

1 H.454

2 Senators Hardy, Gulick, Ram Hinsdale, Clarkson, and White move that the
3 Senate propose to the House that the bill be amended by striking out all after
4 the enacting clause and inserting in lieu thereof the following:

5 * * * Findings and Intent * * *

6 Sec. 1. FINDINGS; INTENT; PLAN

7 (a) The General Assembly finds that:

8 (1) In 1997, the first piece of law the General Assembly enacted in
9 response to the Brigham decision stated, “[t]he right to public education is
10 integral to Vermont’s constitutional form of government and its guarantees of
11 political and civil rights...[and] fundamental for the success of Vermont’s
12 children in a rapidly-changing society and global marketplace as well as the
13 State’s own economic and social prosperity.” 16 V.S.A. § 1.

14 (2) From the very first attempt at creating a basic frame of government,
15 Vermont’s founders chose to include a right to public education, the only
16 governmental service included in Vermont’s first Constitution of 1777.

17 (3) As the U.S. Supreme Court stated in Brown v. Board of Education,
18 347 U.S. 483 (1954), “education is perhaps the most important function of
19 state and local governments...[i]t is required in the performance of our most
20 basic public responsibilities...[i]t is the very foundation of good citizenship.”

1 (4) The most enduring legacy of *Brigham v. State*, 166 Vt. 246 (1997) is
2 the State’s responsibility to ensure substantially equal educational
3 opportunities for all Vermont students.

4 (5) The education system is still reeling from the effects of a global
5 pandemic, yet the same challenges that have faced Vermont’s education
6 system remain. Thirty to 40 years ago, Vermont educated more than 110,000
7 students each year. Today, there are approximately 84,000 students in the
8 public education system. Many schools have lost a significant number of
9 students and, with them, the ability to offer robust services and programs at
10 every school. Vermont’s youth need to be prepared for a rapidly evolving
11 future.

12 (6) Vermonters deserve an exceptional educational system that is stable
13 and predictable and where a student’s home address does not dictate the
14 quality of education they receive. School district size and boundaries, school
15 size, and class size are all influential factors in shaping the quality of
16 instruction and overall student outcomes. The effectiveness of our schools
17 depends on teacher quality, resource availability, and the unique strengths of
18 local communities. Change in our educational system is needed. Systems are
19 made of people, so change must come carefully and thoughtfully, with
20 meaningful engagement by all Vermonters.

21 (b) Intent; plan.

1 (1) To ensure each student is provided substantially equal educational
2 opportunities that will prepare them to thrive in a 21st-century world, it is the
3 intent of the General Assembly to work strategically, intentionally, and
4 thoughtfully to ensure that each incremental change made to Vermont’s public
5 education system provides strength and support to its only constitutionally
6 required governmental service.

7 (2) It is further the intent of the General Assembly to:

8 (A) in the 2026 session:

9 (i) enact new, larger school district boundaries that would be
10 effective July 1, 2027;

11 (ii) enact updates to career and technical education governance
12 systems, both at the local and statewide levels, that are reflective of the larger
13 public education governance transformation to new, larger school districts; and

14 (iii) create a coordinated and coherent statewide strategy for career
15 and technical education that is responsive to students and the State’s workforce
16 needs and that provides opportunities for more integration between career and
17 technical education and traditional high school work;

18 (B) provide or enable the provision of the necessary staffing,
19 resources, and support to the Agency of Education, the Secretary of State’s
20 Office, town clerks, and other integral parties to the election system to hold the

1 first school board member elections within the newly created school districts in
2 a special election in March 2028; and
3 (C) provide or enable the provision of the necessary staffing,
4 resources, and support to the Agency of Education, State Board of Education,
5 and other integral parties to ensure that the necessary guidance and funding is
6 in place to allow for a smooth and successful transition between the operation
7 of Vermont’s current 119 school districts to the new, larger school districts,
8 with new school districts assuming responsibility for the education of all
9 resident students on July 1, 2029.

10 * * * Commission on the Future of Public Education * * *

11 Sec. 2. 2024 Acts and Resolves No. 183, Sec. 1 is amended to read:

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

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

1 Commission shall also make recommendations for the strategic policy changes
2 necessary to make Vermont’s educational vision a reality for all Vermont
3 students.

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

- 7 (1) the Secretary of Education or designee;
- 8 (2) the Chair of the State Board of Education or designee;
- 9 (3) the Tax Commissioner or designee;
- 10 (4) one current member of the House of Representatives, appointed by
11 the Speaker of the House;
- 12 (5) one current member of the Senate, appointed by the Committee on
13 Committees;
- 14 (6) one representative from the Vermont School Boards Association
15 (VSBA), appointed by the VSBA Executive Director;
- 16 (7) one representative from the Vermont Principals’ Association (VPA),
17 appointed by the VPA Executive Director;
- 18 (8) one representative from the Vermont Superintendents Association
19 (VSA), appointed by the VSA Executive Director;
- 20 (9) one representative from the Vermont National Education
21 Association (VTNEA), appointed by the VTNEA Executive Director;

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

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

6 (12) the Executive Director of the Vermont Rural Education
7 Collaborative; and

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

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

1 to address ~~other~~ key topics in greater depth, as necessary. ~~The steering group~~
2 ~~may appoint non-Commission members to the education finance~~
3 ~~subcommittee. All other subcommittees shall be composed solely of~~
4 ~~Commission members.~~

5 (d) Collaboration and information review.

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

- 9 (A) the Department of Mental Health;
- 10 (B) the Department of Labor;
- 11 (C) the President of the University of Vermont or designee;
- 12 (D) the Chancellor of the Vermont State Colleges Corporation or
13 designee;
- 14 (E) a representative from the Prekindergarten Education
15 Implementation Committee;
- 16 (F) the Office of Racial Equity;
- 17 (G) a representative with expertise in the Community Schools model
18 in Vermont;
- 19 (H) the Vermont Youth Council;
- 20 (I) the Commission on Public School Employee Health Benefits; and

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

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

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

19 (1) Public engagement. The Commission shall conduct not fewer than
20 14 public meetings to inform the work required under this section. At least one
21 meeting of the Commission as a whole or a subcommittee of the Commission

1 shall be held in each county. The Commission shall publish a draft of its final
2 recommendations on or before October 1, 2025, solicit public feedback, and
3 incorporate such feedback into its final recommendations. When submitting its
4 final recommendations to the General Assembly, the Commission shall include
5 all public feedback received as an addendum to its final report. The public
6 feedback process shall include:

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

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

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

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

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

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

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

8 (iv) what roles, functions, or decisions should be a function of
9 local control and what roles, functions, or decisions should be a function of
10 control at the State level, including whether there should be a process for the
11 community served by an elementary school to have a voice in decisions
12 regarding school closures and, if so, recommendations for what that process
13 shall entail; and

14 (v) ~~the effective integration of career and technical education in~~
15 ~~the recommended education vision of the State~~ how to maintain and improve
16 community engagement and local decision-making with transitional and new
17 school boards and how to improve voter turnout for school elections
18 throughout the creation and implementation of new school districts and a new
19 school funding formula; and

1 (vi) an analysis of the impact of health care costs on the Education
2 Fund, including recommendations for whether, and if so, what, changes need
3 to be made to contain costs.

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

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

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

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

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

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

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

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

13 [Repealed.]

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

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

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

1 ~~(iii) whether, and if so, how, collaboration with Vermont’s~~
2 ~~postsecondary schools may support and strengthen the delivery of public~~
3 ~~education; and~~

4 ~~(iv) what the consequences are for the Commission’s~~
5 ~~recommendations regarding the role of public schools and other service~~
6 ~~providers, including what the role of public schools means for staffing,~~
7 ~~funding, and any other affected system, with the goal of most efficiently~~
8 ~~utilizing State funds and services and maximizing federal funding. [Repealed.]~~

9 ~~(D) Education finance system. The Commission shall explore the~~
10 ~~efficacy and potential equity gains of changes to the education finance system,~~
11 ~~including weighted educational opportunity payments as a method to fund~~
12 ~~public education. The Commission’s recommendations shall be intended to~~
13 ~~result in an education funding system designed to afford substantially equal~~
14 ~~access to a quality basic education for all Vermont students in accordance with~~
15 ~~State v. Brigham, 166 Vt. 246 (1997). Recommendations under this~~
16 ~~subdivision (D) shall include, at a minimum, the following:~~

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

19 ~~(ii) the method for setting tax rates to sustain allowable uses of the~~
20 ~~Education Fund;~~

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

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

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

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

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

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

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

20 ~~(x) implementation details for any recommended changes to the~~
21 ~~education funding system. [Repealed.]~~

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

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

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

8 (2) a written report containing its preliminary findings and
9 recommendations, including short-term cost containment considerations for the
10 2025 legislative session, on or before December 15, 2024; and

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

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

18 (g) Assistance. The Agency of Education shall contract with one or more
19 independent consultants or facilitators to provide technical and legal assistance
20 to the Commission for the work required under this section. For the purposes
21 of scheduling meetings and providing administrative assistance, the

1 Commission shall have the assistance of the Agency of Education. The
2 Agency shall also provide the educational and financial data necessary to
3 facilitate the work of the Commission. School districts shall comply with
4 requests from the Agency to assist in data collections.

5 (h) Meetings.

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

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

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

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

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

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

19 * * * School District Redistricting * * *

20 **Sec. 3. SCHOOL DISTRICT REDISTRICTING TASK FORCE; REPORT**

1 (a) Creation. There is created the School District Redistricting Task Force
2 to recommend new school district boundaries and configurations to the
3 General Assembly.

4 (b) Membership. The Task Force shall be composed of the following
5 members:

6 (1) the Director of the Vermont Center for Geographic Information;

7 (2) the Chair of the Vermont School Boards Association or designee;

8 (3) the Secretary of Education or designee;

9 (4) the Chair of the Vermont Superintendents Association or designee;

10 (5) the Chair of the Vermont Association of Planning and Development
11 Agencies or designee;

12 (6) two members, appointed by the Speaker of the House:

13 (A) one member who shall be a current member of the House of
14 Representatives; and

15 (B) one member with expertise in education data analysis who shall
16 not be a current member of the House of Representatives;

17 (7) two members, appointed by the Senate Committee on Committees:

18 (A) one member who shall be a current member of the Senate; and

19 (B) one member with expertise in GIS analysis who shall not be a
20 current member of the Senate;

1 (8) the chair of the Commission on the Future of Public Education or
2 designee; and

3 (9) one member who shall be a current school board member, appointed
4 by the Executive Director of the Vermont School Boards Association;

5 (c) Powers and duties. In consultation with the Commission on the Future
6 of Public Education, the Task Force shall study and consider different
7 configurations for school district consolidation and propose not fewer than
8 three options for new school district boundaries.

9 (1) Proposed new school districts shall total not more than 30 districts,
10 each with not more than 8,000 prekindergarten through grade 12 students.

11 (2) Proposed new school districts shall also be, to the greatest extent
12 possible, grand list and pupil count balanced, demographically equitable,
13 logistically feasible, and create the least amount of disruption to students as
14 possible.

15 (3) Each proposed new school district shall include within its boundaries
16 at least one career and technical education (CTE) center currently operated by
17 a public school board, with such CTE centers transitioning to being operated
18 by the school board of the new proposed district.

19 (4) Each new proposed district shall be designed to maximize student
20 access to public schools in all regions of the State and reduce reliance on

1 tuitioning students to independent schools, with opportunities for modern
2 regional middle and high schools.

3 (5) In creating the proposed districts, the Task Force shall consider:

4 (A) current school district and town boundaries and other historic and
5 current community connections, including access to regional services for
6 students, such as designated agencies;

7 (B) geographic barriers, including mountains and rivers;

8 (C) population distribution;

9 (D) location, capacity, and the facility condition index score of
10 current school buildings;

11 (E) transportation and employment patterns and practices;

12 (F) grand list values and current education spending;

13 (G) student demographics;

14 (H) the debt, liabilities, and assets of current school districts;

15 (I) staffing levels and salary scales; and

16 (J) any other factor the Task Force deems relevant.

17 (6) The report of the Task Force shall include detailed maps for each
18 proposal, which shall include:

19 (A) boundaries of the new proposed school districts;

20 (B) average daily membership for the new proposed school districts;

21 (C) grand list value of the new proposed school districts; and

1 (D) the pros and cons for each proposal.

2 (7) The Task Force shall hold not fewer than two public hearings to
3 receive and consider feedback from members of the public regarding school
4 district consolidation and proposed boundaries and may coordinate with the
5 Commission on the Future of Public Education’s public engagement process to
6 maximize public input regarding the development of the proposed new school
7 district boundaries.

8 (d) Assistance. The Task Force shall have the administrative, technical,
9 and legal assistance of the Agency of Digital Services, Vermont Center for
10 Geographic Information. The Task Force may also retain the services of one
11 or more independent third parties to provide contracted resources as the Task
12 Force deems necessary.

13 (e) Report and maps. On or before November 1, 2025, the Task Force shall
14 submit a written report to the House Committees on Education and on
15 Government Operations and Military Affairs and the Senate Committees on
16 Education and on Government Operations with its proposals for new
17 consolidated school district boundaries. The report shall include how each
18 proposal meets the requirements contained in subdivisions (c)(1) and (2) of this
19 section, how the considerations in subdivision (c)(5) of this section factored
20 into each proposal, and the pros and cons of each proposal. The detailed maps

1 required under subdivision (c)(6) of this section shall also be included with the
2 report.

3 (f) Meetings.

4 (1) The Chair of the Vermont School Boards Association shall call the
5 first meeting of the Task Force to occur on or before July 15, 2025.

6 (2) The Chair of the Vermont School Boards Association shall be the
7 chair.

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

9 (4) The Task Force shall cease to exist on May 31, 2026.

10 (g) Compensation and reimbursement. Members of the Task Force shall be
11 entitled to per diem compensation and reimbursement of expenses as permitted
12 under 32 V.S.A. § 1010 for not more than eight meetings. These payments
13 shall be made from monies appropriated to the Agency of Digital Services.

14 (h) Appropriation. The sum of \$100,000.00 is appropriated to the Office of
15 Legislative Counsel from the General Fund in fiscal year 2026 to hire one or
16 more consultants pursuant to subsection (d) of this section.

17 **Sec. 3a. TRANSITIONAL SCHOOL BOARDS; TRANSITION GRANTS**

18 (a) Definitions. As used in this section:

19 (1) “Base amount” means a per pupil amount of \$15,033.00, which shall
20 be adjusted for inflation annually on or before November 15 by the Secretary
21 of Education. As used in this subdivision, “adjusted for inflation” means

1 adjusting the base dollar amount by the National Income and Product Accounts
2 (NIPA) implicit price deflator for state and local government consumption
3 expenditures and gross investment published by the U.S. Department of
4 Commerce, Bureau of Economic Analysis, from fiscal year 2025 through the
5 fiscal year for which the amount is being determined, and rounding upward to
6 the nearest whole dollar amount.

7 (2) “Forming districts” means all school districts, including union
8 school districts, that are located within the geographical boundaries of a new
9 school district created by the General Assembly during the 2026 session, prior
10 to the operational date of the new school district.

11 (3) “New school district” means a larger, consolidated school district
12 created by the General Assembly during the 2026 session.

13 (4) “New school district school board” means the elected school board
14 of a new school district.

15 (5) “Operational date” means the date on which the new school district
16 will assume full and sole responsibility for the education of all resident
17 students in the grades for which it is organized.

18 (b) Creation of transitional school boards. On or before January 1, 2027, a
19 transitional school board shall be formed for each new school district created
20 by the General Assembly during the 2026 session. Each transitional school
21 board shall be composed of the chair of each school board from each of the

1 forming districts, as such school boards existed on December 31, 2026;
2 provided, however, that by majority vote the board of a forming district may
3 designate another board member to serve on the transitional board instead of
4 the chair.

5 (c) Initial meeting of transitional board. The superintendent of the
6 supervisory union with the forming district with the highest average daily
7 membership shall convene the first meeting of the transitional board to occur
8 not later than 14 days after the organizational meeting of the new school
9 district. The agenda for the first meeting of the transitional board shall include
10 the election by the transitional board members of:

11 (1) one of their members to serve as chair of the transitional board; and

12 (2) one of their members to serve as clerk of the transitional board.

13 (d) Duties and authority of transitional board. During the period of its
14 existence, the transitional board shall serve as the new district's school board
15 and shall perform all functions required of and have all authority granted to the
16 transitional board and the new school district school board, including:

17 (1) preparing an initial budget for the new school district;

18 (2) following the principles of apportionment followed by the legislative
19 apportionment board, create voting districts within each new school district
20 that are compact, contiguous, and drawn to achieve substantially equal
21 weighting of votes and that meet the requirements of applicable State and

1 federal law to allow for initial elections of the new school district school board
2 members to occur in March 2028; and

3 (3) performing all necessary transitional processes, including:

4 (A) the transitional processes enumerated in 16 V.S.A. § 716;

5 (B) the hiring of a superintendent; and

6 (C) any other business process necessary to ensure the new school
7 district is ready to assume the full and sole responsibility for the education of
8 all resident students in the grades for which it is organized on July 1, 2029.

9 (e) New school district school board. The transitional board shall cease to
10 exist and the new school district school board shall be solely responsible for
11 the governance of the new school district upon the swearing in of all new
12 school district school board members, which shall occur within 14 days after
13 the initial election of new school district school board members in March 2028.

14 (f) Transition facilitation grants.

15 (1) Upon notice of formation of a transitional school board pursuant to
16 subsection (b) of this section, the Secretary of Education shall pay the
17 transitional school board of each new school district a transition facilitation
18 grant from the Education Fund equal to the lesser of:

19 (A) five percent of the base amount, as defined in subdivision (a)(1)
20 of this section, multiplied by the greater of either the combined enrollment or
21 the average daily membership of the forming districts on October 1, 2026; or

1 (B) \$250,000.00.

2 (2) Grants awarded under this subsection shall be used by new school
3 districts for the legal and other consulting services necessary ensure new
4 school districts are fully operational on July 1, 2029.

5 * * * Scale * * *

6 Sec. 4. SCALE; INTENT

7 It is the intent of the General Assembly to transform education in Vermont
8 by leveraging attainable and research-based scale to increase equity of
9 opportunity and promote efficiency and affordability.

10 Sec. 5. 16 V.S.A. § 165 is amended to read:

11 § 165. EDUCATION QUALITY STANDARDS; EQUAL EDUCATIONAL
12 OPPORTUNITIES; INDEPENDENT SCHOOL MEETING
13 EDUCATION QUALITY STANDARDS

14 (a) In order to carry out Vermont’s policy that all Vermont children will be
15 afforded educational opportunities that are substantially equal in quality, each
16 Vermont public school, including each career technical center, shall meet the
17 following education quality standards:

18 * * *

19 (9) The school complies with average class size minimum standards;
20 provided, however, that when class size minimums apply to content areas, an
21 individual class may be smaller than the minimum average. As used in this

1 subdivision, “content area” means a group of courses within a specific
2 licensing endorsement area.

