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1 Introduced by Committee on Education

2 Date:

3 Subject: Education; school districts; cooperative education service areas

4 Statement of purpose of bill as introduced: This bill proposes to <Purpose>

5 An act relating to next steps in transforming Vermont’s education system

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

7 * * * Cooperative Educational Service Areas * * *

8 Sec. 1. 16 V.S.A. chapter 10 is amended to read:

9 CHAPTER 10. ~~BOARDS OF COOPERATIVE EDUCATION SERVICES~~

10 EDUCATIONAL SERVICE AREAS

11 § 601. POLICY

12 It is the policy of the State to ~~allow and encourage supervisory unions to~~

13 create ~~boards of cooperative education services~~ educational service areas to

14 provide shared programs and services on a regional and statewide level.

15 ~~Formation of a board of cooperative education services shall be designed to~~

16 ~~build upon the geographically focused cooperative regions used by Vermont~~

17 ~~superintendents as of July 1, 2024;~~ It is the intent of the General Assembly that

18 cooperative educational service areas are utilized by member supervisory

19 unions to maximize the impact of available dollars through collaborative

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1 funding; reduce duplication of programs, personnel, and services; and
2 contribute to ~~equalizing~~ the equalization of educational opportunities for all
3 pupils.

4 § 602. DEFINITIONS

5 As used in this chapter:

6 (1) “Educator” means any:

7 (A) individual licensed under chapter 51 of this title, the majority of
8 whose employed time in a public school district, supervisory union, or ~~board of~~
9 cooperative ~~education services~~ educational service area is assigned to furnish
10 to students direct instructional or other educational services, as defined by rule
11 of the Standards Board, or who is otherwise subject to licensing as determined
12 by the Standards Board; or

13 * * *

14 (3) “Cooperative educational service area (CESA)” means an
15 association of supervisory unions created pursuant to this chapter to deliver
16 shared programs and services to complement the educational programs of
17 member supervisory unions in a cost-effective manner. A CESA shall be a
18 body politic and corporate with the powers and duties afforded them under this
19 chapter.

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1 § 603. CREATION OF BOARD OF COOPERATIVE EDUCATION

2 ~~SERVICES~~ EDUCATIONAL SERVICE AREAS;

3 ORGANIZATION; SECRETARY APPROVAL

4 (a) Establishment of ~~boards of cooperative education services~~ educational
5 service areas. ~~When the boards of two or more supervisory unions vote to~~
6 ~~explore the advisability of entering into a written agreement to provide shared~~
7 ~~programs and services, the interested boards shall meet and discuss the terms~~
8 ~~of any such agreement. At this meeting or a subsequent meeting, the~~
9 ~~participating boards may enter into a proposed agreement to form an~~
10 ~~association of supervisory unions to deliver shared programs and services to~~
11 ~~complement the educational programs of member supervisory unions in a cost-~~
12 ~~effective manner. An association formed pursuant to this chapter shall be~~
13 ~~known as a board of cooperative education services (BOCES) and shall be a~~
14 ~~body politic and corporate with the powers and duties afforded them under this~~
15 ~~chapter.~~ Supervisory unions are arranged into the following cooperative
16 educational service areas:

17 (1) The Champlain Valley North Region CESA is formed of the
18 member supervisory unions of:

19 (A) Alburgh School District (Grand Isle SU);

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1 (B) Franklin Northeast Supervisory Union, which is composed of the
2 member school districts of the Enosburgh-Richford Unified Union School
3 District and the Northern Mountain Valley Unified Union School District;

4 (C) Franklin West Supervisory Union, which is composed of the
5 member school districts of the Fairfax School District, the Fletcher School
6 District, and the Georgia School District;

7 (D) Maple Run Unified Union Supervisory District;

8 (E) Milton Supervisory District; and

9 (F) Missisquoi Valley Supervisory District.

10 (2) The Chittenden Central Region CESA is formed of the member
11 supervisory unions of:

12 (A) Burlington Supervisory District;

13 (B) Colchester Supervisory District;

14 (C) Essex Westford Educational Community Unified Union
15 Supervisory District;

16 (D) Grand Isle Supervisory Union, which is composed of the member
17 school districts of the Champlain Islands Unified Union School District and
18 the South Hero School District (not Alburgh);

19 (E) South Burlington Supervisory District; and

20 (F) Winooski Supervisory District;

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1 (3) The Champlain Valley South Region CESA is formed of the
2 member supervisory unions of:

- 3 (A) Addison Central Supervisory District;
4 (B) Addison Northwest Supervisory District;
5 (C) Champlain Valley Supervisory District;
6 (D) Lincoln Supervisory District;
7 (E) Mt. Abraham Unified Supervisory District; and
8 (F) Mount Mansfield Unified Union Supervisory District.

9 (4) The Southwest Region CESA is formed of the member supervisory
10 unions of:

- 11 (A) Bennington Rutland Supervisory Union which is composed of
12 the member school districts of the Mettawee School District, the Taconic and
13 Green Regional School District, and the Winhall School District;
14 (B) Greater Rutland County Supervisory Union which is composed
15 of the member school districts of the Ira School District, the Quarry Valley
16 Unified Union School District, the Rutland Town School District, and the
17 Wells Spring Unified Union School District;
18 (C) Mill River Unified Union Supervisory District;
19 (D) Rutland City Supervisory District;

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1 (E) Rutland Northeast Supervisory Union which is composed of the
2 member school districts of the Barstow Unified Union School District and the
3 Otter Valley Unified Union School District;

4 (F) Slate Valley Unified Union Supervisory District; and

5 (G) Southwest Vermont Supervisory Union which is composed of the
6 member school districts of the Arlington School District, the Mount Anthony
7 Union High School District #14, the North Bennington Graded School District,
8 the Sandgate School District, and the Southwest Vermont Union Elementary
9 School District.

