the following:

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

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

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

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

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

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

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

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

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

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

20 **(B) Physical size and footprint of the education system.** The Commission shall
21 study and make recommendations regarding how the unique geographical and
22 socioeconomic needs of different communities should factor into the provision of
23 education in Vermont, taking into account and building upon the recommendations of the

1 ~~State Aid to School Construction Working Group. Recommendations under this~~

2 ~~subdivision (B) shall include, at a minimum, the following:~~

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

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

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

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

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

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

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

1 ~~(C) The role of public schools.~~ The Commission shall study and make
2 recommendations regarding the role public schools should play in both the provision of
3 education and the social and emotional well-being of students. Recommendations under
4 this subdivision (C) shall include, at a minimum, the following:

5 ~~(i) how public education in Vermont should be delivered;~~

6 ~~(ii) whether Vermont's vision for public education shall include the~~
7 ~~provision of wraparound supports and collocation of services;~~

8 ~~(iii) whether, and if so, how, collaboration with Vermont's postsecondary~~
9 ~~schools may support and strengthen the delivery of public education; and~~

10 ~~(iv) what the consequences are for the Commission's recommendations~~
11 ~~regarding the role of public schools and other service providers, including what the role~~
12 ~~of public schools means for staffing, funding, and any other affected system, with the~~
13 ~~goal of most efficiently utilizing State funds and services and maximizing federal~~
14 ~~funding. [Repealed.]~~

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

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

22 ~~(i) allowable uses for the Education Fund that shall ensure sustainable and~~
23 ~~equitable use of State funds;~~

- 1 ~~(ii) the method for setting tax rates to sustain allowable uses of the Education~~
2 ~~Fund;~~
- 3 ~~(iii) whether, and if so, what, alternative funding models would create a~~
4 ~~more affordable, sustainable, and equitable education finance system in Vermont,~~
5 ~~including the consideration of a statutory, formal base amount of per pupil education~~
6 ~~spending and whether school districts should be allowed to spend above the base amount;~~
- 7 ~~(iv) adjustments to the excess spending threshold, including~~
8 ~~recommendations that target specific types of spending;~~
- 9 ~~(v) the implementation of education spending caps on different services,~~
10 ~~including administrative and support services and categorical aid;~~
- 11 ~~(vi) how to strengthen the understanding and connection between school~~
12 ~~budget votes and property tax bills;~~
- 13 ~~(vii) adjustments to the property tax credit thresholds to better match need to~~
14 ~~the benefit;~~
- 15 ~~(viii) a system for ongoing monitoring of the Education Fund and Vermont's~~
16 ~~education finance system, to include consideration of a standing Education Fund advisory~~
17 ~~committee;~~
- 18 ~~(ix) an analysis of the impact of healthcare health care costs on the~~
19 ~~Education Fund, including recommendations for whether, and if so, what, changes need~~
20 ~~to be made to contain costs; and~~
- 21 ~~(x) implementation details for any recommended changes to the education~~
22 ~~funding system. [Repealed.]~~

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

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

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

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

10 (3) a written report containing its final findings and recommendations ~~for a~~
11 ~~statewide vision for Vermont's public education system and the policy changes necessary~~
12 ~~to make that educational vision a reality based on its analysis of the State-level~~
13 ~~governance topics contained in subdivision (e)(2)(A) of this section,~~ on or before
14 December 1, 2025; and

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

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

1 (h) Meetings.

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

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

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

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

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

10 (i) Compensation and reimbursement. Members of the Commission shall be entitled
11 to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A.
12 § 1010 for not more than 30 meetings, including subcommittee meetings. These
13 payments shall be made from monies appropriated to the Agency of Education.

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

19 (1) Duties of the district boundaries subcommittee.

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

23 (i) increase equitable access to educational opportunity;

1 (ii) maximize opportunities for modern, regional middle and high schools,
2 with the least disruption to students;

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

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

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

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

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

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

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

19 (D) The subcommittee shall have the sole authority to determine the contents of
20 the report and maps required under subdivision (4) of this subsection (j). The
21 Commission may provide its own comments to the subcommittee and the relevant
22 committees of jurisdiction, either as an addendum to the report of the subcommittee or a
23 separate report.

1 (2) Public engagement. The district boundary subcommittee shall engage and
2 coordinate with the Commission’s public engagement subcommittee and the public
3 engagement consultant to maximize public input and feedback regarding the development
4 of the proposed new school district boundaries.

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

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

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

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

21 (i) average daily membership for each proposed school district for the 2023-
22 2024 school year;

23 (ii) the member towns for each school district;

- 1 (iii) the location of public schools and the grades operated by each of those
- 2 schools;
- 3 (iv) the five-year facility condition index score for each school;
- 4 (v) PCB testing score; and
- 5 (vi) 10-year change in enrollment between 2013 and 2023.