3 (A) Class size standards.

4 (i) The average class size minimum for kindergarten and first
5 grade classes shall be 10 students.

6 (ii) The average class size minimum for grades two through five
7 shall be 12 students.

8 (iii) The average class size minimum for grades six through eight
9 in all required content areas shall be 15 students.

10 (iv) The average class size minimum for grades nine through 12 in
11 all required content area classes shall be 18 students.

12 (v) Multiage classrooms for grades kindergarten through eight
13 shall be limited to two grade levels per classroom.

14 (vi) Prekindergarten, career and technical education, flexible
15 pathways, terminal courses, advanced placement courses, courses that require
16 specialized equipment, and driver’s education classes shall be excluded from
17 the class size minimum requirements in this subdivision (9). Small group
18 services for the purpose of providing special education, supplemental or
19 targeted academic intervention, or English learner instruction shall also be
20 excluded from the class size minimum requirements in this subdivision (9).

1 (vii) Class sizes shall not exceed the maximum occupancy limits
2 established by local and State fire codes, including egress and safety
3 requirements.

4 (B) Waivers. If a school board determines that it operates a school
5 that is unable to comply with the class size minimum standards due to
6 geographic isolation, or a school has developed an implementation plan to
7 meet the standards contained in this subdivision (9) that may include
8 consolidation or merger, the school board may ask the State Board of
9 Education to grant it waiver from this subdivision (9). The State Board shall
10 define what qualifies as geographic isolation in its rules adopted pursuant to
11 subdivision (a)(3) of this section. The State Board’s decision shall be final.

12 (C) State Board action. If the Secretary determines that a school is
13 not meeting the class size minimum standards set forth in this subdivision (9)
14 over the course of three consecutive school years, the Secretary may
15 recommend to the State Board one or more of the actions listed in subsection
16 (b) of this section, regardless of whether the school is meeting all other
17 education quality standards. The State Board shall then follow the procedure
18 of subsection (c) of this section.

19 (b) Annually, the Secretary shall determine whether students in each
20 Vermont public school are provided educational opportunities substantially
21 equal to those provided in other public schools. If the Secretary determines

1 that a school is not meeting the education quality standards listed in subsection
2 (a) of this section or that the school is making insufficient progress in
3 improving student performance in relation to the standards for student
4 performance set forth in subdivision 164(9) of this title, ~~he or she~~ the Secretary
5 shall describe in writing actions that a district must take in order to meet either
6 or both sets of standards and shall provide technical assistance to the school. If
7 the school fails to meet the standards or make sufficient progress within two
8 years of following the determination, the Secretary shall recommend to the
9 State Board one or more of the following actions:

10 (1) the Agency continue to provide technical assistance for one more
11 cycle of review;

12 (2) the State Board adjust supervisory union boundaries or
13 responsibilities of the superintendency pursuant to section 261 of this title;

14 (3) the Secretary assume administrative control of an individual school,
15 school district, or supervisory union, including budgetary control to ensure
16 sound financial practices, only to the extent necessary to correct deficiencies;

17 (4) the State Board close an individual school or schools and require that
18 the school district pay tuition to another public school or an approved
19 independent school pursuant to chapter 21 of this title; or

20 (5) the State Board require two or more school districts to consolidate
21 their governance structures.

1 (c) The State Board, after offering the school board an opportunity for a
2 hearing, shall either dismiss the Secretary's recommendation or order that one
3 or more of the actions listed in subsection (b) of this section be taken. The
4 action ordered by the State Board shall be the least intrusive consistent with the
5 need to provide students attending the school substantially equal educational
6 opportunities. A school board aggrieved by an order of the State Board may
7 appeal the order in accordance with the Rules of Civil Procedure.

8 * * *

9 (e) If the Secretary determines at any time that the failure of a school to
10 meet the education quality standards listed in subsection (a) of this section is
11 severe or pervasive, potentially results in physical or emotional harm to
12 students or significant deprivation of equal education opportunities, and the
13 school has either unreasonably refused to remedy the problem or its efforts
14 have proved ineffective, ~~he or she~~ the Secretary may recommend to the State
15 Board one or more of the actions listed in subsection (b) of this section. The
16 State Board shall then follow the procedure of subsection (c) of this section.

17 * * *

18 (g) In addition to the education quality standards provided in subsection (a)
19 of this section, each Vermont school district shall meet the school district
20 quality standards adopted by rule of the Agency of Education regarding the
21 business, facilities management, and governance practices of school districts.

1 These standards shall include a process for school district quality reviews to be
2 conducted by the Agency of Education. Annually, the Secretary shall publish
3 metrics regarding the outcomes of school district quality reviews.

4 Sec. 6. FAILURE TO COMPLY WITH EDUCATION QUALITY

5 STANDARDS; STATE BOARD ACTION

6 Notwithstanding 16 V.S.A. § 165(b)(4) and (5) and any other provision of
7 law to the contrary, the State Board shall be prohibited from ordering school
8 district consolidation or school consolidation if a school fails to comply with
9 class size minimum education quality standards and the resulting consolidation
10 would result in school construction costs in excess of the applicable district's
11 capital reserve account until the General Assembly establishes new school
12 district boundaries and takes further action regarding the consequences for
13 failure to meet education quality standards.

14 Sec. 7. STATE BOARD OF EDUCATION; RULES; REPORT

15 (a) Rules.

16 (1) The State Board of Education shall initiate rulemaking to amend the
17 Education Quality Standards rule 2000 series, Agency of Education, Education
18 Quality Standards (22-000-003), pursuant to 3 V.S.A. chapter 25:

19 (A) on or before August 1, 2026, to ensure compliance with the class
20 size minimum standards set pursuant to 16 V.S.A. § 165(a)(9); and

1 (B) on or before July 1, 2027, to adopt standards for statewide
2 proficiency-based graduation requirements based on standards adopted by the
3 State Board and recommendations from the Agency of Education, which shall
4 take effect beginning in the 2027–2028 school year for the graduating class of
5 2031 and every graduating class thereafter.

6 (2) On or before August 1, 2026, the State Board of Education shall
7 initiate rulemaking to amend the approved independent school rule 2200 series,
8 Agency of Education, Independent School Program Approval (22-000-004),
9 pursuant to 3 V.S.A. chapter 25, to require approved independent schools that
10 intend to accept public tuition to comply with the class size minimum
11 standards set pursuant to 16 V.S.A. § 165(a)(9). The amendments shall also
12 create a process for review by the State Board for failure to meet the class size
13 minimum requirements and the corresponding actions the Board may take for
14 such noncompliance; provided, however, that the Board shall provide an
15 approved independent school a substantially similar opportunity to come into
16 compliance with class size minimum standards that it would provide to a
17 public school.

18 (b) Report. On or before December 1, 2025, the State Board of Education
19 shall submit a written report to the House and Senate Committees on
20 Education with proposed standards for schools to be deemed “small by
21 necessity.”

1 Sec. 8. PROHIBITION ON SCHOOL CLOSURE AND TRANSITION TO
2 PAYING TUITION

3 Notwithstanding any provision of law to the contrary, a school district shall
4 be prohibited from closing an existing public school and then providing for the
5 education of its resident students by paying tuition for its students to attend a
6 public or approved independent school chosen by the parents of the district's
7 students. If a school district that closes an existing public school is unable to
8 provide for the education of its affected resident students in a different school
9 or schools operated by the district, the school district shall provide for the
10 education of its resident students by designating three or fewer public schools
11 to serve as the public school or schools of the district. Notwithstanding any
12 provision of law to the contrary, if designation is required pursuant to this
13 section, the designation process contained in 16 V.S.A. § 827 shall apply to
14 schools operating grades kindergarten through grade 12, or any subset of
15 grades therein.

16 Sec. 9. 16 V.S.A. § 3440 is added to read:

17 § 3440. STATEMENT OF POLICY

18 It is the intent of this chapter to encourage the efficient use of public funds
19 to modernize school infrastructure in alignment with current educational needs.
20 School construction projects supported by this chapter should be developed
21 taking consideration of standards of quality for public schools under section

1 165 of this title and prioritizing cost, geographic accessibility, 21st century
2 education facilities standards, statewide enrollment trends, and capacity and
3 scale that support best educational practices. Further, it is the intent of this
4 chapter to encourage the use of existing infrastructure to meet the needs of
5 Vermont students. Joint construction projects between two or more school
6 districts and consolidation of buildings within a district where feasible and
7 educationally appropriate are encouraged.

8 Sec. 10. 16 V.S.A. § 3442 is added to read:

9 § 3442. STATE AID FOR SCHOOL CONSTRUCTION PROGRAM

10 The Agency of Education shall be responsible for implementing the State
11 Aid for School Construction Program according to the provisions of this
12 chapter. The Agency shall be responsible for:

13 (1) reviewing all preliminary applications for State school construction
14 aid and issuing an approval or denial in accordance with section 3445 of this
15 chapter;

16 (2) adopting rules pursuant to 3 V.S.A. chapter 25 pertaining to school
17 construction and capital outlay, including rules to specify a point prioritization
18 methodology and a bonus incentive structure aligned with the legislative intent
19 expressed in section 3440 of this title;

20 (3) including as part of its budget submitted to the Governor pursuant to
21 subdivision 212(21) of this title its annual school construction funding request;

1 (4) developing a prequalification and review process for project delivery
2 consultants and architecture and engineering firms specializing in
3 prekindergarten through grade 12 school design, renovation, or construction
4 and maintaining a list of such prequalified firms and consultants;

5 (5) providing technical assistance and guidance to school districts and
6 supervisory unions on all phases of school capital projects;

7 (6) providing technical advice and assistance, training, and education to
8 school districts, supervisory unions, general contractors, subcontractors,
9 construction or project managers, designers, and other vendors in the planning,
10 maintenance, and establishment of school facility space;

11 (7) maintaining a current list of school construction projects that have
12 received preliminary approval, projects that have received final approval, and
13 the priority points awarded to each project;

14 (8) collecting, maintaining, and making publicly available quarterly
15 progress reports of all ongoing school construction projects that shall include,
16 at a minimum, the costs of the project and the time schedule of the project;

17 (9) recommending policies and procedures designed to reduce
18 borrowing for school construction programs at both State and local levels;

19 (10) conducting a needs survey at least every five years to ascertain the
20 capital construction, reconstruction, maintenance, and other capital needs for
21 all public schools and maintaining such data in a publicly accessible format;

1 (11) developing a formal enrollment projection model or using
2 projection models already available;

3 (12) encouraging school districts and supervisory unions to investigate
4 opportunities for the maximum utilization of space in and around the district or
5 supervisory union;

6 (13) collecting and maintaining a clearinghouse of prototypical school
7 plans, as appropriate, that may be consulted by eligible applicants;

8 (14) retaining the services of consultants, as necessary, to effectuate the
9 roles and responsibilities listed within this section; and

10 (15) notwithstanding 2 V.S.A. § 20(d), annually on or before December
11 15, submitting a written report to the General Assembly regarding the status
12 and implementation of the State Aid for School Construction Program,
13 including the data required to be collected pursuant to this section.

14 Sec. 11. 16 V.S.A. § 3443 is added to read:

15 § 3443. STATE AID FOR SCHOOL CONSTRUCTION ADVISORY

16 BOARD

17 (a) Creation. There is hereby created the State Aid for School Construction
18 Advisory Board, which shall advise the Agency on the implementation of the
19 State Aid for School Construction Program in accordance with the provisions
20 of this chapter, including the adoption of rules, setting of statewide priorities,

1 criteria for project approval, and recommendations for project approval and
2 prioritization.

3 (b) Membership.

4 (1) Composition. The Board shall be composed of the following eight
5 members:

6 (A) four members who shall serve as ex officio members:

7 (i) the State Treasurer or designee;

8 (ii) the Commissioner of Buildings and General Services or
9 designee;

10 (iii) the Executive Director of the Vermont Bond Bank or
11 designee; and

12 (iv) the Chair of the State Board of Education or designee; and

13 (B) four members, none of whom shall be a current member of the
14 General Assembly, who shall serve four-year terms as follows:

15 (i) two members, appointed by the Speaker of the House, each of
16 whom shall have expertise in education or construction, real estate, or finance
17 and one of whom shall represent a supervisory union; and

18 (ii) two members, appointed by the Committee on Committees,
19 each of whom shall have expertise in education or construction, real estate, or
20 finance and one of whom shall be an educator.

21 (2) Members with four-year terms.

1 (A) A member with a term limit shall serve a term of four years and
2 until a successor is appointed. A term shall begin on January 1 of the year of
3 appointment and run through December 31 of the last year of the term. Terms
4 of these members shall be staggered so that not all terms expire at the same
5 time.

6 (B) A vacancy created before the expiration of a term shall be filled
7 in the same manner as the original appointment for the unexpired portion of the
8 term.

9 (C) A member with a term limit shall not serve more than two
10 consecutive terms. A member appointed to fill a vacancy created before the
11 expiration of a term shall not be deemed to have served a term for the purpose
12 of this subdivision (C).

13 (c) Duties. The Board shall advise the Agency on the implementation of
14 the State Aid for School Construction Program in accordance with the
15 provisions of this chapter, including:

16 (1) rules pertaining to school construction and capital outlay;

17 (2) project priorities;

18 (3) proposed legislation the Board deems desirable or necessary related
19 to the State Aid for School Construction Program, the provisions of this
20 chapter, and any related laws;

1 (4) policies and procedures designed to reduce borrowing for school
2 construction programs at both State and local levels;

3 (5) development of a formal enrollment projection model or the
4 consideration of using projection models already available;

5 (6) processes and procedures necessary to apply for, receive, administer,
6 and comply with the conditions and requirements of any grant, gift,
7 appropriation of property, services, or monies;

8 (7) the collection and maintenance of a clearinghouse of prototypical
9 school plans that may be consulted by eligible applicants and recommended
10 incentives to utilize such prototypes;

11 (8) the determination of eligible cost components of projects for funding
12 or reimbursement, including partial or full eligibility for project components
13 for which the benefit is shared between the school and other municipal and
14 community entities;

15 (9) development of a long-term vision for a statewide capital plan in
16 accordance with needs and projected funding;

17 (10) collection and maintenance of data on all public school facilities in
18 the State, including information on size, usage, enrollment, available facility
19 space, and maintenance;

1 (11) advising districts on the use of a needs survey to ascertain the
2 capital construction, reconstruction, maintenance, and other capital needs for
3 schools across the State; and

4 (12) encouraging school districts and supervisory unions to investigate
5 opportunities for the maximum utilization of space in and around the district or
6 supervisory union.

7 (d) Meetings.

8 (1) The Chair of the State Board of Education shall call the first meeting
9 of the Board to occur on or before September 1, 2025.

10 (2) The Board shall select a chair from among its members at the first
11 meeting.

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

13 (4) The Board shall meet not more than six times per year.

14 (e) Assistance. The Board shall have the administrative, technical, and
15 legal assistance of the Agency of Education.

16 (f) Compensation and reimbursement. Members of the Board shall be
17 entitled to per diem compensation and reimbursement of expenses as permitted
18 under 32 V.S.A. § 1010 for not more than six meetings per year.

19 (g) Report. On or before December 15, 2025, the Board shall submit a
20 written report to the House Committees on Education and on Ways and Means
21 and the Senate Committees on Education and on Finance on recommendations

1 for addressing the transfer of any debt obligations from current school districts
2 to future school districts as contemplated by Vermont’s education
3 transformation.

4 Sec. 12. PROSPECTIVE REPEAL OF STATE AID FOR SCHOOL

5 CONSTRUCTION ADVISORY BOARD

6 16 V.S.A. § 3443 (State Aid for School Construction Advisory Board) is
7 repealed on July 1, 2035.

8 Sec. 13. 16 V.S.A. § 3444 is added to read:

9 § 3444. SCHOOL CONSTRUCTION AID SPECIAL FUND

10 (a) Creation. There is created the School Construction Aid Special Fund,
11 to be administered by the Agency of Education. Monies in the Fund shall be
12 used for the purposes of:

13 (1) awarding aid to school construction projects under section 3445 of
14 this title;

15 (2) awarding grants through the Facilities Master Plan Grant Program
16 established in section 3441 of this title;

17 (3) funding administrative costs of the State Aid for School
18 Construction Program; and

19 (4) awarding emergency aid under section 3445 of this title.

20 (b) Funds. The Fund shall consist of:

1 (1) any amounts transferred or appropriated to it by the General

2 Assembly;

3 (2) any amounts deposited in the Fund from the Supplemental District

4 Spending Reserve; and

5 (3) any interest earned by the Fund.

6 Sec. 14. 16 V.S.A. § 3445 is added to read:

7 § 3445. APPROVAL AND FUNDING OF SCHOOL CONSTRUCTION

8 PROJECTS

9 (a) Construction aid.

10 (1) Preliminary application for construction aid. A school district
11 eligible for assistance under section 3447 of this title that intends to construct
12 or purchase a new school, or make extensive additions or alterations to its
13 existing school, and desires to avail itself of State school construction aid shall
14 submit a written preliminary application to the Secretary. A preliminary
15 application shall include information required by the Agency by rule and shall
16 specify the need for and purpose of the project.

17 (2) Approval of preliminary application.

18 (A) When reviewing a preliminary application for approval, the
19 Secretary shall consider:

1 (i) regional educational opportunities and needs, including school
2 building capacities across school district boundaries, and available
3 infrastructure in neighboring communities;

4 (ii) economic efficiencies;

5 (iii) the suitability of an existing school building to continue to
6 meet educational needs; and

7 (iv) statewide educational initiatives.

8 (B) The Secretary may approve a preliminary application if:

9 (i)(I) the project or part of the project fulfills a need occasioned
10 by:

11 (aa) conditions that threaten the health or safety of students
12 or employees;

13 (bb) facilities that are inadequate to provide programs
14 required by State or federal law or regulation;

15 (cc) excessive energy use resulting from the design of a
16 building or reliance on fossil fuels or electric space heat; or

17 (dd) deterioration of an existing building; or

18 (II) the project results in consolidation of two or more school
19 buildings and will serve the educational needs of students in a more cost-
20 effective and educationally appropriate manner as compared to individual
21 projects constructed separately;

1 (ii) the need addressed by the project cannot reasonably be met by
2 another means;

3 (iii) the proposed type, kind, quality, size, and estimated cost of
4 the project are suitable for the proposed curriculum and meet all legal
5 standards;

6 (iv) the applicant achieves the level of “proficiency” in the school
7 district quality standards regarding facilities management adopted by rule by
8 the Agency; and

9 (v) the applicant has completed a facilities master planning
10 process that:

11 (I) engages robust community involvement;

12 (II) considers regional solutions;

13 (III) evaluates environmental contaminants; and

14 (IV) produces a facilities master plan that unites the applicant’s
15 vision statement, educational needs, enrollment projections, renovation needs,
16 and construction projects.