10 (5) The Southwest Region CESA is formed of the member supervisory
11 unions of:

12 (A) Hartford Supervisory District;

13 (B) Mountain View Supervisory Union which is composed of the
14 member school districts of the Pittsfield School District and the Mountain
15 View School District;

16 (C) SAU 70;

17 (D) Springfield Supervisory District;

18 (E) Two Rivers Supervisory Union which is composed of the
19 member school districts of the Green Mountain Unified School District;

20 (F) Windham Central Supervisory Union which is composed of the
21 member school districts of the Marlboro School District, the River Valleys

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1 Unified School District, the Stratton School District, the West River Modified
2 Union Education District, and the Windham School District;

3 (G) Windham Northeast Supervisory Union which is composed of
4 the member school districts of Bellows Falls Union High School District, the
5 Rockingham School District, the Athens Grafton School District, and the
6 Westminster School District;

7 (H) Windham Southwest Supervisory Union which is composed of
8 the member school districts of the Vernon Town School District and the
9 Windham Southeast School District; and

10 (I) Windsor Southeast Supervisory Union which is composed of the
11 member school districts of the Hartland School District, the Mount Ascutney
12 School District, and the Weathersfield School District.

13 (6) The Northeast Region CESA is formed of the member supervisory
14 unions of:

15 (A) Caledonia Central Supervisory Union which is composed of the
16 member school districts of the Cabot School District, the Caledonia
17 Cooperative School District, the Danville School District, and the Peacham
18 School District (not Twinfield Union School District/plainfield and
19 Marshfield);

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1 (B) Essex North Supervisory Union which is composed of the
2 member school districts of the Canaan School District, the Essex North
3 Supervisory Union, and the NEK Choice School District;

4 (C) Kingdom East Supervisory District;

5 (D) North Country Supervisory Union which is composed of the
6 member school districts of the Brighton School District, the Charleston School
7 District, the Coventry School District, the Derby School District, the Holland
8 School District, the Jay School District, the Lowell School District, the
9 Morgan School District, the Newport City School District, the Newport Town
10 School District, the North Country Union High School District, the North
11 Country Union Junior High School Board, the Troy School District, and the
12 Westfield School District;

13 (E) Orange East Supervisory Union which is composed of the
14 member school districts of the Blue Mountain Union School District, the
15 Oxbow Unified Union School District, the Thetford Town School District, and
16 the Waits River Valley Union School District #36;

17 (F) Orleans Central Supervisory Union which is formed of the
18 member school districts of the Lake Region Union Elementary-Middle School
19 District and the Lake Region Union High School District;

20 (G) Rivendell Interstate Supervisory District; and

21 (H) St. Johnsbury Supervisory District

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1 (7) Winooski Valley Region CESA is formed of the member

2 supervisory unions of:

3 (A) Barre Unified Union Supervisory District;

4 (B) Plainfield & Marshfield (Caledonia Central SU)

5 (C) Central Vermont Supervisory Union which is composed of the
6 member school districts of the Echo Valley Community School District and the
7 Paine Mountain School District;

8 (D) Harwood Unified Union Supervisory District;

9 (E) Lamoille North Supervisory Union which is composed of the
10 member school districts of the Cambridge School District and the Lamoille
11 North Modified Unified Union School District;

12 (F) Lamoille South Supervisory Union which is composed of the
13 Member School Districts of the Elmore-Morristown Unified Union School
14 District and the Stowe School District;

15 (G) Montpelier Roxbury Supervisory District;

16 (H) Orange Southwest Unified Union Supervisory District;

17 (I) Orleans Southwest Supervisory Union which is composed of the
18 member school districts of the Craftsbury School District, the Hazen Union
19 School District, the Mountain View Union Elementary School District, the
20 Stannard Town School District, and the Wolcott School District;

21 (J) Washington Central Unified Union Supervisory District; and

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1 (K) White River Valley Supervisory Union which is composed of the
2 member school districts of the First Branch Unified School District, the
3 Granville-Hancock Unified District, the Rochester-Stockbridge Unified
4 District, the Sharon School District, the Strafford School District, and the
5 White River Unified District.

6 (b) ~~Articles of agreement Bylaws. Agreements to form a BOCES pursuant~~
7 ~~to this chapter shall take the form of articles of agreement and shall serve as~~
8 ~~the operating agreement for a BOCES. Agreements shall include a cost-~~
9 ~~benefit analysis outlining the projected financial savings or enhanced~~
10 ~~outcomes, or both, that the parties expect to realize through shared services or~~
11 ~~programs. No agreement or subsequent amendments shall take effect unless~~
12 ~~approved by the member supervisory union boards and the Secretary of~~
13 ~~Education. The Secretary shall approve articles of agreement if the Secretary~~
14 ~~finds that the formation of the proposed BOCES is in the best interests of the~~
15 ~~State, the students, and the member supervisory unions and aligns with the~~
16 ~~policy set forth in section 601 of this title, subject to the limitations of~~
17 ~~subsection (d) of this section. Each CESA shall establish bylaws to serve as~~
18 ~~the operating agreement of the CESA. At a minimum, the ~~articles of~~~~
19 ~~agreement bylaws shall state:~~