17 (3) Priorities. Following approval of a preliminary application and
18 provided that the district has voted funds or authorized a bond for the total
19 estimated cost of a project, the Agency, with the advice of the State Aid for
20 School Construction Advisory Board, shall assign points to the project as

1 prescribed by rule of the Agency so that the project can be placed on a priority
2 list based on the number of points received.

3 (4) Request for legislative appropriation. The Agency shall submit its
4 annual school construction funding request to the Governor as part of its
5 budget pursuant to subdivision 212(21) of this title. Following submission of
6 the Governor’s recommended budget to the General Assembly pursuant to
7 32 V.S.A. § 306, the House Committee on Education and the Senate
8 Committee on Education shall recommend a total school construction
9 appropriation for the next fiscal year to the General Assembly.

10 (5) Final approval for construction aid.

11 (A) Unless approved by the Secretary for good cause in advance of
12 commencement of construction, a school district shall not begin construction
13 before the Secretary approves a final application. A school district may submit
14 a written final application to the Secretary at any time following approval of a
15 preliminary application.

16 (B) The Secretary may approve a final application for a project
17 provided that:

18 (i) the project has received preliminary approval;

19 (ii) the district has voted funds or authorized a bond for the total
20 estimated cost of the project;

1 (iii) the district has made arrangements for project construction
2 supervision by persons competent in the building trades;

3 (iv) the district has provided for construction financing of the
4 project during a period prescribed by the Agency;

5 (v) the project has otherwise met the requirements of this chapter;

6 (vi) if the proposed project includes a playground, the project
7 includes a requirement that the design and construction of playground
8 equipment follow the guidelines set forth in the U.S. Consumer Product Safety
9 Commission Handbook for Public Playground Safety; and

10 (vii) if the total estimated cost of the proposed project is less than
11 \$50,000.00, no performance bond or irrevocable letter of credit shall be
12 required.

13 (C) The Secretary may provide that a grant for a high school project
14 is conditioned upon the agreement of the recipient to provide high school
15 instruction for any high school pupil living in an area prescribed by the Agency
16 who may elect to attend the school.

17 (D) A district may begin construction upon receipt of final approval.
18 However, a district shall not be reimbursed for debt incurred due to borrowing
19 of funds in anticipation of aid under this section.

20 (6) Award of construction aid.

1 (A) The base amount of an award shall be 20 percent of the eligible
2 debt service cost of a project. Projects are eligible for additional bonus
3 incentives as specified in rule for up to an additional 20 percent of the eligible
4 debt service cost. Amounts shall be awarded annually.

5 (B) As used in subdivision (A) of this subdivision (6), “eligible debt
6 service cost” of a project means the product of the lifetime cost of the bond
7 authorized for the project and the ratio of the approved cost of a project to the
8 total cost of the project.

9 (b) Emergency aid. Notwithstanding any other provision of this section,
10 the Secretary may grant aid for a project the Secretary deems to be an
11 emergency in the amount of 30 percent of eligible project costs, up to a
12 maximum eligible total project cost of \$300,000.00.

13 Sec. 15. 16 V.S.A. § 3446 is added to read:

14 § 3446. APPEAL

15 Any municipal corporation as defined in section 3447 of this title aggrieved
16 by an order, allocation, or award of the Agency of Education may, within 30
17 days, appeal to the Superior Court in the county in which the project is located.

18 Sec. 16. TRANSFER OF RULEMAKING AUTHORITY; TRANSFER OF
19 RULES

20 (a) The statutory authority to adopt rules by the State Board of Education
21 pertaining to school construction and capital outlay adopted under 16 V.S.A.

1 § 3448(e) and 3 V.S.A. chapter 25 is transferred from the State Board of
2 Education to the Agency of Education.

3 (b) All rules pertaining to school construction and capital outlay adopted by
4 the State Board of Education under 3 V.S.A. chapter 25 prior to July 1, 2026
5 shall be deemed the rules of the Agency of Education and remain in effect until
6 amended or repealed by the Agency of Education pursuant to 3 V.S.A. chapter
7 25.

8 (c) The Agency of Education shall provide notice of the transfer to the
9 Secretary of State and the Legislative Committee on Administrative Rules in
10 accordance with 3 V.S.A. § 848(d)(2).

11 Sec. 17. REPEALS

12 (a) 16 V.S.A. § 3448 (approval of funding of school construction projects;
13 renewable energy) is repealed on July 1, 2026.

14 (b) 16 V.S.A. § 3448a (appeal) is repealed on July 1, 2026.

15 Sec. 18. 16 V.S.A. § 828 is amended to read:

16 § 828. TUITION TO APPROVED SCHOOLS; AGE; APPEAL

17 (a) A school district shall not pay the tuition of a student except to:

18 (1) a public school; located in Vermont;

19 (2) an approved independent school; that:

20 (A) is located in Vermont;

1 (B) is approved under section 166 of this title on or before July 1,
2 2025;

3 (C) has at least 40 percent of its student enrollment composed of
4 students attending on a district-funded tuition basis pursuant to chapter 21 of
5 this title during the 2024–2025 school year; and

6 (D) complies with the minimum class size requirements contained in
7 subdivision 165(a)(9) of this title and State Board rule; provided, however, that
8 if a school is unable to comply with the class size minimum standards due to
9 geographic isolation or a school has developed an implementation plan to meet
10 the class size minimum requirements, the school may ask the State Board to
11 grant it a waiver from this subdivision (D), which decision shall be final;

12 (3) an independent school meeting education quality standards;

13 (4) a tutorial program approved by the State Board;

14 (5) an approved education program; or

15 (6) an independent school in another state or country approved under the
16 laws of that state or country, that complies with the reporting requirement
17 under subsection 4010(c) of this title, a public school located in another state;
18 or

19 (7) a therapeutic approved independent school located in Vermont or
20 another state or country that is approved under the laws of that state or country.

1 ~~(b) nor shall payment~~ Payment of tuition on behalf of a person shall not be
2 denied on account of age.

3 (c) Unless otherwise provided, a person who is aggrieved by a decision of a
4 school board relating to eligibility for tuition payments, the amount of tuition
5 payable, or the school the person may attend, may appeal to the State Board
6 and its decision shall be final.

7 (d) As used in this section, “therapeutic approved independent school”
8 means an approved independent school that limits enrollment for publicly
9 funded students residing in Vermont to students who are on an individualized
10 education program or plan under Section 504 of the Rehabilitation Act of
11 1973, 29 U.S.C. § 794, or who are enrolled pursuant to a written agreement
12 between a local education agency and the school or pursuant to a court order.

13 Sec. 19. TUITION TRANSITION

14 A school district that pays tuition pursuant to the provisions of 16 V.S.A.
15 chapter 21 in effect on June 30, 2025 shall continue to pay tuition on behalf of
16 a resident student enrolled for the 2024–2025 school year in or who has been
17 accepted for enrollment for the 2025–2026 school year by an approved
18 independent school subject to the provisions of 16 V.S.A. § 828 in effect on
19 June 30, 2025, until such time as the student graduates from that school.

20 * * * Statewide Cohesion * * *

21 Sec. 20. STATEWIDE COHESION; INTENT

1 It is the intent of the General Assembly to consolidate structures and
2 systems that are foundational to the administration of education.

3 Sec. 21. AGENCY OF EDUCATION; GRADUATION REQUIREMENTS;
4 REPORT

5 (a) Statewide graduation requirements. On or before January 1, 2026, the
6 Agency of Education shall recommend to the State Board of Education
7 standards for statewide proficiency-based graduation requirements based on
8 standards adopted by the State Board.

9 (b) Report. On or before December 1, 2025, the Agency of Education shall
10 submit a written report and recommended legislative language, as applicable,
11 to the House and Senate Committees on Education with the following:

12 (1) In consultation with educators and administrators, a proposed
13 implementation plan for statewide financial data and student information
14 systems.

15 (2) Recommendations for a school construction division within the
16 Agency of Education, including position descriptions and job duties for each
17 position within the division, a detailed description of the assistance the division
18 would provide to the field, and the overall role the Agency would play within a
19 State aid to school construction program.

20 (3) A progress report regarding the development of clear, unambiguous
21 guidance that would be provided to school officials and school board members

1 regarding the business processes and transactions that would need to occur to
2 facilitate school district mergers into larger, consolidated school districts,
3 including the merging of data systems, asset and liability transfers, and how to
4 address collective bargaining agreements for both educators and staff. The
5 report shall include a detailed description of how the Agency will provide
6 support and consolidation assistance to the field in each of these areas and an
7 estimate of the costs associated with such work.

8 (4) In consultation with superintendents, directors of therapeutic
9 independent schools, special education directors, and, in the opinion of the
10 Agency, other experts, recommendations for the need for cooperative
11 education services and the oversight of therapeutic schools within the school
12 governance framework both at a State and local level.

13 * * * State-Level Governance * * *

14 Sec. 22. STATE-LEVEL GOVERNANCE; INTENT

15 It is the intent of the General Assembly to ensure that the State Board of
16 Education is the independent, transparent, and public facing body for public
17 education and to ensure the Board maintains its ability provide an important
18 outlet for the public to engage in the rulemaking process and regularly provide
19 public comment regarding the state of Vermont's education system.

20 Sec. 23. 16 V.S.A. § 161 is amended to read:

21 § 161. STATE BOARD OF EDUCATION; APPOINTMENT OF

MEMBERS; TERM; VACANCY

The State Board shall consist of ~~ten~~ 10 members. Two of the members shall be secondary students, one of whom shall be a full member and the other of whom shall be a junior member who may not vote. ~~All~~ Eight members, including the two student members, shall be appointed by the Governor with the advice and consent of the Senate. One member shall be appointed by the Speaker of the House and one member shall be appointed by the Senate Committee on Committees. In the appointment of the nonstudent members, priority shall be given to the selection of persons with a demonstrated commitment to ensuring quality education for Vermont students. To the extent possible, the members shall represent the State's geographic, gender, racial, and ethnic diversity. The Secretary shall serve on the State Board as a nonvoting member.

(1) Upon the expiration of the respective terms of those members of the Board previously appointed, excluding the student members, the ~~Governor~~ appointing authority that made the initial appointment to the expired term shall, biennially in the month of February with the advice and consent of the Senate, as applicable, appoint members for terms of six years. The terms shall begin March 1 of the year in which the appointments are made. A member serving a term of six years shall not be eligible for reappointment for successive terms.

1 (2) In the event of any vacancy occurring in the membership of the
2 Board, the ~~Governor~~ appointing authority that made the initial appointment to
3 the vacated term shall fill the vacancy with a qualified person whose
4 appointment shall be for the unexpired portion of the term.

5 (3) Biennially, the Board shall choose a member of the Board to be its
6 chair.

7 (4) Annually, using an application process that is open and accessible to
8 all eligible students, the Governor shall appoint a Vermont secondary school
9 student who will continue to be a secondary student for at least two years
10 following taking office, to serve on the State Board for two years, beginning on
11 July 1 of the year of appointment. The student member shall not vote during
12 the first year and shall be a full and voting member during the second year of
13 ~~his or her~~ the student's term.

14 Sec. 24. TRANSITION PERIOD APPOINTMENTS; STATE BOARD OF
15 EDUCATION

16 (a) Members currently serving on the State Board of Education may
17 continue to serve for the duration of the term to which they were appointed.

18 (b) Beginning on July 1, 2025, as terms of currently serving members
19 expire, appointments of successors shall be made in accordance with the
20 considerations and appointment authority contained in 16 V.S.A. § 161.

1 (1) The Speaker of the House shall make the first appointment to a
2 vacant or expired seat that occurs after July 1, 2025 and shall make any
3 subsequent appointments to fill the vacated or expired term for that same seat
4 after the initial transition period appointment.

5 (2) The Senate Committee on Committees shall make the second
6 appointment to a vacant or expired seat that occurs after July 1, 2025 and shall
7 make any subsequent appointments to fill the vacated or expired term for that
8 same seat after the initial transition period appointment.

9 (3) The Governor shall make the third appointment, with the advice and
10 consent of the Senate, to a vacant or expired seat that occurs after July 1, 2025
11 and shall make any subsequent appointments to fill the vacated or expired term
12 for that same seat after the initial transition period appointment.

13 (c) Once the first three appointments after July 1, 2025 are made in
14 accordance with subsection (b) of this section, the Governor shall make all
15 subsequent appointments for the remaining five non-student seats, with the
16 advice and consent of the Senate, in accordance with 16 V.S.A. § 161.

17 Sec. 25. 16 V.S.A. § 162 is amended to read:

18 § 162. REMOVAL OF BOARD MEMBERS

19 After notice and hearing, the Governor may remove a member of the State
20 Board for incompetency, failure to discharge ~~his or her~~ the member's duties,
21 malfeasance, illegal acts, or other cause inimical to the welfare of the public

schools; and in case of such removal, ~~he or she~~ the appointing authority that made the initial appointment shall appoint a person to fill the unexpired term.

Sec. 26. STATE BOARD OF EDUCATION; REVIEW OF RULES;

APPROPRIATION

(a) The State Board of Education shall review each rule series the State Board is responsible for and make a determination as to the continuing need for, appropriateness of, or need for updating of said rules. On or before December 1, 2026, the State Board of Education shall submit a written report to the House and Senate Committees on Education with its recommendation for rules that are no longer needed and a plan to update rules that are still necessary, including the order in which the Board proposes to update the rules and any associated costs or staffing needs.

(b) The sum of \$200,000.00 is appropriated from the General Fund to the Agency of Education in fiscal year 2026 to provide the State Board of Education with the contracted resources necessary to review and update the Board's rules.

* * * Tuition * * *

Sec. 27. 16 V.S.A. § 823 is amended to read:

§ 823. ~~ELEMENTARY~~ TUITION

(a) Tuition for ~~elementary~~ students shall be paid by the district in which the student is a resident. The district shall pay ~~the full tuition charged its students~~

1 ~~attending a public elementary school~~ to a receiving school an amount equal to
2 the base amount contained in subdivision 4001(16) of this title multiplied by
3 the sum of one and any weights applicable to the resident student under section
4 4010 of this title, for each resident student attending the receiving school. If a
5 ~~payment made to a public elementary school is three percent more or less than~~
6 ~~the calculated net cost per elementary pupil in the receiving school district for~~
7 ~~the year of attendance, the district shall be reimbursed, credited, or refunded~~
8 ~~pursuant to section 836 of this title. Notwithstanding the provisions of this~~
9 ~~subsection or of subsection 825(b) of this title, the boards of both the receiving~~
10 ~~and sending districts may enter into tuition agreements with terms differing~~
11 ~~from the provisions of those subsections, provided that the receiving district~~
12 ~~must offer identical terms to all sending districts, and further provided that the~~
13 ~~statutory provisions apply to any sending district that declines the offered~~
14 ~~terms.~~

15 (b) ~~Unless the electorate of a school district authorizes payment of a higher~~
16 ~~amount at an annual or special meeting warned for the purpose, the tuition paid~~
17 ~~to an approved independent elementary school or an independent school~~
18 ~~meeting education quality standards shall not exceed the least of:~~

19 (1) ~~the average announced tuition of Vermont union elementary schools~~
20 ~~for the year of attendance;~~

1 ~~(2) the tuition charged by the approved independent school for the year~~
2 ~~of attendance; or~~

3 ~~(3) the average per pupil tuition the district pays for its other resident~~
4 ~~elementary students in the year in which the student is enrolled in the approved~~
5 ~~independent school. [Repealed.]~~

6 Sec. 28. REPEALS

7 16 V.S.A. §§ 824 (high school tuition), 825 (maximum tuition rate;
8 calculated net cost per pupil defined), 826 (notice of tuition rates; special
9 education charges), and 836 (tuition overcharge or undercharge) are repealed
10 on July 1, 2029.

11 * * * Special Education Delivery * * *

12 Sec. 29. STATE OF SPECIAL EDUCATION DELIVERY; AGENCY OF
13 EDUCATION; REPORT

14 (a) On or before September 1, 2025, the Agency of Education shall submit
15 a written report to the House and Senate Committees on Education, the House
16 Committee on Ways and Means, and the Senate Committee on Finance
17 addressing the factors contributing to growth in extraordinary special education
18 reimbursement costs. The report shall include detailed information regarding
19 the current state of special education delivery in Vermont, including an update
20 on the implementation of special education changes enacted pursuant to 2018
21 Acts and Resolves No. 173 (Act 173). The report shall include a description of

1 the current state of support for students with disabilities in Vermont and
2 recommended changes to structure, practice, and law with the goal of:

3 (1) improving the delivery of special education services and managing
4 the rising extraordinary special education costs as Vermont's special education
5 finance system transitions from a census block grant to a weight for special
6 education costs;

7 (2) ensuring better, more inclusive services in the least restrictive
8 environment in a way that makes efficient and effective use of limited
9 resources while resulting in the best outcomes;

10 (3) responding to the challenges of fully implementing Act 173 and the
11 lessons learned from implementation efforts to date;

12 (4) ensuring that the delivery of special education is responsive to
13 student needs; and

14 (5) addressing drivers of growth of extraordinary expenditures in special
15 education.

16 (b) The report shall include:

17 (1) An analysis of the costs of and services provided for students with
18 extraordinary needs in specialized settings, separated by school-district-
19 operated specialized programs, independent nonprofit programs, and
20 independent for-profit programs. The report shall include a geographic map

1 with the location of all specialized programs within the State of Vermont, as
2 well as the following information for each individual specialized program:

3 (A) disability categories served;

4 (B) grade levels served;

5 (C) the number of students with IEPs and the average duration of
6 time each student spent in the program over the last 10 years;

7 (D) average cost per pupil, inclusive of extraordinary spending and
8 any costs in excess of general tuition rates;

9 (E) years of experience, training, and tenure of licensed special
10 education staff;

11 (F) a review of the findings of all investigations conducted by the
12 Agency of Education; and

13 (G) a review of the Agency’s public assurance capabilities, with
14 respect to special education programs in all settings, and an analysis of the
15 effectiveness of current oversight or rule, and recommended changes if needed.

16 (2) An evaluation of the state of implementation of Act 173, including
17 examples of where implementation has been successful, where it has not, and
18 why.

19 (3) Identification of drivers of accelerating costs within the special
20 education system.

21 (4) Identification of barriers to the success of students with disabilities.

1 (5) A description of how specialized programs for students with
2 extraordinary needs operated by school districts, independent nonprofit
3 schools, and independent for-profit schools are funded, with an analysis of the
4 benefits and risks of each funding model.

5 (6) An assessment of whether Vermont’s current special education laws
6 ensure equitable access for all students with disabilities to education alongside
7 their peers in a way that is consistent with the Vermont education quality
8 standards for public schools and the right to a free appropriate public education
9 (FAPE) under the Individuals with Disabilities Education Act, 20 U.S.C.
10 §§ 1400–1482.

11 (7) A review of the capacity of the Agency to support and guide school
12 districts on the effective support of students with disabilities, as well as
13 compliance with federal law, which shall include:

14 (A) a review of final reports of investigations conducted by the
15 Agency in school-district-operated specialized programs, independent
16 nonprofit programs, and independent for-profit programs in the previous 10
17 years and an evaluation of what practices could reduce adverse findings in
18 these settings;

19 (B) an assessment of the ability of the State to ensure State resources
20 are used in the most efficient and effective way possible to support the success

1 of students with disabilities and their access to a free and appropriate public
2 education;

3 (C) a review of any pending and recent federal findings against the
4 State or school districts, as well as progress on corrective actions;

5 (D) a review of the Agency’s staffing and capacity to review and
6 conduct monitoring and visits to schools, especially independent settings;

7 (E) a description of the process and status of reviews and approvals
8 of approved independent schools that provide special education and therapeutic
9 schools; and

10 (F) recommendations for whether the Agency has capacity to ensure
11 timely review of approved independent schools and provide sufficient
12 oversight for specialized programs in nonprofit independent schools and for-
13 profit independent schools.

14 (8) Recommendations for needed capacity at the Agency to provide
15 technical assistance and support to school districts in the provision of special
16 education services.

17 (9) An analysis of whether more strategic support for better primary first
18 instruction and more successful implementation of Act 173 needs to be in
19 place for a weighted funding model for special education to succeed, including
20 a suggested transition timeline, with indicators, to be incorporated into the
21 Agency’s strategic plan.

1 (10) If warranted, a review of options for changes to practice, structure,
2 and law that ensure students with disabilities are provided access to quality
3 education, in the least restrictive environment, in a cost-effective way that is
4 consistent with State and federal law, which may include a review of the
5 possible role of BOCES and the impact of larger districts on effective, high-
6 quality support for students with disabilities.

7 Sec. 30. SPECIAL EDUCATION STRATEGIC PLAN; AGENCY OF
8 EDUCATION

9 (a) Strategic plan. In consultation with the State Advisory Panel on Special
10 Education established under 16 V.S.A. § 2945, the Agency of Education shall
11 develop a three-year strategic plan for the delivery of special education
12 services in Vermont. The strategic plan shall include unambiguous measurable
13 outcomes and a timeline for implementation. The strategic plan shall be
14 informed by the analysis and findings of the report required of the Agency
15 under Sec. 29 of this act and be designed to ensure successful implementation
16 of 2018 Acts and Resolves No. 173 (Act 173) and provide the supports and
17 processes that need to be in place for the transition to a weighted funding
18 model for special education to succeed, including a suggested transition
19 timeline, with benchmarks for success. The strategic plan shall also include
20 contingency recommendations for special education funding in the event
21 federal special education funding under the Individuals with Disabilities

1 Education Act, 20 U.S.C. §§ 1400–1482, is no longer available or transitions
2 to a system that requires more planning and management on the part of the
3 State to ensure funds are distributed equitably.

4 (b) Reports.

5 (1) On or before December 1, 2025, the Agency shall submit the three-
6 year strategic plan created pursuant to subsection (a) of this section to the
7 House and Senate Committees on Education, the House Committee on Ways
8 and Means, and the Senate Committee on Finance.

9 (2) On or before December 1 of 2026, 2027, 2028, and 2029, the
10 Agency shall submit a written report to the House and Senate Committees on
11 Education, the House Committee on Ways and Means, and the Senate
12 Committee on Finance with a detailed update on the Agency’s implementation
13 of its strategic plan and any recommendations for legislative changes needed to
14 ensure a successful transition to a weighted funding model and continued
15 successful implementation of Act 173.

16 Sec. 31. POSITION; AGENCY OF EDUCATION

17 (a) Establishment of one new permanent, classified position is authorized
18 in the Agency of Education in fiscal year 2026, to support development and
19 implementation of the three-year strategic plan required under Sec. 30 of this
20 act.

1 (b) The sum of \$150,000.00 is appropriated from the General Fund to the
2 Agency of Education’s base budget in fiscal year 2026 for the purposes of
3 funding the position created in subsection (a) of this section. The Agency shall
4 include funding for this permanent position in their annual base budget request
5 in subsequent years.

6 * * * Agency of Education Transformation Support * * *

7 **Sec. 32. AGENCY OF EDUCATION; TRANSFORMATION**

8 **APPROPRIATION**

9 The sum of \$3,517,000.00 is appropriated from the General Fund to the
10 Agency of Education in fiscal year 2026 to support education transformation
11 work as follows:

12 (1) \$200,000.00 to support school boards transitioning to new
13 governance models as contemplated in this act;

14 (2) \$562,500.00 for positions established in Sec. 33 of this act; and

15 (3) \$2,637,500.00 for contracted services to support school districts with
16 administrative activities relating to consolidation, including accounting, budget
17 and operational practice, and to support education quality activities including
18 the alignment of curricula, instructional materials, and teaching activities.

19 **Sec. 33. EDUCATION TRANSFORMATION; POOL POSITIONS**

20 The General Fund appropriation in Sec. 32 of this act shall fund five limited
21 service classified positions taken from the position pool. The pool positions

1 shall be used to establish the following limited service classified positions at
2 the Agency of Education in fiscal year 2026 to support education
3 transformation work:

- 4 (1) one Business Operations Support Specialist;
5 (2) one Data Integration Support Specialist;
6 (3) one Curriculum and Education Quality Standards Integration
7 Specialist;
8 (4) one Learning and Teaching Integration Specialist; and
9 (5) one School Facilities Field Support Specialist.

10 * * * State Funding of Public Education * * *

11 Sec. 34. 16 V.S.A. § 4001 is amended to read:

12 § 4001. DEFINITIONS

13 As used in this chapter:

14 (1) “Average daily membership” of a school district ~~or, if needed in~~
15 ~~order to calculate the appropriate homestead tax rate, of the municipality as~~
16 ~~defined in 32 V.S.A. § 5401(9), in any year means:~~

17 * * *

18 (6) ~~“Education spending” means the amount of the school district~~
19 ~~budget, any assessment for a joint contract school, career technical center~~
20 ~~payments made on behalf of the district under subsection 1561(b) of this title,~~
21 ~~and any amount added to pay a deficit pursuant to 24 V.S.A. § 1523(b) that is~~

1 ~~paid for by the school district, but excluding any portion of the school budget~~
2 ~~paid for from any other sources such as endowments, parental fundraising,~~
3 ~~federal funds, nongovernmental grants, or other State funds such as special~~
4 ~~education funds paid under chapter 101 of this title.~~

5 (A) ~~[Repealed.]~~

6 (B) ~~For all bonds approved by voters prior to July 1, 2024, voter-~~
7 ~~approved bond payments toward principal and interest shall not be included in~~
8 ~~“education spending” for purposes of calculating excess spending pursuant to~~
9 ~~32 V.S.A. § 5401(12). [Repealed.]~~

10 * * *

11 (13) ~~“Base education~~ Categorical base amount” means a number used to
12 calculate categorical grants awarded under this title that is equal to \$6,800.00
13 per equalized pupil, adjusted as required under section 4011 of this title.

14 (14) ~~“Per pupil education spending” of a school district in any school~~
15 ~~year means the per pupil education spending of that school district as~~
16 ~~determined under subsection 4010(f) of this title. [Repealed.]~~

17 * * *

18 (16) “Base amount” means a per pupil cost-factor amount of
19 \$15,033.00, which shall be adjusted for inflation annually on or before
20 November 15 by the Secretary of Education. As used in this subdivision,
21 “adjusted for inflation” means adjusting the base dollar amount by the National

1 Income and Product Accounts (NIPA) implicit price deflator for state and local
2 government consumption expenditures and gross investment published by the
3 U.S. Department of Commerce, Bureau of Economic Analysis, from fiscal
4 year 2025 through the fiscal year for which the amount is being determined,
5 and rounding upward to the nearest whole dollar amount.

6 (17) “Educational opportunity payment” means the base amount
7 multiplied by the school district’s weighted long-term membership as
8 determined under section 4010 of this title.

9 Sec. 35. 16 V.S.A. § 4010 is amended to read:

10 § 4010. DETERMINATION OF WEIGHTED LONG-TERM MEMBERSHIP
11 ~~AND PER PUPIL EDUCATION SPENDING~~ EDUCATION
12 OPPORTUNITY PAYMENT

13 (a) Definitions. As used in this section:

14 (1) “EL pupils” means pupils described under section 4013 of this title.

15 (2) “FPL” means the Federal Poverty Level.

16 (3) “Weighting categories” means the categories listed under subsection
17 (b) of this section.

18 (4) “Child with a disability” has the same meaning as in section 2942 of
19 this title.

20 (5) “Disability” means any of:

1 (A) a specific learning disability or a speech or language impairment,
2 each of which is identified as “Category A”;

3 (B) an emotional disturbance, intellectual disability, developmental
4 delay, or other health impairment, each of which is identified as “Category B”;
5 or

6 (C) autism spectrum disorder, deaf-blindness, hearing impairment,
7 orthopedic impairment, traumatic brain injury, or visual impairment, each of
8 which is identified as “Category C.”

9 (6) “English language proficiency level” means each of the English
10 language proficiency levels published as a standardized measure of academic
11 language proficiency in WIDA ACCESS for ELLs 2.0 and available to
12 members of the WIDA consortium of state departments of education.

13 (7) “Newcomer or SLIFE” means a pupil identified as a New American
14 or as a student with limited or interrupted formal education.

15 (b) Determination of average daily membership and weighting categories.
16 On or before the first day of December during each school year, the Secretary
17 shall determine the average daily membership, as defined in subdivision
18 4001(1) of this title, of each school district for the current school year and shall
19 ~~perform the following tasks:~~

20 ~~(1) Using~~ using average daily membership, list for each school district
21 the number of:

1 ~~(A) pupils in prekindergarten;~~

2 ~~(B) pupils in kindergarten through grade five;~~

3 ~~(C) pupils in grades six through eight;~~

4 ~~(D) pupils in grades nine through 12;~~

5 ~~(E)~~(1) pupils whose families are at or below 185 percent of FPL, using
6 the highest number of pupils in the district:

7 ~~(i)~~(A) that meet this definition under the universal income declaration
8 form; or

9 ~~(ii)~~(B) who are directly certified for free and reduced-priced meals;
10 and

11 ~~(F)~~(2) EL pupils that have been most recently assessed at an English
12 language proficiency level of:

13 (A) Level 1;

14 (B) Level 2 or 3;

15 (C) Level 4; or

16 (D) Level 5 or 6;

17 (3) EL pupils that are identified as Newcomer or SLIFE; and

18 (4) Children with a disability whose disability is identified as:

19 (A) Category A;

20 (B) Category B; or

1 (C) Category C, provided that a child with multiple disabilities shall
2 be counted solely under this subdivision (C).

3 ~~(2)(A) Identify all school districts that have low population density,~~
4 ~~measured by the number of persons per square mile residing within the land~~
5 ~~area of the geographic boundaries of the district as of July 1 of the year of~~
6 ~~determination, equaling:~~

7 ~~(i) fewer than 36 persons per square mile;~~

8 ~~(ii) 36 or more persons per square mile but fewer than 55 persons~~
9 ~~per square mile; or~~

10 ~~(iii) 55 or more persons per square mile but fewer than 100~~
11 ~~persons per square mile.~~

12 ~~(B) Population density data shall be based on the best available U.S.~~
13 ~~Census data as provided to the Agency of Education by the Vermont Center for~~
14 ~~Geographic Information.~~

15 ~~(C) Using average daily membership, list for each school district that~~
16 ~~has low population density the number of pupils in each of subdivisions~~
17 ~~(A)(i)–(iii) of this subdivision (2).~~

18 ~~(3)(A) Identify all school districts that have one or more small schools,~~
19 ~~which are schools that have an average two-year enrollment of:~~

20 ~~(i) fewer than 100 pupils; or~~

21 ~~(ii) 100 or more pupils but fewer than 250 pupils.~~

1 ~~(B) As used in subdivision (A) of this subdivision (3), “average two-~~
2 ~~year enrollment” means the average enrollment of the two most recently~~
3 ~~completed school years, and “enrollment” means the number of pupils who are~~
4 ~~enrolled in a school operated by the district on October 1. A pupil shall be~~
5 ~~counted as one whether the pupil is enrolled as a full-time or part-time student.~~

6 ~~(C) Using average two-year enrollment, list for each school district~~
7 ~~that has a small school the number of pupils in each of subdivisions (A)(i)–(ii)~~
8 ~~of this subdivision (3).~~

9 (c) Reporting on weighting categories to the Agency of Education. Each
10 school district shall annually report to the Agency of Education by a date
11 established by the Agency the information needed in order for the Agency to
12 compute the weighting categories under subsection (b) of this section for that
13 district. In order to fulfill this obligation, a school district that pays public
14 tuition on behalf of a resident student (sending district) to a public school in
15 another school district, an approved independent school, or an out-of-state
16 school (each a receiving school) may request the receiving school to collect
17 this information on the sending district’s resident student, and if requested, the
18 receiving school shall provide this information to the sending district in a
19 timely manner.

20 (d) Determination of weighted long-term membership. For each weighting
21 category ~~except the small schools weighting category under subdivision (b)(3)~~

1 ~~of this section~~, the Secretary shall compute the weighting count by using the
2 long-term membership, as defined in subdivision 4001(7) of this title, in that
3 category.

4 (1) ~~The Secretary shall first apply grade level weights. Each pupil~~
5 ~~included in long-term membership shall count as one, multiplied by the~~
6 ~~following amounts:~~

7 ~~(A) prekindergarten—negative 0.54;~~

8 ~~(B) grades six through eight—0.36; and~~

9 ~~(C) grades nine through 12—0.39. [Repealed.]~~

10 (2) ~~The Secretary shall next apply a weight for pupils whose family is at~~
11 ~~or below 185 percent of FPL. Each pupil included in long-term membership~~
12 ~~whose family is at or below 185 percent of FPL shall receive an additional~~
13 ~~weighting amount of 1.03~~ 1.02.

14 (3) ~~The Secretary shall next apply a weight for EL pupils. Each EL~~
15 ~~pupil included in long-term membership shall receive an additional weighting~~
16 ~~amount, based on the EL pupil's English language proficiency level, of 2.49;~~

17 (A) 2.11, if assessed as Level 1;

18 (B) 1.41, if assessed as Level 2 or 3;

19 (C) 1.20, if assessed as Level 4; or

20 (D) 0.12, if assessed as Level 5 or 6.

(4) ~~The Secretary shall then apply a weight for pupils living in low population density school districts. Each EL pupil that is a Newcomer or SLIFE included in long-term membership residing in a low population density school district, measured by the number of persons per square mile residing within the land area of the geographic boundaries of the district as of July 1 of the year of determination,~~ shall receive an additional weighting amount of:

0.42

~~(A) 0.15, where the number of persons per square mile is fewer than 36 persons;~~

~~(B) 0.12, where the number of persons per square mile is 36 or more but fewer than 55 persons; or~~

~~(C) 0.07, where the number of persons per square mile is 55 or more but fewer than 100.~~

(5) ~~The Secretary shall lastly apply a weight for pupils who attend a small school. If the number of persons per square mile residing within the land area of the geographic boundaries of a school district as of July 1 of the year of determination is 55 or fewer, then, for each pupil listed under subdivision (b)(3)(C) of this section (pupils who attend small schools)~~ Each child with a disability included in long-term membership shall receive an additional weighting amount, based on the categorization of the child's disability, of:

1 (A) ~~where the school has fewer than 100 pupils in average two-year~~
2 ~~enrollment, the school district shall receive an additional weighting amount of~~
3 ~~0.21 for each pupil included in the small school's average two-year enrollment~~
4 ~~0.79, if the disability is identified as Category A; or~~

5 (B) ~~where the small school has 100 or more but fewer than 250~~
6 ~~pupils, the school district shall receive an additional weighting amount of 0.07~~
7 ~~for each pupil included in the small school's average two-year enrollment 1.89,~~
8 ~~if the disability is identified as Category B; or~~

9 (C) 2.49, if the disability is identified as Category C.

10 (6) A school district's weighted long-term membership shall equal long-
11 term membership plus the cumulation of the weights assigned by the Secretary
12 under this subsection.

13 (e) Hold harmless. A district's weighted long-term membership shall in no
14 case be less than 96 and one-half percent of its actual weighted long-term
15 membership the previous year prior to making any adjustment under this
16 subsection.

17 (f) Determination of ~~per pupil education spending~~ educational opportunity
18 payment. ~~As soon as reasonably possible after a school district budget is~~
19 ~~approved by voters, the Secretary shall determine the per pupil education~~
20 ~~spending for the next fiscal year for the school district. Per pupil education~~
21 ~~spending shall equal a school district's education spending divided by its~~

1 ~~weighted long-term membership~~ The Secretary shall determine each school
2 district's educational opportunity payment by multiplying the school district's
3 weighted long-term membership determined under subsection (d) of this
4 section by the base amount.

5 * * *

6 (h) Updates to weights, base amount, and transportation reimbursement.
7 On or before January 1, ~~2027~~ 2026 and on or before January 1 of every fifth
8 year thereafter, the Agency of Education and the Joint Fiscal Office shall
9 calculate, based on their consensus view, updates to the weights and the base
10 amount, including any inflationary measure, to account for cost changes
11 underlying those weights and shall issue a written report on their work to the
12 House and Senate Committees on Education, the House Committee on Ways
13 and Means, and the Senate Committee on Finance. The General Assembly
14 shall update the weights under this section, the base amount, and transportation
15 reimbursement under section 4016 of this title not less than every five years
16 and the implementation date for the updated weights and transportation
17 reimbursement shall be delayed by a year in order to provide school districts
18 with time to prepare their budgets. Updates to the weights may include
19 recalibration, recalculation, adding or eliminating weights, or any combination
20 of these actions.

1 Sec. 36. 16 V.S.A. § 4011 is amended to read:

2 § 4011. EDUCATION PAYMENTS

3 (a) Annually, the General Assembly shall appropriate funds to pay for
4 ~~statewide education spending~~ each school district's educational opportunity
5 payment and supplemental district spending, as defined in 32 V.S.A. § 5401,
6 the small schools and sparsity support grants under section 4019 of this
7 chapter, and a portion of a ~~base education~~ categorical base amount for each
8 adult education and secondary credential program student.

9 (b) For each fiscal year, the categorical ~~base education~~ amount shall be
10 \$6,800.00, which shall be adjusted for inflation annually on or before
11 November 15 by the Secretary of Education. As used in this subsection,
12 “adjusted for inflation” means adjusting the categorical base dollar amount by
13 the National Income and Product Accounts (NIPA) implicit price deflator for
14 state and local government consumption expenditures and gross investment
15 published by the U.S. Department of Commerce, Bureau of Economic
16 Analysis, from fiscal year 2005 through the fiscal year for which the amount is
17 being determined, and rounding upward to the nearest whole dollar amount.