20 (1) the names of the participating supervisory unions;

21 (2) the mission, purpose, and focus of the ~~BOCES~~ CESA;

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- 1 (3) the programs or services to be offered by the ~~BOCES~~ CESA;
- 2 (4) the financial terms and conditions of membership of the ~~BOCES~~
- 3 CESA, including any applicable membership fee;
- 4 (5) the service fees for member supervisory unions and the service fees
- 5 for nonmember supervisory unions, as applicable;
- 6 (6) the detailed procedure for the preparation and adoption of an annual
- 7 budget with carryforward provisions;
- 8 (7) ~~the method of termination of the BOCES and the withdrawal of~~
- 9 ~~member supervisory unions, which shall include the apportionment of assets~~
- 10 ~~and liabilities;~~ [Repealed.]
- 11 (8) the procedure for ~~admitting new members and for~~ amending the
- 12 ~~articles of agreement~~ bylaws;
- 13 (9) the powers and duties of the board of directors of the ~~BOCES~~ CESA
- 14 to operate and manage the association, including:
- 15 (A) board meeting attendance requirements;
- 16 (B) consequences for failure to attend a board meeting;
- 17 (C) a conflict-of-interest policy; and
- 18 (D) a policy regarding board member salaries or stipends; and
- 19 (10) any other matter not incompatible with law that the member
- 20 supervisory unions consider necessary ~~to the formation of the BOCES.~~

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1 (c) Board of directors. A ~~BOCES~~ CESA shall be managed by a board of
2 directors, which shall be composed of one person appointed annually by each
3 member supervisory union board. Appointed persons shall be members of a
4 member supervisory union board or the superintendent or designee of the
5 member supervisory union. Each member of the ~~BOCES~~ CESA board of
6 directors shall be entitled to a vote. No member of the board of directors of a
7 ~~BOCES~~ CESA shall serve as a member of a board of directors or as an officer
8 or employee of any related for-profit or nonprofit organization. The board of
9 directors shall elect a chair from its members and provide for such other
10 officers as it may determine are necessary. The board of directors may also
11 establish subcommittees and create board policies and procedures as it may
12 determine are necessary. The board of directors shall meet not fewer than four
13 times annually. Each member of the board of directors shall provide updates
14 on the activities of the ~~BOCES~~ CESA on a quarterly basis to the member's
15 appointing supervisory union board at an open board meeting.

16 (d) ~~Number of BOCESs. There shall be not more than seven BOCESs~~
17 ~~statewide. Supervisory unions shall not be a member of more than one~~
18 ~~BOCES but may seek services as a nonmember from other BOCESs.~~

19 [Repealed.]

20 § 604. POWERS OF ~~BOARDS OF COOPERATIVE EDUCATION~~

21 SERVICES EDUCATIONAL SERVICE AREAS

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1 (a) In addition to any other powers granted by law, a ~~BOCES~~ CESA shall
2 have the power to provide educational programs, services, facilities, and
3 professional and other staff that, in its discretion, best serve the needs of its
4 members, including professional development, curriculum coordination and
5 development, and transportation. A ~~BOCES~~ CESA shall follow all applicable
6 State and federal laws in its provision of services, including Section 504 of the
7 Rehabilitation Act of 1973, 29 U.S.C. § 794, and the Individuals with
8 Disabilities Education Act, 20 U.S.C. §§ 1400–1482. At a minimum, a CESA
9 shall offer services in the following areas to its members:

10 (1) special education, including implementation and maintenance of
11 tiered systems of support and the provision of low incidence, high-cost
12 services;

13 (2) business and administrative services; and

14 (3) union school district creation consultation and facilitation.

15 (b) A ~~BOCES~~ may CESA shall employ an executive director who shall
16 serve under the general direction of the board and who shall be responsible for
17 the care and supervision of the ~~BOCES~~ CESA. The board shall annually
18 evaluate the executive director’s performance and effectiveness in
19 implementing the programs, policies, and goals of the ~~BOCES~~ CESA. The
20 executive director shall not serve as a board member, officer, or employee of
21 any related for-profit or nonprofit organization.

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1 (c) A ~~BOCES~~ CESA shall be a body politic and corporate and shall have
2 standing to sue and be sued to the same extent as a school district. A ~~BOCES~~
3 CESA may enter into contracts for the purchase of supplies, materials, and
4 services and for the purchase or leasing of land, buildings, and equipment as
5 considered necessary by the board of directors. Section 559 of this title shall
6 apply to the procurement of services or items with costs that exceed
7 \$40,000.00, as well as high-cost construction contracts, as defined by
8 subsection 559(b) of this title.

9 (d) The board of directors of a ~~BOCES~~ CESA may apply for State, federal,
10 or private grants, for which a ~~BOCES~~ CESA may be otherwise eligible, to
11 obtain funds necessary to carry out the purpose for which the ~~BOCES~~ CESA is
12 established. Nothing in this chapter is intended to create an entitlement to
13 federal funds distributed by the Agency of Education to local education
14 agencies.

15 § 605. FINANCING, BUDGETING, AND ACCOUNTING

16 (a) Education cooperative fund. A ~~BOCES~~ CESA shall establish and
17 manage a fund to be known as an education cooperative fund. All monies
18 contributed by the member school districts and all grants or gifts from the
19 federal government, State government, charitable foundations, private
20 corporations, or any other source shall be deposited into the fund.