18 (c) Annually, each school district shall receive ~~an education spending~~
19 ~~payment~~ for support of education costs its educational opportunity payment
20 determined pursuant to subsection 4010(f) of this chapter and a dollar amount
21 equal to its supplemental district spending, if applicable to that school district,

1 ~~as defined in 32 V.S.A. § 5401. An unorganized town or gore shall receive an~~
2 ~~amount equal to its per pupil education spending for that year for each student.~~
3 ~~No district shall receive more than its education spending amount.~~

4 (d) [Repealed.]

5 (e) [Repealed.]

6 (f) Annually, the Secretary shall pay to a local adult education and literacy
7 provider, as defined in section 942 of this title, that provides an adult education
8 and secondary credential program an amount equal to 26 percent of the
9 categorical base education amount for each student who completes the
10 diagnostic portions of the program, based on an average of the previous two
11 years; 40 percent of the payment required under this subsection shall be from
12 State funds appropriated from the Education Fund and 60 percent of the
13 payment required under this subsection shall be from State funds appropriated
14 from the General Fund.

15 * * *

16 (i) Annually, on or before October 1, the Secretary shall send to school
17 boards for inclusion in town reports and publish on the Agency website ~~the~~
18 ~~following information:~~

19 ~~(1) the statewide average district per pupil education spending for the~~
20 ~~current fiscal year; and~~

1 ~~(2)~~ a statewide comparison of student-teacher ratios among schools that
2 are similar in number of students and number of grades.

3 Sec. 37. 16 V.S.A. § 4019 is added to read:

4 § 4019. SMALL SCHOOLS; SPARSE SCHOOLS; SUPPORT GRANTS

5 (a) Definitions. As used in this section:

6 (1) “Enrollment” means the number of students who are enrolled in a
7 school operated by the school district on October 1. A student shall be counted
8 as one whether the student is enrolled as a full-time or part-time student.

9 (2) “Small school” means a school that:

10 (A) has fewer than 100 pupils in two-year average enrollment; and

11 (B) has been determined by the State Board of Education, on an
12 annual basis, to be “small by necessity” under standards consistent with those
13 submitted to the General Assembly pursuant to Sec. 7(b) of this act.

14 (3) “Sparse area” means a geographic area corresponding to a zip code
15 where the number of persons per square mile residing within the land area of
16 the geographic boundaries of the zip code as of July 1 of the year of
17 determination is fewer than 55 persons.

18 (4) “Sparse school” means a school within a sparse area.

19 (4) “Two-year average enrollment” means the average enrollment of the
20 two most recently completed school years.

1 (b) Small schools support grant. Annually, the Secretary shall pay a small
2 schools support grant to each school district for each small school within the
3 school district in an amount determined by multiplying the two-year average
4 enrollment in the small school by \$3,157.00.

5 (c) Sparse **schools** support grant. Annually, the Secretary shall pay a **sparse**
6 **schools** support grant to each school district for each **sparse school within the**
7 **school district** in an amount determined by multiplying the two-year average
8 enrollment **in the sparse school** by \$1,954.00.

9 (d) Inflationary adjustment. Each dollar amount under subsections (b) and
10 (c) of this section shall be adjusted for inflation annually on or before
11 November 15 by the Secretary. As used in this subsection, “adjusted for
12 inflation” means adjusting the dollar amount by the National Income and
13 Product Accounts (NIPA) implicit price deflator for state and local government
14 consumption expenditures and gross investment published by the U.S.
15 Department of Commerce, Bureau of Economic Analysis, from fiscal year
16 2025 through the fiscal year for which the amount is being determined, and
17 rounding upward to the nearest whole dollar amount.

18 Sec. 38. 16 V.S.A. § 4025 is amended to read:

19 § 4025. EDUCATION FUND

20 (a) The Education Fund is established to comprise the following:

(2) all revenue paid to the State from the supplemental district spending tax imposed pursuant to 32 V.S.A. § 5402(f);

(b) Monies in the Education Fund shall be used for the following:

(3) ~~To make payments required under 32 V.S.A. § 6066(a)(1) and only that portion attributable to education taxes, as determined by the Commissioner of Taxes, of payments required under 32 V.S.A. § 6066(a)(3).~~ The State Treasurer shall withdraw funds from the Education Fund upon warrants issued by the Commissioner of Finance and Management based on information supplied by the Commissioner of Taxes. The Commissioner of Finance and Management may draw warrants for disbursements from the Fund in anticipation of receipts. All balances in the Fund at the end of any fiscal year shall be carried forward and remain a part of the Fund. Interest accruing from the Fund shall remain in the Fund.

Sec. 39. 16 V.S.A. § 4026 is amended to read:

§ 4026. EDUCATION FUND BUDGET STABILIZATION RESERVE;

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* * *

(e) ~~The enactment of this chapter and other provisions of the Equal Educational Opportunity Act of which it is a part have been premised upon estimates of balances of revenues to be raised and expenditures to be made under the act for such purposes as education spending payments, categorical State support grants, provisions for property tax income sensitivity, payments in lieu of taxes, current use value appraisals, tax stabilization agreements, the stabilization reserve established by this section, and for other purposes.~~ If the stabilization reserve established under this section should in any fiscal year be less than 5.0 percent of the prior fiscal year's appropriations from the Education Fund, as defined in subsection (b) of this section, the Joint Fiscal Committee shall review the information provided pursuant to 32 V.S.A. § 5402b and provide the General Assembly its recommendations for change necessary to restore the stabilization reserve to the statutory level provided in subsection (b) of this section.

Sec. 40. 16 V.S.A. § 4028 is amended to read:

§ 4028. FUND PAYMENTS TO SCHOOL DISTRICTS

(a) On or before September 10, December 10, and April 30 of each school year, one-third of ~~the education spending payment under section 4011 of this title~~ each school district's educational opportunity payment as determined under subsection 4010(f) of this chapter and supplemental district spending, as

1 defined in 32 V.S.A. § 5401, shall become due to school districts,~~except that~~
2 ~~districts that have not adopted a budget by 30 days before the date of payment~~
3 ~~under this subsection shall receive one quarter of the base education amount~~
4 ~~and upon adoption of a budget shall receive additional amounts due under this~~
5 ~~subsection.~~

6 (b) Payments made for special education under chapter 101 of this title, for
7 career technical education under chapter 37 of this title, and for other aid and
8 categorical grants paid for support of education shall also be from the
9 Education Fund.

10 (c)(1) ~~Any district that has adopted a school budget that includes high~~
11 ~~spending, as defined in 32 V.S.A. § 5401(12), shall, upon timely notice, be~~
12 ~~authorized to use a portion of its high spending penalty to reduce future~~
13 ~~education spending:~~

14 (A) ~~by entering into a contract with an operational efficiency~~
15 ~~consultant or a financial systems consultant to examine issues such as~~
16 ~~transportation arrangements, administrative costs, staffing patterns, and the~~
17 ~~potential for collaboration with other districts;~~

18 (B) ~~by entering into a contract with an energy or facilities~~
19 ~~management consultant; or~~

20 (C) ~~by engaging in discussions with other school districts about~~
21 ~~reorganization or consolidation for better service delivery at a lower cost.~~

~~(2) To the extent approved by the Secretary, the Agency shall pay the district from the property tax revenue to be generated by the high spending increase to the district's spending adjustment as estimated by the Secretary, up to a maximum of \$5,000.00. For the purposes of this subsection, "timely notice" means written notice from the district to the Secretary by September 30 of the budget year. If the district enters into a contract with a consultant pursuant to this subsection, the consultant shall not be an employee of the district or of the Agency. A copy of the consultant's final recommendations or a copy of the district's recommendations regarding reorganization, as appropriate, shall be submitted to the Secretary, and each affected town shall include in its next town report an executive summary of the consultant's or district's final recommendations and notice of where a complete copy is available. No district is authorized to obtain funds under this section more than one time in every five years. [Repealed.]~~

* * *

Sec. 41. 16 V.S.A. § 563 is amended to read:

§ 563. POWERS OF SCHOOL BOARDS; FORM OF VOTE

The school board of a school district, in addition to other duties and authority specifically assigned by law:

* * *

1 (11)(A) Shall prepare and distribute annually a proposed budget for the
2 next school year according to such major categories as may from time to time
3 be prescribed by the Secretary.

4 (B) [Repealed.]

5 (C) At a school district's annual or special meeting, the electorate
6 may vote to provide notice of availability of the school budget required by this
7 subdivision to the electorate in lieu of distributing the budget. If the electorate
8 of the school district votes to provide notice of availability, it must specify how
9 notice of availability shall be given, and such notice of availability shall be
10 provided to the electorate at least 30 days before the district's annual meeting.
11 The proposed budget shall be prepared and distributed at least ~~ten~~ 10 days
12 before a sum of money is voted on by the electorate. Any proposed budget
13 shall show the following information in a format prescribed by the Secretary:

14 (i) all revenues from all sources, and expenses, including as
15 separate items any assessment for a supervisory union of which it is a member
16 and any tuition to be paid to a career technical center; and including the report
17 required in subdivision 242(4)(D) of this title itemizing the component costs of
18 the supervisory union assessment;

19 (ii) the specific amount of any deficit incurred in the most recently
20 closed fiscal year and how the deficit was or will be remedied;

1 (iii) the anticipated homestead tax rate and ~~the percentage of~~
2 ~~household income used to determine income sensitivity in the district as a~~
3 ~~result of passage of the budget, including those portions of the tax rate~~
4 ~~attributable to supervisory union assessments~~ nonhomestead tax rate; and

5 (iv) the definition of “education spending supplemental district
6 spending,” the ~~number of pupils and number of equalized pupils in long-term~~
7 membership of the school district, and the district’s ~~education spending per~~
8 ~~equalized pupil~~ supplemental district spending in the proposed budget and in
9 each of the prior three years; and

10 (v) the supplemental district spending yield.

11 (D) The board shall present the budget to the voters by means of a
12 ballot in the following form:

13 “Article #1 (School Budget):

14 Shall the voters of the school district approve the school board
15 to expend \$ _____, which is the amount the school board has determined to
16 be necessary in excess of the school district’s educational opportunity payment
17 for the ensuing fiscal year?

18 The _____ District estimates that this proposed budget, if
19 approved, will result in per pupil ~~education~~ supplemental district spending of
20 \$_____, which is _____% higher/lower than per pupil ~~education~~
21 supplemental district spending for the current year, and a supplemental district

1 spending tax rate of _____ per \$100.00 of equalized education property
2 value.”

3 * * *

4 Sec. 42. REPEALS

5 (a) 16 V.S.A. § 4031 (unorganized towns and gores) is repealed.

6 (b) 2022 Acts and Resolves No. 127, Sec. 8 (suspension of excess spending
7 penalty, hold harmless provision, and ballot language requirement) is repealed.

8 (c) 16 V.S.A. § 2961 (census grant; special education) is repealed.

9 Sec. 43. 16 V.S.A. § 4032 is added to read

10 § 4032. SUPPLEMENTAL DISTRICT SPENDING RESERVE

11 (a) There is hereby created the Supplemental District Spending Reserve
12 within the Education Fund. Any recapture, as defined in 32 V.S.A. § 5401,
13 paid to the Education Fund as part of the revenue from the supplemental
14 district spending tax imposed pursuant to 32 V.S.A. § 5402(f) shall be reserved
15 within the Supplemental District Spending Reserve.

16 (b) In any fiscal year in which the amounts raised through the supplemental
17 district spending tax imposed pursuant to 32 V.S.A. § 5402(f) are insufficient
18 to cover payment to each school district of its supplemental district spending,
19 the Supplemental District Spending Reserve shall be used by the
20 Commissioner of Finance and Management to the extent necessary to offset
21 the deficit as determined by generally accepted accounting principles.

1 (c) Any funds remaining in the Supplemental District Spending Reserve at
2 the close of the fiscal year after accounting for the process under subsection (b)
3 of this section shall be transferred into the School Construction Aid Special
4 Fund established in section 3444 of this title.

5 Sec. 44. AGENCY OF EDUCATION; TRANSPORTATION

6 REIMBURSEMENT GUIDELINES

7 On or before December 15, 2025, the Agency of Education shall submit a
8 written report to the House Committees on Ways and Means and on Education
9 and the Senate Committees on Finance and on Education on clear and
10 equitable guidelines for minimum transportation to be provided and covered by
11 transportation reimbursement grant under 16 V.S.A. § 4016 as part of
12 Vermont's education transformation.

13 Sec. 45. REPORTS; JOINT FISCAL OFFICE; INFLATIONARY

14 MEASURES; PREKINDERGARTEN EDUCATION FUNDING

15 (a) On or before December 15, 2025, the Joint Fiscal Office shall submit a
16 report to the House Committees on Ways and Means and on Education and the
17 Senate Committees on Finance and on Education that analyzes the National
18 Income and Product Accounts (NIPA) implicit price deflator for state and local
19 government consumption expenditures and gross investment published by the
20 U.S. Department of Commerce, Bureau of Economic Analysis, and alternative
21 inflationary measures that may be applied to state education funding systems.

1 As part of the report, the Joint Fiscal Office shall analyze options and provide
2 considerations for selecting an inflationary measure appropriate to Vermont’s
3 education funding system.

4 (b) On or before December 15, 2025, the Joint Fiscal Office shall submit a
5 report to the House Committee on Ways and Means, the Senate Committee on
6 Finance, and the House and Senate Committees on Education on the current
7 funding systems for prekindergarten education, the Child Care Financial
8 Assistance Program, or any other early care and learning systems. The report
9 shall review financial incentives in these existing early care and learning
10 systems. As part of the report, the Joint Fiscal Office shall provide
11 considerations for changing the funding streams associated with these early
12 care and learning systems to align with the education transformation initiatives
13 envisioned in this act.

14 **Sec. 45a. FOUNDATION FORMULA; JOINT FISCAL OFFICE; REPORT**

15 (a) The Joint Fiscal Office shall contract with a contractor with expertise in
16 Vermont’s education funding system to develop a cost-factor foundation
17 formula for Vermont’s education system that includes a CTE weight, tiered
18 weights for English learners and special education, and any other weights
19 determined to be empirically necessary for an adequate and equitable
20 education. The contractor shall recommend suitable geographic measures for
21 determining sparsity within the foundation formula and shall specifically

1 address the effects of using zip code as a geographic measure. The contractor
2 shall submit the foundation formula and analysis of geographic measures to the
3 House Committee on Ways and Means, the Senate Committee on Finance, and
4 the House and Senate Committees on Education on or before December 1,
5 2026.

6 (b) The sum of \$150,000.00 is appropriated to the Joint Fiscal Office from
7 the General Fund in fiscal year 2026 to hire a consultant for the purposes in
8 subsection (a) of this section.

9 Sec. 45b. EDUCATIONAL OPPORTUNITY PAYMENTS; TRANSITION;

10 FYS 2030–2033

11 (a) Notwithstanding 16 V.S.A. § 4001(16), in each of fiscal years 2030,
12 2031, 2032, and 2033, the educational opportunity payment for a school
13 district shall equal the educational opportunity payment for the school district
14 as calculated pursuant to 16 V.S.A. § 4010(f) plus a yearly adjustment equal
15 to:

16 (1) in fiscal year 2030, the transition gap multiplied by 0.80;

17 (2) in fiscal year 2031, the transition gap multiplied by 0.60;

18 (3) in fiscal year 2032, the transition gap multiplied by 0.40; and

19 (4) in fiscal year 2033, the transition gap multiplied by 0.20.

20 (b) As used in this section:

1 (1) “Adjusted for inflation” means adjusting the school district’s
2 education spending by the National Income and Product Accounts (NIPA)
3 implicit price deflator for state and local government consumption
4 expenditures and gross investment published by the U.S. Department of
5 Commerce, Bureau of Economic Analysis, from fiscal year 2028 through the
6 fiscal year for which the amount is being determined and rounding upward to
7 the nearest whole dollar amount.

8 (2) “Transition gap” means the amount, whether positive or negative,
9 that results from subtracting the school district’s educational opportunity
10 payment as calculated pursuant to 16 V.S.A. § 4010(f) from the school
11 district’s education spending in fiscal year 2028, as adjusted for inflation. The
12 school district’s education spending shall be adjusted for inflation annually on
13 or before November 15 by the Secretary of Education.

14 Sec. 45c. 32 V.S.A. § 5414 is amended to read:

15 § 5414. CREATION; EDUCATION FUND ADVISORY COMMITTEE

16 * * *

17 (e) Meetings.

18 (1) The Commissioner of Taxes shall call the first meeting of the
19 Committee to occur on or before July 15, ~~2025~~ 2027.

20 * * *

21 * * * Education Property Tax Rate Formula * * *

Sec. 46. 32 V.S.A. § 5401 is amended to read:

§ 5401. DEFINITIONS

As used in this chapter:

* * *

(8) ~~“Education spending” means “education spending” as defined in 16 V.S.A. § 4001(6). [Repealed.]~~

* * *

(12) ~~“Excess spending” means:~~

~~(A) The per pupil spending amount of the district's education spending, as defined in 16 V.S.A. § 4001(6), plus any amount required to be added from a capital construction reserve fund under 24 V.S.A. § 2804(b).~~

~~(B) In excess of 118 percent of the statewide average district per pupil education spending increased by inflation, as determined by the Secretary of Education on or before November 15 of each year based on the passed budgets to date. As used in this subdivision, “increased by inflation” means increasing the statewide average district per pupil education spending for fiscal year 2025 by the most recent New England Economic Project cumulative price index, as of November 15, for state and local government purchases of goods and services, from fiscal year 2025 through the fiscal year for which the amount is being determined. [Repealed.]~~

~~(B) “Education income tax spending adjustment” means the greater of one or a fraction in which the numerator is the district’s per pupil education spending plus excess spending for the school year, and the denominator is the income dollar equivalent yield for the school year, as defined in subdivision (16) of this section. [Repealed.]~~

(15) ~~“Property dollar equivalent yield” means the amount of per pupil education spending that would result if the homestead tax rate were \$1.00 per \$100.00 of equalized education property value and the statutory reserves under 16 V.S.A. § 4026 and section 5402b of this title were maintained. [Repealed.]~~

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1 (17) ~~“Statewide adjustment” means the ratio of the aggregate education~~
2 ~~property tax grand list of all municipalities to the aggregate value of the~~
3 ~~equalized education property tax grand list of all municipalities. [Repealed.]~~

4 (18) “Recapture” means the amount of revenue raised through
5 imposition of the supplemental district spending tax pursuant to subsection
6 5402(f) of this chapter that is in excess of the school district’s supplemental
7 district spending.

8 (19) “Supplemental district spending” means the spending that the
9 voters of a school district approve in excess of the school district’s educational
10 opportunity payment, as defined in 16 V.S.A. § 4001(17), for the fiscal year,
11 provided that the voters of a school district other than an interstate school
12 district shall not approve spending in excess of 10 percent of the product of the
13 base amount, as defined in 16 V.S.A. § 4001(16), and the school district’s
14 long-term membership, as defined in 16 V.S.A. § 4001(7).