21 (b) Treasurer.

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1 (1) A ~~BOCES~~ CESA shall appoint a treasurer who may be a treasurer of
2 a member school district and who shall be sworn in before entering the duties
3 of the office.

4 (2) The treasurer may, subject to the direction of the board of directors,
5 receive and disburse all money belonging to the board without further
6 appropriation.

7 (3) The treasurer shall keep financial records of cash receipts and
8 disbursements and shall make those records available to the board of directors
9 upon request.

10 (4) The board of directors shall ensure that its blanket bond covers a
11 newly appointed treasurer before the treasurer enters upon the duties of the
12 office. In lieu of a blanket bond, a ~~BOCES~~ CESA may choose to provide
13 suitable crime insurance coverage. The board of directors may pay reasonable
14 compensation to the treasurer for services rendered and shall evaluate the
15 treasurer's performance annually.

16 (c) Financial accounting system. A ~~BOCES~~ CESA shall use the uniform
17 chart of accounts and financial reporting requirements used by supervisory
18 unions as its financial accounting system.

19 (d) Audit. Annually, a ~~BOCES~~ CESA shall cause an independent audit to
20 be made of its financial statements consistent with generally accepted
21 governmental auditing standards and shall discuss and vote to accept the audit

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1 report at an open meeting of the board. The board shall transmit a copy of
2 each audit to the boards of its member supervisory unions.

3 (e) Annual statement. Annually, a ~~BOCES~~ CESA shall prepare financial
4 statements, including:

5 (1) a statement of net assets; and

6 (2) a statement of revenues, expenditures, and changes in net assets.

7 (f) Budget. ~~A The board of cooperative education services~~ a CESA shall
8 adopt a budget prior to the beginning of the fiscal year for which the budget is
9 adopted.

10 (g) Loans. A ~~BOCES~~ CESA may, upon approval of its members, negotiate
11 or contract with any person, corporation, association, or company for a loan
12 not to exceed the difference between the anticipated revenues for the current
13 fiscal year for the budget of the ~~BOCES~~ CESA and the amount credited to date
14 to said budget in order to pay current obligations. Such loan shall be liquidated
15 within six months thereafter from monies subsequently credited to said budget.
16 The total principal, interest, and fees to be paid on such loan shall not exceed
17 the total amount of the authorized budget for the same length of time.

18 § 606. ANNUAL REPORT; PUBLIC INFORMATION

19 (a) The board of a ~~BOCES~~ CESA shall prepare an annual report concerning
20 the affairs of the ~~BOCES~~ CESA and have it printed and distributed to the

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1 boards of the member supervisory unions. The annual report shall include, at a
2 minimum:

3 (1) information on the programs and services offered by the ~~BOCES~~
4 CESA, including information on the cost-effectiveness of such programs and
5 services and progress made towards achieving the objectives and purposes set
6 forth in the articles of agreement; and

7 (2) audited financial statements and the independent auditor’s report.

8 (b) A ~~BOCES~~ CESA shall maintain an internet website that makes the
9 following information available to the public at no cost:

10 (1) a list of the members of the board of directors of the ~~BOCES~~ CESA;

11 (2) copies of approved minutes of open meetings held by the board of
12 the ~~BOCES~~ CESA;

13 (3) a copy of the articles of agreement and any subsequent amendments;
14 and

15 (4) a copy of the annual report required under subsection (a) of this
16 section.

17 § 607. EMPLOYMENT

18 (a) A ~~BOCES~~ CESA shall be considered to be a public employer and may
19 employ personnel, including educators, to carry out the purposes and functions
20 of the board. Annually, the board of a ~~BOCES~~ CESA shall conduct an area

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1 survey of the salaries of the educators and staff employed by the ~~BOCES~~'s
2 CESA's member supervisory unions and school districts.

3 (b) No person shall be eligible for employment by a ~~BOCES~~ CESA as an
4 educator unless the person is appropriately licensed by the Standards Board for
5 Professional Educators pursuant to chapter 51 of this title.

6 (c) A person employed by a ~~BOCES~~ CESA as an educator shall be a
7 participant in the Vermont State Teachers' Retirement System pursuant to
8 chapter 55 of this title.

9 (d) A person who is employed by a ~~BOCES~~ CESA and who is not educator
10 shall be a participant in the Vermont Municipal Employees' Retirement
11 System pursuant to 24 V.S.A. chapter 125.

12 (e) Educators employed by a ~~BOCES~~ CESA shall be entitled to organize
13 pursuant to chapter 57 of this title.

14 (f) Employees employed by a ~~BOCES~~ CESA and who are not educators
15 shall be entitled to organize pursuant to 21 V.S.A. chapter 22.

16 (g) Educators and employees who are employed by a ~~BOCES~~ CESA shall
17 be provided health care benefits pursuant to chapter 61 of this title.

18 Sec. 2. REPEAL

19 2024 Acts and Resolves No. 168, Sec. 3 (transition; report) is repealed.

20 Sec. 3. 2024 Acts and Resolves No. 168, Sec. 4, as amended by 2025 Acts and
21 Resolves No. 72, Sec. 7, is further amended to read:

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1 Sec. 4. ~~BOCES~~ CESA GRANT PROGRAM; APPROPRIATION

2 (a) There is established the ~~Boards of Education Services~~ Educational
3 Service Area Start-up Grant Program, to be administered by the Agency of
4 Education, from funds appropriated for this purpose, to award grants to enable
5 ~~the formation of boards of cooperative education services (BOCES) formed~~
6 ~~pursuant to 16 V.S.A. chapter 10 after July 1, 2024~~ the CESAs created in 16
7 V.S.A. § 603(a) to assist with start-up costs. ~~Supervisory unions~~ CESAs shall
8 be eligible for a single \$10,000.00 grant ~~after two or more boards vote to~~
9 ~~explore the advisability of forming a board of cooperative education services~~
10 ~~pursuant to 16 V.S.A. § 603(a).~~ Grants may be used for start-up and formation
11 costs, including the development of ~~proposed articles of agreement~~ bylaws.
12 ~~Grants shall be awarded to only one supervisory union within each group of~~
13 ~~supervisory unions exploring the formation of a BOCES.~~

14 (b) Notwithstanding any provision of 16 V.S.A. § 4025 to the contrary, the
15 sum of \$70,000.00 is appropriated from the Education Fund to the Agency of
16 Education in fiscal year 2025 to fund the ~~Boards of Cooperative Education~~
17 ~~Services~~ Educational Service Area Start-up Grant Program created in
18 subsection (a) of this section. Unexpended appropriations shall carry forward
19 into the subsequent fiscal year and remain available for use for this purpose.

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1 Sec. 4. 16 V.S.A. § 261a is amended to read:

2 § 261a. DUTIES OF SUPERVISORY UNION BOARD

3 * * *

4 (b) Virtual merger. In order to maximize the impact of available funding
5 and resources, and to reduce duplication of educational programs, personnel,
6 and services, whenever legally permissible, supervisory unions are encouraged
7 to reach agreements with other supervisory unions jointly to provide any
8 service or perform any duty under this section pursuant to section 267 of this
9 title, or to form ~~boards of cooperative education services~~ educational service
10 areas pursuant to chapter 10 of this title. Agreements between supervisory
11 unions are not subject to the waiver requirement of subdivision (a)(8) of this
12 section. Agreements shall include a cost-benefit analysis outlining the
13 projected financial savings or enhanced outcomes, or both, that the parties
14 expect to realize through shared services or programs.

15 * * *

16 Sec. 5. 16 V.S.A. § 1691a is amended to read:

17 § 1691a. DEFINITIONS

18 As used in this chapter:

19 (1) “Administrator” means an individual licensed under this chapter the
20 majority of whose employed time in a public school, school district,
21 supervisory union, or ~~board of cooperative education services~~ educational

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1 service area is assigned to developing and managing school curriculum,
2 evaluating and disciplining personnel, or supervising and managing a public
3 school system or public school program.

4 * * *

5 (10) “Teacher” means an individual licensed under this chapter the
6 majority of whose employed time in a public school district, supervisory
7 union, or ~~board of cooperative education services~~ educational service area is
8 assigned to furnish to students direct instructional or other educational
9 services, as defined by rule of the Standards Board, or who is otherwise subject
10 to licensing as determined by the Standards Board.

11 Sec. 6. 16 V.S.A. § 1931(20) is amended to read:

12 (20) “Teacher” means any licensed teacher, principal, supervisor,
13 superintendent, or any professional licensed by the Vermont Standards Board
14 for Professional Educators who is regularly employed, or otherwise contracted
15 if following retirement, for the full normal working time for the teacher’s
16 position in a public day school or school district within the State, or in any
17 school or teacher-training institution located within the State, controlled by the
18 State Board of Education, and supported wholly by the State; or in certain
19 public independent schools designated for such purposes by the Board in
20 accordance with section 1935 of this title; or who is regularly employed by a
21 ~~board of cooperative education services~~ educational service area created in

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1 accordance with chapter 10 of this title. In all cases of doubt, the Board shall
2 determine whether any person is a teacher as defined in this chapter. It does
3 not mean a person who is teaching with an emergency license.

4 Sec. 7. 24 V.S.A. § 5051(10) is amended to read:

5 (10) “Employee” means the following persons employed on a regular
6 basis by a school district, by a supervisory union, or by a ~~board of cooperative~~
7 ~~education services~~ educational service area for not fewer than 1,040 hours in a
8 year and for not fewer than 30 hours a week for the school year, as defined in
9 16 V.S.A. § 1071, or for not fewer than 1,040 hours in a year and for not fewer
10 than 24 hours a week year-round; provided, however, that if a person who was
11 employed on a regular basis by a school district as either a special education or
12 transportation employee and who was transferred to and is working in a
13 supervisory union or a ~~board of cooperative education services~~ educational
14 service area in the same capacity pursuant to 16 V.S.A. § 261a(a)(6) or (8)(E)
15 and if that person is also employed on a regular basis by a school district
16 within the supervisory union, then the person is an “employee” if these criteria
17 are met by the combined hours worked for the supervisory union and school
18 district. The term also means persons employed on a regular basis by a
19 municipality other than a school district for not fewer than 1,040 hours in a
20 year and for not fewer than 24 hours per week, including persons employed in

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1 a library at least one-half of whose operating expenses are met by municipal
2 funding:

3 * * *

4 Sec. 8. 16 V.S.A. § 1981 is amended to read:

5 § 1981. DEFINITIONS

6 As used in this chapter unless the context requires otherwise:

7 * * *

8 (8) “School board negotiations council” means, for a supervisory
9 district, its school board, and, for school districts within a supervisory union or
10 ~~board of a cooperative education services~~ educational service area, the body
11 comprising representatives designated by each school board within the
12 supervisory union or ~~board of cooperative education services~~ supervisory
13 union board within each cooperative educational service area and by the
14 supervisory union board or board of ~~a cooperative education services~~
15 educational service area to engage in professional negotiations with a teachers’
16 or administrators’ organization.