15 (20) “Supplemental district spending yield” means the amount of
16 property tax revenue per long-term membership as defined in 16 V.S.A.
17 § 4001(7) that would be raised in the school district with the lowest taxing
18 capacity using a supplemental district spending tax rate of \$1.00 per \$100.00
19 of equalized education property value.

20 (21) “Per pupil supplemental district spending” means the per pupil
21 amount of supplemental district spending resulting from dividing a school

1 district’s supplemental district spending by its long-term membership as
2 defined in 16 V.S.A. § 4001(7).

3 (22) “School district with the lowest taxing capacity” means the school
4 district other than an interstate school district anticipated to have the lowest
5 aggregate equalized education property tax grand list of its municipal members
6 per long-term membership as defined in 16 V.S.A. § 4001(7) in the following
7 fiscal year.

8 Sec. 47. 32 V.S.A. § 5402 is amended to read:

9 § 5402. EDUCATION PROPERTY TAX LIABILITY

10 (a) A statewide education tax is imposed on all nonhomestead and
11 homestead property at ~~the following rates:~~

12 ~~(1) The tax rate for nonhomestead property shall be \$1.59 per \$100.00~~
13 ~~divided by the statewide adjustment.~~

14 ~~(2) The tax rate for homestead property shall be \$1.00 multiplied by the~~
15 ~~education property tax spending adjustment for the municipality per \$100.00 of~~
16 ~~equalized education property value as most recently determined under section~~
17 ~~5405 of this title. The homestead property tax rate for each municipality that is~~
18 ~~a member of a union or unified union school district shall be calculated as~~
19 ~~required under subsection (e) of this section.~~ a uniform tax rate for
20 nonhomestead property and a uniform tax rate for homestead property set
21 sufficient to cover expenditures from the Education Fund other than

1 supplemental district spending, after accounting for the forecasted available
2 revenues. It is the intention of the General Assembly that the nonhomestead
3 property tax rate and the homestead property tax rate under this section shall be
4 adopted for each fiscal year by act of the General Assembly.

5 (b) The statewide education tax shall be calculated as follows:

6 (1) The Commissioner of Taxes shall determine for each municipality
7 the education tax rates under subsection (a) of this section divided by the
8 ~~number resulting from dividing the~~ municipality's most recent common level
9 of appraisal ~~by the statewide adjustment~~. The legislative body in each
10 municipality shall then bill each property taxpayer at the homestead or
11 nonhomestead rate determined by the Commissioner under this subdivision,
12 multiplied by the education property tax grand list value of the property,
13 properly classified as homestead or nonhomestead property and without regard
14 to any other tax classification of the property not authorized under this chapter.
15 Statewide education property tax bills shall show the tax due and the
16 calculation of the rate determined under subsection (a) of this section, divided
17 ~~by the number resulting from dividing the~~ municipality's most recent common
18 level of appraisal ~~by the statewide adjustment~~, multiplied by the current grand
19 list value of the property to be taxed. Statewide education property tax bills
20 shall also include language provided by the Commissioner pursuant to
21 subsection 5405(g) of this title.

1 (2) Taxes assessed under this section shall be assessed and collected in
2 the same manner as taxes assessed under chapter 133 of this title with no tax
3 classification other than **as homestead or nonhomestead property**; provided,
4 however, that the tax levied under this chapter shall be billed to each taxpayer
5 by the municipality in a manner that clearly indicates the tax is separate from
6 any other tax assessed and collected under chapter 133, including an
7 itemization of the separate taxes due. The bill may be on a single sheet of
8 paper with the statewide education tax and other taxes presented separately and
9 side by side.

10 ~~(3) If a district has not voted a budget by June 30, an interim homestead~~
11 ~~education tax shall be imposed at the base rate determined under subdivision~~
12 ~~(a)(2) of this section, divided by the number resulting from dividing the~~
13 ~~municipality's most recent common level of appraisal by the statewide~~
14 ~~adjustment, but without regard to any spending adjustment under subdivision~~
15 ~~5401(13) of this title. Within 30 days after a budget is adopted and the~~
16 ~~deadline for reconsideration has passed, the Commissioner shall determine the~~
17 ~~municipality's homestead tax rate as required under subdivision (1) of this~~
18 ~~subsection. [Repealed.]~~

19 (c)(1) The treasurer of each municipality shall by December 1 of the year in
20 which the tax is levied and on June 1 of the following year pay to the State
21 Treasurer for deposit in the Education Fund one-half of the municipality's

1 statewide nonhomestead tax and one-half of the municipality's homestead
2 education tax, as determined under subdivision (b)(1) of this section.

3 (2) The Secretary of Education shall determine each municipality's net
4 nonhomestead education tax payment and its net homestead education tax
5 payment to the State based on grand list information received by the Secretary
6 not later than the March 15 prior to the June 1 net payment. Payment shall be
7 accompanied by a return prescribed by the Secretary of Education. Each
8 municipality may retain 0.225 of one percent of the total education tax
9 collected, only upon timely remittance of net payment to the State Treasurer or
10 to the applicable school district or districts.

11 (d) [Repealed.]

12 (e) ~~The Commissioner of Taxes shall determine a homestead education tax~~
13 ~~rate for each municipality that is a member of a union or unified union school~~
14 ~~district as follows:~~

15 ~~(1) For a municipality that is a member of a unified union school~~
16 ~~district, use the base rate determined under subdivision (a)(2) of this section~~
17 ~~and a spending adjustment under subdivision 5401(13) of this title based upon~~
18 ~~the per pupil education spending of the unified union.~~

19 ~~(2) For a municipality that is a member of a union school district:~~

20 ~~(A) Determine the municipal district homestead tax rate using the~~
21 ~~base rate determined under subdivision (a)(2) of this section and a spending~~

1 ~~adjustment under subdivision 5401(13) of this title based on the per pupil~~
2 ~~education spending in the municipality who attends a school other than the~~
3 ~~union school.~~

4 ~~(B) Determine the union district homestead tax rate using the base~~
5 ~~rate determined under subdivision (a)(2) of this section and a spending~~
6 ~~adjustment under subdivision 5401(13) of this title based on the per pupil~~
7 ~~education spending of the union school district.~~

8 ~~(C) Determine a combined homestead tax rate by calculating the~~
9 ~~weighted average of the rates determined under subdivisions (A) and (B) of~~
10 ~~this subdivision (2), with weighting based upon the ratio of union school long-~~
11 ~~term membership, as defined in 16 V.S.A. § 4001(7), from the member~~
12 ~~municipality to total long term membership of the member municipality; and~~
13 ~~the ratio of long term membership attending a school other than the union~~
14 ~~school to total long term membership of the member municipality. Total long-~~
15 ~~term membership of the member municipality is based on the number of pupils~~
16 ~~who are legal residents of the municipality and attending school at public~~
17 ~~expense. If necessary, the Commissioner may adopt a rule to clarify and~~
18 ~~facilitate implementation of this subsection (e). [Repealed.]~~

19 (f)(1) A supplemental district spending tax is imposed on all homestead
20 and nonhomestead property in each member municipality of a school district
21 that approves spending pursuant to a budget presented to the voters of a school

1 district under 16 V.S.A. § 563. The Commissioner of Taxes shall determine
2 the supplemental district spending tax rate for each school district by dividing
3 the school district's per pupil supplemental district spending as certified by the
4 Secretary of Education by the supplemental district spending yield. The
5 legislative body in each member municipality shall then bill each property
6 taxpayer at the rate determined by the Commissioner under this subsection,
7 divided by the municipality's most recent common level of appraisal and
8 multiplied by the current grand list value of the property to be taxed. The bill
9 shall show the tax due and the calculation of the rate.

10 (2) The supplemental district spending tax assessed under this
11 subsection shall be assessed and collected in the same manner as taxes
12 assessed under chapter 133 of this title with no tax classification other than as
13 homestead or nonhomestead property; provided, however, that the tax levied
14 under this chapter shall be billed to each taxpayer by the municipality in a
15 manner that clearly indicates the tax is separate from any other tax assessed
16 and collected under chapter 133 and the statewide education property tax under
17 this section, including an itemization of the separate taxes due. The bill may
18 be on a single sheet of paper with the supplemental district spending tax, the
19 statewide education tax, and other taxes presented separately and side by side.

20 (3) The treasurer of each municipality shall on or before December 1 of
21 the year in which the tax is levied and on or before June 1 of the following year

1 pay to the State Treasurer for deposit in the Education Fund one-half of the
2 municipality's supplemental district spending tax, as determined under
3 subdivision (1) of this subsection.

4 (4) The **Secretary of Education** shall determine each municipality's net
5 supplemental district spending tax payment to the State based on grand list
6 information received by the **Secretary** not later than the March 15 prior to the
7 June 1 net payment. Payment shall be accompanied by a return prescribed by
8 the **Secretary of Education**. Each municipality may retain 0.225 of one percent
9 of the total supplemental district spending tax collected, only upon timely
10 remittance of net payment to the State Treasurer or to the applicable school
11 district.

12 Sec. 48. 32 V.S.A. § 5402b is amended to read:

13 § 5402b. STATEWIDE EDUCATION TAX ~~YIELDS~~ **RATES**;

14 SUPPLEMENTAL DISTRICT SPENDING YIELD;

15 RECOMMENDATION OF THE COMMISSIONER

16 (a) Annually, not later than December 1, the Commissioner of Taxes, after
17 consultation with the Secretary of Education, the Secretary of Administration,
18 and the Joint Fiscal Office, shall calculate and recommend a ~~property dollar~~
19 ~~equivalent yield, an income dollar equivalent yield, and a **nonhomestead**~~
20 property tax rate, a **homestead property tax rate**, and the supplemental district
21 spending yield for the following fiscal year. In making these calculations, the

1 Commissioner shall assume: the statutory reserves are maintained at five
2 percent pursuant to 16 V.S.A. § 4026 and the amounts in the Supplemental
3 District Spending Reserve are unavailable for any purpose other than that
4 specified in 16 V.S.A. § 4032(b)

5 ~~(1) the homestead base tax rate in subdivision 5402(a)(2) of this title is~~
6 ~~\$1.00 per \$100.00 of equalized education property value;~~

7 ~~(2) the applicable percentage in subdivision 6066(a)(2) of this title is 2.0;~~

8 ~~(3) the statutory reserves under 16 V.S.A. § 4026 and this section were~~
9 ~~maintained at five percent;~~

10 ~~(4) the percentage change in the average education tax bill applied to~~
11 ~~nonhomestead property and the percentage change in the average education tax~~
12 ~~bill of homestead property and the percentage change in the average education~~
13 ~~tax bill for taxpayers who claim a credit under subsection 6066(a) of this title~~
14 ~~are equal;~~

15 ~~(5) the equalized education grand list is multiplied by the statewide~~
16 ~~adjustment in calculating the property dollar equivalent yield; and~~

17 ~~(6) the nonhomestead rate is divided by the statewide adjustment.~~

18 (b) For each fiscal year, the ~~property dollar equivalent~~ supplemental district
19 spending yield ~~and the income dollar equivalent yield~~ shall be the same as in
20 the prior fiscal year, unless set otherwise by the General Assembly.

21 * * *

(d) Along with the recommendations made under this section, the
Commissioner shall include:

- (1) the base amount as defined in 16 V.S.A. § 4001(16);
- (2) for each school district, the estimated long-term membership,
weighted long-term membership, and aggregate equalized education property
tax grand list of its municipal members;
- (3) for each school district, the estimated aggregate equalized education
property tax grand list of its municipal members per long-term membership;
- (4) the estimated school district with the lowest taxing capacity; and
- (5) the range of per pupil supplemental district spending between all
districts in the State for the previous year.

* * *

Sec. 48a. HOMESTEAD PROPERTY TAX RATE; TRANSITION; FYS

2030–2033

(a) Notwithstanding 32 V.S.A. § 5402, in each of fiscal years 2030, 2031,
2032, and 2033, the homestead property tax rate for a school district shall
equal the homestead property tax rate imposed pursuant to 32 V.S.A. § 5402
plus a yearly adjustment equal to:

(1) in fiscal year 2030, the transition gap multiplied by 0.80;

(2) in fiscal year 2031, the transition gap multiplied by 0.60;

(3) in fiscal year 2032, the transition gap multiplied by 0.40; and

1 (4) in fiscal year 2033, the transition gap multiplied by 0.20.

2 (b) As used in this section, “transition gap” means the amount, whether
3 positive or negative, that results from subtracting the uniform homestead
4 property tax rate for fiscal year 2030 were it calculated assuming no tax rate
5 transition under this section from the homestead property tax rate for the
6 school district in fiscal year 2029.

7 * * * Conforming Revisions; Statewide Property Tax Rate * * *

8 Sec. 49. 32 V.S.A. § 5404a(b)(1) is amended to read:

9 (b)(1) An agreement affecting the education property tax grand list defined
10 under subsection (a) of this section shall reduce the municipality’s education
11 property tax liability under this chapter for the duration of the agreement or
12 exemption without extension or renewal, and for a maximum of 10 years. A
13 municipality’s property tax liability under this chapter shall be reduced by any
14 difference between the amount of the education property taxes collected on the
15 subject property and the amount of education property taxes that would have
16 been collected on such property if its fair market value were taxed at the
17 equalized ~~nonhomestead~~ rate for the tax year.

18 Sec. 50. 32 V.S.A. § 5405(g) is amended to read:

19 (g) The Commissioner shall provide to municipalities for the front of
20 property tax bills the district homestead property tax rate before equalization,
21 the ~~nonresidential nonhomestead property~~ tax rate before equalization, and the

1 calculation process that creates the equalized homestead and nonhomestead tax
2 rates. The Commissioner shall further provide to municipalities for the back of
3 property tax bills an explanation of the common level of appraisal, including
4 its origin and purpose.

5 * * * Statewide Property Tax Credit Repeal; Homestead Exemption

6 Created * * *

7 Sec. 51. 32 V.S.A. § 5400 is amended to read:

8 § 5400. STATUTORY PURPOSES

9 * * *

10 (c) The statutory purpose of the exemption for qualified housing in
11 subdivision 5404a(a)(6) of this title is to ensure that taxes on this rent-
12 restricted housing provided to Vermonters of low and moderate income are
13 more equivalent to property taxed ~~using the State as a~~ as a homestead ~~rate~~ property
14 and to adjust the costs of investment in rent-restricted housing to reflect more
15 accurately the revenue potential of such property.

16 * * *

17 (j) The statutory purpose of the homestead property tax exemption in
18 subdivision 6066(a)(1) of this title is to reduce the property tax liability for
19 Vermont households with low and moderate household income.

1 Sec. 52. 32 V.S.A. chapter 154 is amended to read:

2 CHAPTER 154. HOMESTEAD PROPERTY TAX EXEMPTION,

3 MUNICIPAL PROPERTY TAX CREDIT, AND RENTER CREDIT

4 § 6061. DEFINITIONS

5 As used in this chapter ~~unless the context requires otherwise~~:

6 (1) “~~Property~~ Municipal property tax credit” means a credit of the prior
7 tax year’s ~~statewide or municipal property tax liability or a homestead owner~~
8 ~~credit~~, as authorized under ~~section~~ subdivision 6066(a)(2) of this ~~title~~, as the
9 ~~context requires~~ chapter.

10 * * *

11 (8) “~~Annual tax levy~~” means the ~~property taxes levied on property~~
12 ~~taxable on April 1 and without regard to the year in which those taxes are due~~
13 ~~or paid~~. [Repealed.]

14 (9) “Taxable year” means the calendar year preceding the year in which
15 the claim is filed.

16 (10) [Repealed.]

17 (11) “Housesite” means that portion of a homestead, as defined under
18 subdivision 5401(7) of this title but not under subdivision 5401(7)(G) of this
19 title, that includes as much of the land owned by the claimant surrounding the
20 dwelling as is reasonably necessary for use of the dwelling as a home, but in
21 no event more than two acres per dwelling unit, and, in the case of multiple

dwelling units, not more than two acres per dwelling unit up to a maximum of 10 acres per parcel.

(12) “Claim year” means the year in which a claim is filed under this chapter.

(13) “Homestead” means a homestead as defined under subdivision 5401(7) of this title, but not under subdivision 5401(7)(G) of this title, and declared on or before October 15 in accordance with section 5410 of this title.

~~(14) “Statewide education tax rate” means the homestead education property tax rate multiplied by the municipality’s education spending adjustment under subdivision 5402(a)(2) of this title and used to calculate taxes assessed in the municipal fiscal year that began in the taxable year. [Repealed.]~~

* * *

(21) “Homestead property tax exemption” means a reduction in the amount of housesite value subject to the statewide education tax and the supplemental district spending tax in the claim year as authorized under sections 6066 and 6066a of this chapter.

§ 6062. NUMBER AND IDENTITY OF CLAIMANTS; APPORTIONMENT

* * *

(d) Whenever a housesite is an integral part of a larger unit such as a farm or a multi-purpose or multi-dwelling building, property taxes paid shall be that percentage of the total property tax as the value of the housesite is to the total

1 value. Upon a claimant's request, the listers shall certify to the claimant the
2 value of ~~his or her~~ the claimant's homestead and housesite.

3 * * *

4 § 6063. CLAIM AS PERSONAL; CREDIT AND EXEMPTION AMOUNT
5 AT TIME OF TRANSFER

6 (a) The right to file a claim under this chapter is personal to the claimant
7 and shall not survive ~~his or her~~ the claimant's death, but the right may be
8 exercised on behalf of a claimant by ~~his or her~~ the claimant's legal guardian or
9 attorney-in-fact. When a claimant dies after having filed a timely claim, the
10 municipal property tax credit and the homestead exemption amount shall be
11 credited applied to the ~~homestead~~ property tax liability of the claimant's estate
12 as provided in section 6066a of this title.

13 (b) In case of sale or transfer of a residence, after April 1 of the claim year:

14 (1) any municipal property tax credit ~~amounts~~ amount related to that
15 residence shall be allocated to the ~~seller~~ transferor at closing unless the parties
16 otherwise agree;

17 (2) any homestead property tax exemption related to that residence
18 based on the transferor's household income under subdivision 6066(a)(1) of
19 this chapter shall cease to be in effect upon transfer; and

20 (3) a transferee who is eligible to declare the residence as a homestead
21 but for the requirement to own the residence on April 1 of the claim year shall,

1 notwithstanding subdivision 5401(7) and subsection 5410(b) of this title, be
2 eligible to apply for a homestead property tax exemption in the claim year
3 when the transfer occurs by filing with the Commissioner of Taxes a
4 homestead declaration pursuant to section 5410 of this title and a claim for
5 exemption on or before the due date prescribed under section 6068 of this
6 chapter.

7 * * *

8 § 6065. FORMS; TABLES; NOTICES

9 (a) In administering this chapter, the Commissioner shall provide suitable
10 claim forms with tables of allowable claims, instructions, and worksheets for
11 claiming a homestead property tax exemption and municipal property tax
12 credit.