17 (9) “Teachers’ organization negotiations council” or “administrators’
18 organization negotiations council” means the body comprising representatives
19 designated by each teachers’ organization or administrators’ organization
20 within a supervisory district, supervisory union, or ~~board of cooperative~~

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1 ~~education services~~ educational service area to act as its representative for
2 professional negotiations.

3 Sec. 9. 21 V.S.A. § 1722 is amended to read:

4 § 1722. DEFINITIONS

5 As used in this chapter:

6 * * *

7 (18) “School board negotiations council” means, for a supervisory
8 district, its school board, and, for school districts within a supervisory union or
9 ~~board of a cooperative education services~~ educational service area, the body
10 comprising representatives designated by each school board within the
11 supervisory union or ~~board of cooperative education services~~ supervisory
12 union board within a cooperative educational service area and by the
13 supervisory union board or ~~board of cooperative education services~~ educational
14 service area to engage in collective bargaining with their school employees’
15 negotiations council.

16 (19) “School employees’ negotiations council” means the body
17 comprising representatives designated by each exclusive bargaining agent
18 within a supervisory district, supervisory union, or ~~board of cooperative~~
19 ~~education services~~ educational service area to engage in collective bargaining
20 with its school board negotiations council.

21 * * *

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1 (21) “Municipal school employee” means an employee of a supervisory
2 union, school district, or ~~board of cooperative education services~~ educational
3 service area who is not otherwise subject to 16 V.S.A. chapter 57 (labor
4 relations for teachers and administrators) and who is not otherwise excluded
5 pursuant to subdivision (12) of this section.

6 * * *

7 Sec. 10. 16 V.S.A. § 2101 is amended to read:

8 § 2101. DEFINITIONS

9 As used in this chapter:

10 * * *

11 (3) “School employer” means a supervisory union or school district as
12 those terms are defined in section 11 of this title, or a ~~board of cooperative~~
13 ~~education services~~ educational service area formed pursuant to chapter 10 of
14 this title.

15 Sec. 11. CESA TRANSITION

16 (a) Within 30 days following the passage of this act, each member
17 supervisory union board of each CESA created under 16 V.S.A. § 603(a) shall
18 appoint a person to serve on the board of directors of the applicable CESA
19 pursuant to 16 V.S.A. § 603(c).

20 (b) Within 45 days following the passage of this act, the superintendent of
21 the supervisory union with the highest aggregate average daily membership of

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1 each CESA created under 16 V.S.A. § 603(a) shall call a meeting of the
2 directors of the CESA at which each CESA board shall elect a chair and other
3 necessary officers.

4 * * * Union School District Exploration and Formation * * *

5 Sec. 12. UNION SCHOOL DISTRICT CREATION CONSULTATION AND
6 FACILITATION

7 (a) Facilitator. On or before October 1, 2026, the Vermont Learning
8 Collaborative (VTLC), a CESA formed pursuant to 16 V.S.A. chapter 10, shall
9 employ or contract for the services of not less than X union school district
10 formation facilitators (facilitator), who shall be responsible for organizing and
11 facilitating study committees to study the advisability of forming a unified
12 union school district. A facilitator shall have knowledge of and experience
13 working in Vermont’s public education system. VTLC shall assign at least one
14 facilitator to each CESA membership region created pursuant to 16 V.S.A.
15 § 603(a)(1)-(7).

16 (b) Study committees.

17 (1) On or before December 1, 2026:

18 (A) Each facilitator shall group school districts within the facilitator’s
19 assigned CESA region’s member supervisory unions together to form study
20 committees to study the advisability of forming a unified union school district.
21 The facilitator shall consult with school district boards prior to finalizing study

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1 committee membership. Using the suggested school district groupings
2 contained in Sec. 13 as guidance, the facilitator shall group school districts
3 together according to the following criteria:

4 (i) total average daily membership of school districts forming a
5 study committee shall be a minimum of 2,000 students, as practical;

6 (ii) school districts shall be contiguous; and

7 (iii) school districts on the same study committee may be
8 members of different supervisory unions.

9 (B) Each study committee shall hold its first meeting.

10 (2) Notwithstanding any provision of law to the contrary, a school
11 district shall participate in the study committee it is assigned to by the
12 facilitator.

13 (3) A study committee formed pursuant to this section shall adhere to
14 the processes and requirements of 16 V.S.A. chapter 11, subchapter 2.

15 (A) A study committee formed pursuant to this section may identify
16 necessary or advisable school districts, as those terms are used in 16 V.S.A.
17 § 708(b)(1) and (2), that are not members of the study committee or are not
18 members of the CESA, or both, and shall work with the applicable facilitator
19 or facilitators to adjust study committee membership as necessary.

20 (B) Notwithstanding 16 V.S.A. §§ 706(b) as it applies to study
21 committee budgets and 707(a) and (b), a study committee formed pursuant to

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1 this section shall be funded through appropriations made by the General
2 Assembly for this purpose; provided, however, that if a study committee’s
3 needs exceed the appropriations provided, it may elect to increase its budget
4 according to the processes and procedures established in 16 V.S.A. chapter 11.

5 (C) In addition to the requirements of 16 V.S.A. chapter 11,
6 subchapter 2, a study committee shall also explore the advisability and
7 feasibility of a contemplated new unified union school district operating a
8 regional middle or high school, or both. A regional middle or high school
9 contemplated pursuant to this section shall offer resident students increased
10 educational opportunities and access to career technical education.

11 (D) If a study committee formed pursuant to this section determines
12 that it is advisable to propose formation of a new unified union school district,
13 in addition to the report requirements in 16 V.S.A. § 708(c), the final report of
14 the study committee shall include an analysis of the following:

15 (i) the educational advantages and disadvantages likely to result
16 from the formation of the proposed unified union school district;

17 (ii) the financial advantages and disadvantages likely to result
18 from the formation of the proposed unified union school district;

19 (iii) the likely operational and financial viability and sustainability
20 of the proposed new unified union school district; and

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1 (iv) any other advantages or disadvantages of formation of the
2 proposed unified union school district, including any advantages or
3 disadvantages to the students and taxpayers of the region and the State.

4 (E)(i) If a study committee formed pursuant to this section
5 determines that it is inadvisable to propose formation of a new unified union
6 school district, before the study committee members vote to dissolve the study
7 committee pursuant to 16 V.S.A. § 708(d), the study committee shall prepare a
8 report with the following details:

9 (I) the names of the school districts participating in the study
10 committee and whether the participation was formal or informal;

11 (II) an analysis of the strengths and challenges of the current
12 structures of all “necessary” and “advisable” school districts;

13 (III) the reasons why formation of a new unified union school
14 district would be inadvisable, with specific references to any State law or rule
15 the study committee found to be an impediment to the formation of a unified
16 union school district, with a specific analysis of why such rule or law was an
17 impediment; and

18 (IV) if the decision of the study committee was not unanimous,
19 an analysis of the minority view of the committee outlining the ways in which
20 a unified union school district promotes the State policy set forth in section 701
21 of this chapter.

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1 (ii) The study committee shall transmit its report to the school
2 board of each school district that participated in the study committee, the
3 Secretary, the State Board of Education, and the facilitator or facilitators
4 assisting the study committee.

5 (iii) Members of a study committee that determines it is
6 inadvisable to propose formation of a new unified union school district may
7 form a new study committee or committees and may pursue any union school
8 district formation option available under 16 V.S.A. chapter 11 after the study
9 committee members vote to dissolve the study committee formed pursuant to
10 this section.

11 (4) On or before December 1, 2027, each study committee shall
12 complete its final report and transmit it, along with proposed articles of
13 agreement, as applicable, to the school board of each school district that the
14 report identifies as either “necessary” or “advisable” if the study committee
15 determined it was advisable to form a new unified union school district, or to
16 the school board of each school district participating on the study committee if
17 the study committee determined it was inadvisable to form a new unified union
18 school district.

19 (5) On or before February 1, 2028, a school board shall complete its
20 review and provide comments to the study committee pursuant to 16 V.S.A.

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1 § 709(a) regarding the study committee’s report and proposed articles of
2 agreement.

3 (c) Secretary review. If a study committee determines that it is advisable to
4 propose formation of a new unified union school district, the study committee
5 is required to transmit the required report and proposed articles of agreement to
6 the Secretary pursuant to 16 V.S.A. § 709(b). If the Secretary fails to submit
7 the report and proposed articles of agreement, with the Secretary’s
8 recommendations, to the State Board within 60 days of receipt of the report
9 and proposed articles of agreement or on or before April 1, 2028, whichever
10 date shall occur first, the study committee shall transmit the report and
11 proposed articles of agreement directly to the State Board, which shall then
12 take action pursuant to 16 V.S.A. § 709(c) regardless of whether the Secretary
13 submits a recommendation regarding the proposed unified union school
14 district.

15 (d) State Board findings. The State Board shall issue the findings required
16 pursuant to 16 V.S.A. § 709(c)(2) on or before June 1, 2028.

17 (e) Vote to form a unified union school district. If a study committee
18 formed pursuant to this section determines that it is advisable to propose
19 formation of a new unified union school district, the voters of each school
20 district that is identified as “necessary” or “advisable” shall vote whether to

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1 form the proposed union school district, in accordance with 16 V.S.A. § 710,
2 on or before November 7, 2028.

3 (f) Study committee status report. On or before February 1, 2027, the
4 Agency of Education, in consultation with the facilitators, shall submit a
5 written report to the House Committees on Education and on Ways and Means
6 and the Senate Committees on Education and on Finance with information
7 regarding the membership and status of each study committee formed pursuant
8 to this section.

9 Sec. 13. GUIDANCE FOR STUDY COMMITTEE GROUPINGS

10 Facilitators shall use the school district groupings contained in subdivisions
11 1–~~X~~ of this section as guidance when forming study committees pursuant to
12 Sec. 12 of this act. Facilitators may form study committees that differ from the
13 guidance contained in this section; provided, however, that a facilitator shall
14 include their rationale for such choices in the report required pursuant to
15 Sec. 14 of this act.

16 (1) **Group one:** Addison Central School District, Addison Northwest
17 School District, Mount Abraham Unified School District.

18 (2) **Group two:** West Rutland (Quarry Valley Unified Union School
19 District), Rutland City School District, Barstow Unified School District, Otter
20 Valley Unified Union School District, and Rutland Town School District.

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1 (3) Group three: Poultney & Proctor (Quarry Valley Unified Union
2 School District), Wells Spring Unified Union School District, Ira School
3 District, and Slate Valley Unified Union School District.