13 (b) Prior to June 1, the Commissioner shall also prepare and supply to each
14 town in the State notices describing the homestead property tax exemption and
15 municipal property tax credit for inclusion in property tax bills. The notice
16 shall be in simple, plain language and shall explain how to file for a homestead
17 property tax exemption and a municipal property tax credit, where to find
18 assistance filing for a credit or an exemption, or both, and any other related
19 information as determined by the Commissioner. The notice shall direct
20 taxpayers to a resource where they can find versions of the notice translated
21 into the five most common non-English languages in the State. A town shall

1 include such notice in each tax bill and notice of delinquent taxes that it mails
2 to taxpayers who own in that town a residential property, without regard for
3 whether the property was declared a homestead pursuant to subdivision
4 5401(7) of this title.

5 (c) Notwithstanding the provisions of subsection (b) of this section, towns
6 that use envelopes or mailers not able to accommodate notices describing the
7 homestead property tax exemption and municipal property tax credit may
8 distribute such notices in an alternative manner.

9 § 6066. COMPUTATION OF HOMESTEAD PROPERTY TAX

10 EXEMPTION, MUNICIPAL PROPERTY TAX CREDIT, AND
11 RENTER CREDIT

12 (a) ~~An eligible claimant who owned the homestead on April 1 of the year in~~
13 ~~which the claim is filed shall be entitled to a credit for the prior year's~~
14 ~~homestead property tax liability amount determined as follows:~~

15 ~~(1)(A) For a claimant with household income of \$90,000.00 or more:~~

16 ~~(i) the statewide education tax rate, multiplied by the equalized~~
17 ~~value of the housesite in the taxable year;~~

18 ~~(ii) minus (if less) the sum of:~~

19 ~~(I) the income percentage of household income for the taxable~~
20 ~~year; plus~~

1 ~~(H) the statewide education tax rate, multiplied by the equalized~~
2 ~~value of the housesite in the taxable year in excess of \$225,000.00.~~

3 ~~(B) For a claimant with household income of less than \$90,000.00 but~~
4 ~~more than \$47,000.00, the statewide education tax rate, multiplied by the~~
5 ~~equalized value of the housesite in the taxable year, minus (if less) the sum of:~~

6 ~~(i) the income percentage of household income for the taxable~~
7 ~~year; plus~~

8 ~~(ii) the statewide education tax rate, multiplied by the equalized~~
9 ~~value of the housesite in the taxable year in excess of \$400,000.00.~~

10 ~~(C) For a claimant whose household income does not exceed~~
11 ~~\$47,000.00, the statewide education tax rate, multiplied by the equalized value~~
12 ~~of the housesite in the taxable year, minus the lesser of:~~

13 ~~(i) the sum of the income percentage of household income for the~~
14 ~~taxable year plus the statewide education tax rate, multiplied by the equalized~~
15 ~~value of the housesite in the taxable year in excess of \$400,000.00; or~~

16 ~~(ii) the statewide education tax rate, multiplied by the equalized~~
17 ~~value of the housesite in the taxable year reduced by \$15,000.00.~~

18 ~~(2) “Income percentage” in this section means two percent, multiplied by~~
19 ~~the education income tax spending adjustment under subdivision 5401(13)(B)~~
20 ~~of this title for the property tax year that begins in the claim year for the~~
21 ~~municipality in which the homestead residence is located~~

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<u>\$0.00 — 9,999.00</u>	<u>99.00</u>
<u>\$10,000.00 — 14,999.00</u>	<u>97.00</u>
<u>\$15,000.00 — 24,999.00</u>	<u>95.00</u>
<u>\$25,000.00 — 39,999.00</u>	<u>90.00</u>
<u>\$40,000.00 — 44,999.00</u>	<u>85.00</u>
<u>\$45,000.00 — 49,999.00</u>	<u>80.00</u>

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1	<u>\$55,000.00 — 59,999.00</u>	<u>65.00</u>
2	<u>\$60,000.00 — 64,999.00</u>	<u>55.00</u>
3	<u>\$65,000.00 — 69,999.00</u>	<u>45.00</u>
4	<u>\$70,000.00 — 74,999.00</u>	<u>35.00</u>
5	<u>\$75,000.00 — 79,999.00</u>	<u>25.00</u>
6	<u>\$80,000.00 — 84,999.00</u>	<u>20.00</u>
7	<u>\$85,000.00 — 89,999.00</u>	<u>15.00</u>
8	<u>\$90,000.00 — 94,999.00</u>	<u>10.00</u>
9	<u>\$95,000.00 — 100,000.00</u>	<u>5.00</u>

10 ~~(3)~~(2) A An eligible claimant who owned the homestead on April 1 of
11 the claim year and whose household income does not exceed \$47,000.00 shall
12 also be entitled to ~~an additional~~ a credit amount ~~from~~ against the claimant's
13 municipal taxes for the upcoming fiscal year that is equal to the amount by
14 which the municipal property taxes for the municipal fiscal year that began in
15 the taxable year upon the claimant's housesite exceeds a percentage of the
16 claimant's household income for the taxable year as follows:

17	If household income (rounded	then the taxpayer is entitled to
18	to the nearest dollar) is:	credit for the reduced property tax
19		in excess of this percent of that
20		income:
21	\$0.00 — 9,999.00	1.50

1 \$10,000.00 — 47,000.00 3.00

2 ~~(4) A claimant whose household income does not exceed \$47,000.00~~
3 ~~shall also be entitled to an additional credit amount from the claimant's~~
4 ~~statewide education tax for the upcoming fiscal year that is equal to the amount~~
5 ~~by which the education property tax for the municipal fiscal year that began in~~
6 ~~the taxable year upon the claimant's housesite, reduced by the credit amount~~
7 ~~determined under subdivisions (1) and (2) of this subsection, exceeds a~~
8 ~~percentage of the claimant's household income for the taxable year as follows:~~

9 If household income (rounded then the taxpayer is entitled to
10 to the nearest dollar) is: credit for the reduced property tax
11 in excess of this percent of that
12 income:

13 \$0.00 — 9,999.00 0.5

14 \$10,000.00 — 24,999.00 1.5

15 \$25,000.00 — 47,000.00 2.0

16 ~~(5)(3)~~ In no event shall the homestead property tax exemption provided
17 for in subdivision (1) of this subsection reduce the housesite value below zero.
18 In no event shall the municipal property tax credit provided for in subdivision
19 ~~(3) or (4)~~ (2) of this subsection exceed the amount of the reduced municipal
20 property tax. ~~The credits under subdivision (4) of this subsection shall be~~

1 ~~calculated considering only the tax due on the first \$400,000.00 in equalized~~
2 ~~housesite value.~~

3 (4) Each dollar amount in subdivision (1) of this subsection shall be
4 adjusted for inflation annually on or before November 15 by the Commissioner
5 of Taxes. As used in this subdivision, “adjusted for inflation” means adjusting
6 the dollar amount by the National Income and Product Accounts (NIPA)
7 implicit price deflator for state and local government consumption
8 expenditures and gross investment published by the U.S. Department of
9 Commerce, Bureau of Economic Analysis, from fiscal year 2025 through the
10 fiscal year for which the amount is being determined and rounding upward to
11 the nearest whole dollar amount.

12 (b)(1) An eligible claimant who rented the homestead shall be entitled to a
13 credit for the taxable year in an amount not to exceed \$2,500.00, to be
14 calculated as follows:

15 * * *

16 (c) To be eligible for an ~~adjustment~~ exemption or credit under this chapter,
17 the claimant:

18 (1) must have been domiciled in this State during the entire taxable year;
19 (2) may not be a person claimed as a dependent by any taxpayer under
20 the federal Internal Revenue Code during the taxable year; and

1 (3) in the case of a renter, shall have rented property for at least six
2 calendar months, which need not be consecutive, during the taxable year.

3 (d) The owner of a mobile home that is sited on a lot not owned by the
4 homeowner may include an amount determined under subdivision 6061(7) of
5 this title as allocable rent paid on the lot with the amount of property taxes paid
6 by the homeowner on the home for the purpose of computation of ~~credits~~ the
7 municipal property tax credit under subdivision (a)(~~3~~)(2) of this section, unless
8 the homeowner has included in the claim an amount of property tax on
9 common land under the provisions of subsection (e) of this section.

10 (e) Property taxes paid by a cooperative, not including a mobile home park
11 cooperative, allocable to property used as a homestead shall be attributable to
12 the co-op member for the purpose of computing the ~~credit~~ of property tax
13 liability of the co-op member under this section. Property owned by a
14 cooperative declared as a homestead may only include the homestead and a pro
15 rata share of any common land owned or leased by the cooperative, not to
16 exceed the two-acre housesite limitation. The share of the cooperative's
17 assessed value attributable to the housesite shall be determined by the
18 cooperative and specified annually in a notice to the co-op member. Property
19 taxes paid by a mobile home park cooperative, allocable to property used as a
20 housesite, shall be attributed to the owner of the housesite for the purpose of
21 computing the ~~credit~~ of property tax liability of the housesite owner under this

1 section. Property owned by the mobile home park cooperative and declared as
2 a housesite may only include common property of the cooperative contiguous
3 with at least one mobile home lot in the park, not to exceed the two-acre
4 housesite limitation. The share attributable to any mobile home lot shall be
5 determined by the cooperative and specified in the cooperative agreement. A
6 co-op member who is the housesite owner shall be entitled to a property tax
7 credit in an amount determined by multiplying the property taxes allocated
8 under this subsection by the percentage of the exemption for which the
9 housesite owner's household income qualifies under subdivision (a)(1) of this
10 section.

11 (f) [Repealed.]

12 (g) Notwithstanding subsection (d) of this section, if the land surrounding a
13 homestead is owned by a nonprofit corporation or community land trust with
14 tax exempt status under 26 U.S.C. § 501(c)(3), the homeowner may include an
15 allocated amount as property tax paid on the land with the amount of property
16 taxes paid by the homeowner on the home for the purposes of computation of
17 ~~the credit~~ property tax liability under this section. The allocated amount shall
18 be determined by the nonprofit corporation or community land trust on a
19 proportional basis. The nonprofit corporation or community land trust shall
20 provide to that homeowner, by January 31, a certificate specifying the
21 allocated amount. The certificate shall indicate the proportion of total property

1 tax on the parcel that was assessed for municipal property tax and for statewide
2 property tax and the proportion of total value of the parcel. A homeowner
3 under this subsection shall be entitled to a property tax credit in an amount
4 determined by multiplying the property taxes allocated under this subsection
5 by the percentage of the exemption for which the homeowner's household
6 income qualifies under subdivision (a)(1) of this section.

7 (h) A homestead owner shall be entitled to an additional property tax credit
8 amount equal to one percent of the amount of income tax refund that the
9 claimant elects to allocate to payment of **homestead** property tax under section
10 6068 of this title.

11 (i) ~~Adjustments~~ The homestead property tax exemption and the municipal
12 property tax credit under subsection (a) of this section shall be calculated
13 without regard to any exemption under subdivision 3802(11) of this title.

14 § 6066a. DETERMINATION OF HOMESTEAD PROPERTY TAX

15 EXEMPTION AND MUNICIPAL PROPERTY TAX CREDIT

16 (a) Annually, the Commissioner shall determine the homestead property
17 tax exemption and the municipal property tax credit amount under section
18 6066 of this title, related to a homestead owned by the claimant, based on the
19 prior taxable year's income and for the municipal property tax credit, crediting
20 property taxes paid in the prior year, and for the homestead property tax
21 exemption, exempting the housesite value in the claim year. The

1 Commissioner shall notify the municipality in which the housesite is located of
2 the amount of the homestead property tax exemption and municipal property
3 tax credit for the claimant for **homestead** property tax liabilities on a monthly
4 basis. The municipal property tax credit of a claimant who was assessed
5 property tax by a town that revised the dates of its fiscal year, however, is the
6 excess of the property tax that was assessed in the last 12 months of the revised
7 fiscal year, over the adjusted property tax of the claimant for the revised fiscal
8 year, as determined under section 6066 of this title, related to a homestead
9 owned by the claimant.

10 (b) The Commissioner shall include in the total homestead property tax
11 exemption and municipal property tax credit amount determined under
12 subsection (a) of this section, for credit to the taxpayer for **homestead** property
13 tax and supplemental district spending tax liabilities, any income tax
14 overpayment remaining after allocation under section 3112 of this title and
15 setoff under section 5934 of this title, which the taxpayer has directed to be
16 used for payment of property taxes.

17 (c) The Commissioner shall notify the municipality of any claim and
18 refund amounts unresolved by November 1 at the time of final resolution,
19 including adjudication, if any; provided, however, that towns will not be
20 notified of any additional credit amounts after November 1 of the claim year,
21 and such amounts shall be paid to the claimant by the Commissioner.

1 (d) [Repealed.]

2 (e) At the time of notice to the municipality, the Commissioner shall notify
3 the taxpayer of the homestead property tax ~~credit exemption~~ amount
4 determined under subdivision 6066(a)(1) of this title, ~~the amount determined~~
5 ~~under subdivision 6066(a)(3) of this title;~~ any additional municipal property
6 credit ~~amounts~~ amount due the homestead owner under ~~section~~ subdivision
7 6066(a)(2) of this title; the amount of income tax refund, if any, allocated to
8 payment of homestead property tax liabilities; and any late-claim reduction
9 amount.

10 (f)(1) For taxpayers and amounts stated in the notice to towns on or before
11 July 1, municipalities shall create and send to taxpayers a homestead property
12 tax bill, instead of the bill required under subdivision 5402(b)(1) of this title,
13 providing the total amount allocated to payment of homestead education
14 property tax liabilities and notice of the balance due. Municipalities shall
15 apply the amount of the homestead property tax exemption allocated under this
16 chapter to current year property taxes in equal amounts to each of the
17 taxpayers' property tax installments that include education taxes and the
18 amount of the municipal property tax credit allocated under this chapter to
19 current year municipal property taxes in equal amounts to each of the
20 taxpayers' property tax installments that include municipal taxes.
21 Notwithstanding section 4772 of this title, if a town issues a corrected bill as a

1 result of the notice sent by the Commissioner under subsection (a) of this
2 section, issuance of the corrected new bill does not extend the time for
3 payment of the original bill nor relieve the taxpayer of any interest or penalties
4 associated with the original bill. If the corrected bill is less than the original
5 bill, and there are also no unpaid current year taxes, interest, or penalties, and
6 no past year delinquent taxes or penalties and interest charges, any
7 overpayment shall be reflected on the corrected tax bill and refunded to the
8 taxpayer.

9 (2) For homestead property tax exemption and municipal property tax
10 credit amounts for which municipalities receive notice after November 1,
11 municipalities shall issue a new **homestead** property tax bill with notice to the
12 taxpayer of the total amount allocated to payment of **homestead** property tax
13 liabilities and notice of the balance due.

14 (3) The homestead property tax exemption and municipal property tax
15 credit amount determined for the taxpayer shall be allocated first to current
16 year housesite value and property tax on the homestead parcel, next to current-
17 year homestead parcel penalties and interest, next to any prior year homestead
18 parcel penalties and interest, and last to any prior year housesite value and
19 property tax on the homestead parcel. No homestead property tax exemption
20 or municipal credit shall be allocated to a housesite value or property tax
21 liability for any year after the year for which the claim or refund allocation was

1 filed. No municipal tax-reduction incentive for early payment of taxes shall
2 apply to any amount allocated to the property tax bill under this chapter.

3 (4) If the homestead property tax exemption or the municipal property
4 tax credit amount as described in subsection (e) of this section exceeds the
5 property tax, penalties, and interest due for the current and all prior years, the
6 municipality shall refund the excess to the taxpayer, without interest, within 20
7 days of the first date upon which taxes become due and payable or 20 days
8 after notification of the exemption or credit amount by the Commissioner of
9 Taxes, whichever is later.

10 (g) The Commissioner of Taxes shall pay monthly to each municipality the
11 amount of municipal property tax credit of which the municipality was last
12 notified related to municipal property tax on homesteads within that
13 municipality, as determined by the Commissioner of Taxes.

14 § 6067. ~~CREDIT~~ CLAIM LIMITATIONS

15 (a) Claimant. Only one individual per household per taxable year shall be
16 entitled to a homestead exemption claim or property tax credit claim, or both,
17 under this chapter.

18 (b) Other states. An individual who received a homestead exemption or
19 credit with respect to property taxes assessed by another state for the taxable
20 year shall not be entitled to receive a credit under this chapter.

1 (c) Dollar amount. No ~~taxpayer~~ claimant shall receive a renter credit under
2 subsection 6066(b) of this title in excess of \$2,500.00. No ~~taxpayer~~ claimant
3 shall receive a municipal property tax credit under subdivision 6066(a)(~~3~~)(2) of
4 this title greater than \$2,400.00 ~~or cumulative credit under subdivisions~~
5 ~~6066(a)(1) (2) and (4) of this title greater than \$5,600.00.~~

6 § 6068. APPLICATION AND TIME FOR FILING

7 (a) A homestead property tax exemption or municipal property tax credit
8 claim or request for allocation of an income tax refund to **homestead** property
9 tax payment shall be filed with the Commissioner on or before the due date for
10 filing the Vermont income tax return, without extension, and shall describe the
11 school district in which the homestead property is located and shall particularly
12 describe the homestead property for which the exemption or credit ~~or~~
13 ~~allocation~~ is sought, including the school parcel account number prescribed in
14 subsection 5404(b) of this title. A renter credit claim shall be filed with the
15 Commissioner on or before the due date for filing the Vermont income tax
16 return, without extension.

17 (b)(1) If ~~the~~ a claimant files a municipal property tax credit claim after
18 October 15 but on or before March 15 of the following calendar year, the
19 municipal property tax credit under this chapter:

20 ~~(1)(A)~~ shall be reduced in amount by \$150.00, but not below \$0.00;

21 ~~(2)(B)~~ shall be issued directly to the claimant; and

~~(3)(C)~~ shall not require the municipality where the claimant's property is located to issue an adjusted ~~homestead~~ property tax bill.

(2) If a claimant files a homestead property tax exemption claim under this chapter after October 15 but on or before March 15 of the following calendar year, the claimant shall pay a penalty of \$150.00 and the municipality where the claimant's property is located shall not be required to issue an adjusted property tax bill.

(c) No request for allocation of an income tax refund or for a renter credit claim may be made after October 15. No homestead property tax exemption or municipal property tax credit claim may be made after March 15 of the calendar year following the due date under subsection (a) of this section.

* * *

§ 6070. DISALLOWED CLAIMS

A claim shall be disallowed if the claimant received title to ~~his or her~~ the claimant's homestead primarily for the purpose of receiving benefits under this chapter.