4 (4) Group four: Mettawee School District, Taconic and Green Regional
5 School District, Winhall School District, and Mill River Unified Union School
6 District.

7 (5) Group five: Arlington School District, Mount Anthony Union High
8 School District #14, North Bennington Graded School District, Sandgate
9 School District, Southwest Vermont Union Elementary School District,
10 Searsburg School District, Readsboro School District, and Stamford School
11 District.

12 (6) Group six: Somerset School District, Twin Valley Unified School
13 District, Halifax School District, Vernon Town School District, Windham
14 Southeast School District, and Windham School District.

15 (7) Group seven: Bellows Falls Union High School District,
16 Rockingham School District, Athens Grafton School District, Westminster
17 School District, Marlboro School District, River Valleys Unified School
18 District, Stratton School District, West River Modified Union Education
19 District, and Windham School District.

20 (8) Group eight: Green Mountain Unified School District, Ludlow-
21 Mount Holly Unified Union School District, and Springfield School District.

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1 (9) Group nine: Hartland School District, Mount Ascutney School
2 District, Weathersfield School District, and Hartford School District.

3 (10) Group 10: Rochester-Stockbridge Unified District, First Branch
4 Unified School District, Sharon School District, Stafford School District,
5 White River Unified District, Orange Southwest Unified Union School
6 District, Thetford Town School District, Roxbury (Montpelier Roxbury School
7 District), Echo Valley Community School District, and Paine Mountain School
8 District.

9 (11) Group 11: Cabot School District, Peacham School District,
10 Danville School District, Blue Mountain Union School District, Oxbow
11 Unified Union School District, and Waits River Valley Union School District
12 #36.

13 (12) Group 12: St. Johnsbury School District, Barton & Glover (Lake
14 Region Union Elementary & HS Districts), Kingdom East Unified Union
15 School District, Canaan School District, Essex North Supervisory Union, NEK
16 Choice School District, and Caledonia Cooperative School District.

17 (13) Group 13: Brighton School District, Charleston School District,
18 COventry School District, Derby School District, Holland School District, Jay
19 School District, Lowell School District, Morgan School District, Newport City
20 School District, Newport Town School District, North Country Union High
21 School District, North Country Union Junior High School Board, Troy School

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- 1 District, Westfield School District, Lake Region Union Elementary-Middle
2 School District (not Glover or Barton), Lake Region Union High School
3 District (not Glover or Barton), Craftsbury School District, Hazen Union
4 School District, Mountain View Union Elementary School District, Stannard
5 Town School District, and Wolcott School District.
- 6 (14) Group 14: Mount Mansfield Unified Union School District.
- 7 (15) Group 15: Champlain Valley School District.
- 8 (16) Group 16: Essex Westford Educational Community Unified Union
9 School District.
- 10 (17) Group 17: Cambridge School District, Lamoille North Modified
11 Unified Union School District, Elmore-Morristown Unified Union School
12 District, and Stowe School District.
- 13 (18) Group 18: Enosburgh-Richford Unified Union School District,
14 Northern Mountain Valley Unified Union School District, Alburgh School
15 District, and Missisquoi Valley School District.
- 16 (19) Group 19: Fairfax School District, Fletcher School District,
17 Georgia School District, and Maple Run Unified School District.
- 18 (20) Group 20: Burlington School District.
- 19 (21) Group 21: South Burlington School District.

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1 (22) Group 22: Champlain Islands Unified Union School District, South
2 Hero School District, Milton Town School District, and Colchester School
3 District.

4 (23) Group 23: Barre Unified Union School District, Twinfield Unified
5 School District, Montpelier (Montpelier Roxbury School District), and
6 Washington Central Unified Union School District.

7 (24) Group 24: Harwood Unified Union School District and Granville-
8 Hancock Unified District.

9 (25) Group 27: Pittsfield School District and Mountain Views School
10 District.

11 Sec. 14. STUDY COMMITTEE RESULTS AND ANALYSIS;

12 FACILITATOR REPORT

13 On or before January 1, 2029, each facilitator employed or contracted by the
14 Vermont Learning Collaborative shall submit a written report to the House and
15 Senate Committees on Education with the results of each study committee
16 overseen by the facilitator and information regarding whether, and if so, how,
17 the following issues impacted or influenced the final outcome for each study
18 committee overseen by the facilitator, along with recommendations for
19 legislative action needed to remove identified barriers to the formation of new
20 union school districts:

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- 1 (1) differences in staffing costs and the costs associated with moving
2 from several different collectively bargained agreements to one collectively
3 bargained agreement for applicable staff in the new union school district;
4 (2) differences in operating structures;
5 (3) geographic and topographic barriers;
6 (4) enrollment patterns and projections; and
7 (5) any other factor the facilitator found to have influenced the final
8 decision of a study committee.

9 Sec. 15. SUPERVISORY UNION AND CESA BOUNDARIES; AGENCY
10 OF EDUCATION REPORT

11 On or before January 1, 2029, the Agency of Education, in consultation
12 with the study committees formed pursuant to this act and the State Board of
13 Education, shall submit a written report to the House and Senate Committees
14 on Education with recommendations for supervisory union boundary
15 adjustments and CESA boundary adjustments that take into account the new
16 union school districts formed or proposed to be formed pursuant to this act.

17 Sec. 16. STUDY COMMITTEE BUDGET GRANTS; CESA START-UP
18 GRANTS; APPROPRIATIONS

19 (a) Study committee budget grant; appropriation.