§ 6071. EXCESSIVE AND FRAUDULENT CLAIMS

(a) In any case in which it is determined under the provisions of this title that a claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full and the Commissioner may impose a penalty equal to the amount claimed. A disallowed claim may be recovered by assessment

1 as income taxes are assessed. The assessment, including assessment of
2 penalty, shall bear interest from the date the claim was credited against
3 property tax or income tax or paid by the State until repaid by the claimant at
4 the rate per annum established from time to time by the Commissioner
5 pursuant to section 3108 of this title. The claimant in that case, and any person
6 who assisted in the preparation of filing of such excessive claim or supplied
7 information upon which the excessive claim was prepared, with fraudulent
8 intent, shall be fined not more than \$1,000.00 or be imprisoned not more than
9 one year, or both.

10 (b) In any case in which it is determined that a claim is or was excessive,
11 the Commissioner may impose a 10 percent penalty on such excess, and if the
12 claim has been paid or credited against property tax or income tax otherwise
13 payable, the municipal property tax credit or homestead exemption shall be
14 reduced or canceled and the proper portion of any amount paid shall be
15 similarly recovered by assessment as income taxes are assessed, and such
16 assessment shall bear interest at the rate per annum established from time to
17 time by the Commissioner pursuant to section 3108 of this title from the date
18 of payment or, in the case of credit of a municipal property tax bill under
19 section 6066a of this title, from December 1 of the year in which the claim is
20 filed until refunded or paid.

21 * * *

1 § 6073. ~~REGULATIONS~~ RULES OF THE COMMISSIONER

2 The Commissioner may, from time to time, ~~issue~~ adopt, amend, and
3 withdraw ~~regulations~~ rules interpreting and implementing this chapter.

4 § 6074. AMENDMENT OF CERTAIN CLAIMS

5 At any time within three years after the date for filing claims under
6 subsection 6068(a) of this chapter, a claimant who filed a claim by October 15
7 may file to amend that claim with regard to housesite value, ~~housesite~~
8 ~~education tax~~, housesite municipal tax, and ownership percentage or to correct
9 the amount of household income reported on that claim.

10 Sec. 53. DEPARTMENT OF TAXES; HOMESTEAD DECLARATION;

11 SAMPLE FORM;

12 On or before December 15, 2025, the Department of Taxes shall provide to
13 the House Committee on Ways and Means and the Senate Committee on
14 Finance suggestions for updating the homestead declaration under 32 V.S.A.
15 § 5410 to address the implementation of the homestead exemption under
16 section 19 of this act, which may be provided as a sample form.

17 Sec. 53a. DEPARTMENT OF TAXES; HOMESTEAD EXEMPTION;

18 REPORT

19 (a) It is the intent of the General Assembly to transition the way income-
20 based property tax relief is provided to homestead property owners from the
21 existing credit system towards an income-based homestead exemption.

1 **(b) On or before January 15, 2026, the Department of Taxes, in**
2 **consultation with the Joint Fiscal Office, shall submit a proposal to the House**
3 **Committee on Ways and Means and the Senate Committee on Finance**
4 **designing a homestead exemption structure that minimizes the:**

5 **(1) property tax impacts for homestead property owners under the new**
6 **education tax structure established in this act;**

7 **(2) benefit cliffs compared to those in the existing credit system; and**

8 **(3) aggregate fiscal impact relative to the existing credit system.**

9 **(c) The Department of Taxes shall additionally include with its proposal**
10 **recommendations for an inflationary adjustment measure suited to the income**
11 **sensitivity and housesite value measures of the proposed homestead**
12 **exemption.**

13 * * * Conforming Revisions; Property Tax Credit Repeal * * *

14 Sec. 54. 11 V.S.A. § 1608 is amended to read:

15 § 1608. ELIGIBILITY FOR PROPERTY TAX RELIEF

16 Members of cooperative housing corporations shall be eligible to apply for
17 and receive a homestead property tax ~~adjustment~~ exemption and municipal
18 property tax credit under 32 V.S.A. § 6066, subject to the conditions of
19 eligibility set forth therein.

1 Sec. 55. 32 V.S.A. § 3102(j) is amended to read:

2 (j) Tax bills prepared by a municipality under subdivision 5402(b)(1) of
3 this title showing only the amount of total tax due shall not be considered
4 confidential return information under this section. For the purposes of
5 calculating ~~credits~~ the homestead property tax exemption and the municipal
6 property tax credit under chapter 154 of this title, information provided by the
7 Commissioner to a municipality under subsection 6066a(a) of this title and
8 information provided by the municipality to a taxpayer under subsection
9 6066a(f) shall be considered confidential return information under this section.

10 Sec. 56. 32 V.S.A. § 3206(b) is amended to read:

11 (b) As used in this section, “extraordinary relief” means a remedy that is
12 within the power of the Commissioner to grant under this title, a remedy that
13 compensates for the result of inaccurate classification of property as homestead
14 or nonhomestead pursuant to section 5410 of this title through no fault of the
15 taxpayer, or a remedy that makes changes to a taxpayer’s homestead property
16 tax exemption, municipal property tax credit, or renter credit claim necessary
17 to remedy the problem identified by the Taxpayer Advocate.

18 * * * Future Review of Foundation Formula * * *

19 Sec. 57. 32 V.S.A. § 5414 is amended to read:

20 § 5414. CREATION; EDUCATION FUND ADVISORY COMMITTEE

1 (a) Creation. There is created the Education Fund Advisory Committee to
2 monitor Vermont's education financing system, conduct analyses, assist with
3 the transformation of Vermont's education finance system, and perform the
4 duties under subsection (c) of this section.

5 * * *

6 (c) Powers and duties.

7 (1) Annually, on or before December 15, the Committee shall make
8 recommendations to the General Assembly regarding:

9 (A) updating the weighting factors using the weighting model and
10 methodology used to arrive at the weights enacted under 2022 Acts and
11 Resolves No. 127, which may include recalibration, recalculation, adding or
12 eliminating weights, or any combination of these actions, as necessary;

13 (B) changes to, or the addition of new or elimination of existing,
14 categorical aid, as necessary;

15 (C) changes to income levels eligible for a property tax credit under
16 section 6066 of this title;

17 (D) means to adjust the revenue sources for the Education Fund;

18 (E) means to improve equity, transparency, and efficiency in
19 education funding statewide;

20 (F) the amount of the Education Fund stabilization reserve;

21 (G) school district use of reserve fund accounts;

1 Analysis, from fiscal year 2025 through the fiscal year for which the amount is
2 being determined, and rounding upward to the nearest whole dollar amount.

3 * * *

4 Sec. 59. 16 V.S.A. § 4010 is amended to read:

5 § 4010. DETERMINATION OF WEIGHTED LONG-TERM MEMBERSHIP
6 AND EDUCATION OPPORTUNITY PAYMENT

7 * * *

8 (d) Determination of weighted long-term membership. For each weighting
9 category, the Secretary shall compute the weighting count by using the long-
10 term membership, as defined in subdivision 4001(7) of this title, in that
11 category.

12 (1) [Repealed.]

13 (2) Each pupil included in long-term membership whose family is at or
14 below 185 percent of FPL shall receive an additional weighting amount of ~~1.02~~
15 1.00.

16 (3) Each EL pupil included in long-term membership shall receive an
17 additional weighting amount, based on the EL pupil's English language
18 proficiency level, of:

19 (A) ~~2.11~~ 1.00, if assessed as Level 1;

20 (B) ~~1.41~~ 1.00, if assessed as Level 2 or 3;

21 (C) ~~1.20~~ 1.00, if assessed as Level 4; or

1 (D) ~~0.42~~ 1.00, if assessed as Level 5 or 6.

2 (4) Each EL pupil that is a Newcomer or SLIFE included in long-term
3 membership shall receive an additional weighting amount of ~~0.42~~ 1.00.

4 (5) Each child with a disability included in long-term membership shall
5 receive an additional weighting amount, based on the categorization of the
6 child's disability, of:

7 (A) ~~0.79~~ 1.00, if the disability is identified as Category A;

8 (B) ~~1.35~~ 1.00, if the disability is identified as Category B; or

9 (C) ~~2.49~~ 1.00, if the disability is identified as Category C.

10 * * *

11 * * * Grand List Parcel Data * * *

12 Sec. 60. 32 V.S.A. § 4152 is amended to read:

13 § 4152. CONTENTS

14 (a) When completed, the grand list of a town shall be in such form as the
15 Director prescribes and shall contain such information as the Director
16 prescribes, including:

17 (1) In alphabetical order, the name of each real property owner and each
18 owner of taxable personal property.

19 (2) The last known mailing address of all such owners.

20 (3) A brief description of each parcel of taxable real estate in the town.

21 ~~“Parcel”~~ As used in this subdivision, “parcel” means a separate and sellable lot

1 or piece of real estate. Parcels may be combined to represent all contiguous
2 land in the same ownership, together with all improvements thereon.

3 Sec. 61. PROPERTY TAX CLASSIFICATIONS STUDY;

4 IMPLEMENTATION PROPOSAL

5 On or before December 15, 2025, in consultation with relevant
6 stakeholders, the Commissioner of Taxes shall submit in writing to the House
7 Committee on Ways and Means and the Senate Committee on Finance a report
8 regarding the establishment of a system for property tax classifications that
9 would allow for different tax rates on different classes of property. The report
10 shall include:

11 (1) one or more ways to define, identify, and classify residential
12 properties based on present-day use;

13 (2) a proposed method for classifying mixed-use parcels wherein
14 different portions of the same parcel are used for different purposes;

15 (3) proposed methods for collecting the data necessary to administer the
16 proposed tax classification system, including a description of any new or
17 revised forms;

18 (4) a proposed method for appeals under the proposed tax classification
19 system; and

20 (5) proposed methods to ensure taxpayer compliance with the new
21 system, including ways to prevent taxpayers from circumventing the legislative

1 intent to tax properties used primarily as second homes and short-term rentals
2 at a higher rate.

3 * * * Regional Assessment Districts * * *

4 Sec. 62. 32 V.S.A. chapter 121, subchapter 1A is added to read:

5 Subchapter 1A. Statewide and Regional Property Assessment

6 § 3415. LEGISLATIVE INTENT

7 It is the intent of the General Assembly in adopting this subchapter to create
8 regional assessment districts so that:

9 (1) properties on grand lists are regularly reappraised;

10 (2) property data collection is consistent and standardized across the
11 State; and

12 (3) property valuation is conducted by trained and certified individuals
13 and firms.

14 § 3416. REGIONAL ASSESSMENT DISTRICTS; ESTABLISHMENT

15 (a) There are hereby established 12 regional assessment districts, whose
16 member municipalities shall fully and jointly reappraise their grand lists every
17 six years pursuant to subsection 3417(b) of this subchapter. Member
18 municipalities shall contract jointly with one or more third parties to conduct
19 reappraisals.

1 (b) Each county shall constitute one regional assessment district, except
2 that Franklin and Grand Isle Counties shall constitute one district and Essex
3 and Orleans Counties shall constitute one district.

4 § 3417. STANDARD GUIDELINES; PROCEDURES; RULEMAKING

5 (a) The Director of Property Valuation and Review shall establish standard
6 guidelines and procedures, and may adopt rules, for regional assessment
7 districts, including:

8 (1) guidelines for contracting with third parties to conduct or assist with
9 reappraisals, including standard reappraisal contract terms;

10 (2) standards for the collection and recordation of parcel data;

11 (3) requirements relating to information technology, including standards
12 for data software contracts and computer-assisted mass appraisal systems; and

13 (4) standardized practices for a full reappraisal, including cases in which
14 physical inspections are unnecessary and how technology is to be utilized.

15 (b) The Director of Property Valuation and Review shall establish a
16 schedule for each regional assessment district to fully reappraise every six
17 years. The Director, at the Director's discretion, may alter the reappraisal
18 schedule for a regional assessment district or for one or more of a regional
19 assessment district's member municipalities.

20 * * * Transition to Regional Assessment Districts * * *

21 Sec. 63. TRANSITION; ANNUAL PROGRESS REPORT

1 (a) Notwithstanding 32 V.S.A. § 4041a or any other provision of law to the
2 contrary:

3 (1) the Director of Property Valuation and Review shall not order any
4 new municipal reappraisals of grand list properties that is not part of a
5 regionalized reappraisal system on and after January 1, 2027;

6 (2) a reappraisal order for which a municipality does not have a contract
7 in place before January 1, 2030 shall no longer have the force and effect of law
8 on and after January 1, 2030, except for those that are part of a regionalized
9 reappraisal system; and

10 (3) a municipality shall not enter into a new reappraisal contract on or
11 after January 1, 2027, except for those that are part of a regionalized
12 reappraisal system.

13 (b) On or before every January 15 from January 15, 2027 to January 15,
14 2030, the Commissioner of Taxes shall submit a report to the House
15 Committee on Ways and Means and the Senate Committee on Finance relating
16 to the progress made in preparing for the implementation of regional
17 assessment districts pursuant to this act.

18 Sec. 64. REGIONAL ASSESSMENT DISTRICT STAKEHOLDER

19 WORKING GROUP

20 On or before January 15, 2026, the Department of Taxes, in consultation
21 with relevant stakeholders, shall submit recommendations to the House

1 Committee on Ways and Means and the Senate Committee on Finance
2 advising on the implementation of regional assessment districts and on the
3 development of guidelines, procedures, and rules needed to effectuate a
4 regionalized reappraisal system. The recommendations will include an
5 analysis of the advantages and disadvantages of having the State take full
6 responsibility for regionalized appraisals. In making its recommendation, the
7 Department of Taxes shall provide suggestions for legislative language that
8 address:

9 (1) the authority or authorities who will contract for and conduct
10 reappraisals;

11 (2) the authority or authorities who will hear and decide property
12 valuation appeals;

13 (3) amendments necessary to conform statute to the change from an
14 April 1 to January 1 grand list assessment date; and

15 (4) any other recommended revisions to achieve a regionalized
16 reappraisal system.

17 * * * Miscellaneous Tax * * *

18 Sec. 65. 32 V.S.A. § 6066a(f)(1) is amended to read:

19 (f)(1) For taxpayers and amounts stated in the notice to towns on or before
20 July 1, municipalities shall create and send to taxpayers a homestead property
21 tax bill, instead of the bill required under subdivision 5402(b)(1) of this title,

1 providing the total amount allocated to payment of homestead education
2 property tax liabilities and notice of the balance due. Nothing in this
3 subdivision, however, shall be interpreted as altering the requirement under
4 subdivision 5402(b)(2) of this title that the statewide education homestead tax
5 be billed in a manner that is stated clearly and separately from any other tax.
6 Municipalities shall apply the amount allocated under this chapter to current
7 year property taxes in equal amounts to each of the taxpayers' property tax
8 installments that include education taxes. Notwithstanding section 4772 of this
9 title, if a town issues a corrected bill as a result of the notice sent by the
10 Commissioner under subsection (a) of this section, issuance of the corrected
11 new bill does not extend the time for payment of the original bill nor relieve
12 the taxpayer of any interest or penalties associated with the original bill. If the
13 corrected bill is less than the original bill, and there are also no unpaid current
14 year taxes, interest, or penalties, and no past year delinquent taxes or penalties
15 and interest charges, any overpayment shall be reflected on the corrected tax
16 bill and refunded to the taxpayer.

17 Sec. 66. 32 V.S.A. § 5252 is amended to read:

18 § 5252. LEVY AND NOTICE OF SALE; SECURING PROPERTY

19 (a) When the collector of taxes of a town or of a municipality within it has
20 for collection a tax assessed against real estate in the town and the taxpayer
21 owes a minimum of \$1,500.00 and is delinquent for a period longer than one

1 year, the collector may extend a warrant on such land. However, no warrant
2 shall be extended until a delinquent taxpayer is given an opportunity to enter a
3 written reasonable repayment plan pursuant to subsection (c) of this section. If
4 a collector receives notice from a mobile home park owner pursuant to 10
5 V.S.A. § 6248(b), the collector shall, within 15 days after the notice,
6 commence tax sale proceedings to hold a tax sale within 60 days after the
7 notice. If the collector fails to initiate such proceedings, the town may initiate
8 tax sale proceedings only after complying with 10 V.S.A. § 6249(f). If the tax
9 collector extends the warrant, the collector shall:

10 * * *

11 Sec. 67. 32 V.S.A. § 4465 is amended to read:

12 § 4465. APPOINTMENT OF PROPERTY VALUATION HEARING

13 OFFICER; OATH; PAY

14 When an appeal to the Director is not withdrawn or forwarded by the
15 Director to Superior Court pursuant to subsection 4461(a) of this title, the
16 Director shall refer the appeal in writing to a person not employed by the
17 Director, appointed by the Director as hearing officer. The Director shall have
18 the right to remove a hearing officer for inefficiency, malfeasance in office, or
19 other cause. In like manner, the Director shall appoint a hearing officer to fill
20 any vacancy created by resignation, removal, or other cause. Before entering
21 into their duties, persons appointed as hearing officers shall take and subscribe

1 the oath of the office prescribed in the Constitution, which oath shall be filed
2 with the Director. The ~~Director~~ Commissioner of Taxes shall pay each hearing
3 officer ~~a sum not to exceed \$150.00 per diem for each day wherein hearings~~
4 ~~are held~~ \$38.00 per hour plus a cost-of-living adjustment in an amount equal to
5 any adjustment approved for exempt employees by the Secretary of
6 Administration, together with reasonable expenses as the ~~Director~~
7 Commissioner may determine. A hearing officer may subpoena witnesses,
8 records, and documents in the manner provided by law for serving subpoenas
9 in civil actions and may administer oaths to witnesses.

10 Sec. 68. 32 V.S.A. § 5402(c)(2) is amended to read:

11 (2) The Secretary of Education shall determine each municipality's net
12 nonhomestead education tax payment and its net homestead education tax
13 payment to the State based on grand list information received by the Secretary
14 not later than the March 15 prior to the June 1 net payment. Payment shall be
15 accompanied by a return prescribed by the Secretary of Education. Each
16 municipality may retain 0.225 of one percent of the total education tax
17 collected, only upon timely remittance of net payment to the State Treasurer or
18 to the applicable school district or districts. ~~Each municipality may also retain~~
19 ~~\$15.00 for each late property tax credit claim filed after April 15 and before~~
20 ~~September 2, as notified by the Department of Taxes, for the cost of issuing a~~
21 ~~new property tax bill.~~

1 Sec. 69. 32 V.S.A. § 5401(13) is amended to read:

2 (13)(A) “Education property tax spending adjustment” means the
3 greater of one or a fraction in which:

4 (i) the numerator is the district’s per pupil education spending plus
5 excess spending for the school year, and

6 (ii) the denominator is the property dollar equivalent yield for the
7 school year, as defined in subdivision (15) of this section, ~~multiplied by the~~
8 ~~statewide adjustment.~~

9 (B) “Education income tax spending adjustment” means the greater
10 of one or a fraction in which the numerator is the district’s per pupil education
11 spending plus excess spending for the school year, and the denominator is the
12 income dollar equivalent yield for the school year, as defined in subdivision
13 (16) of this section.

14 * * * Effective Dates * * *

15 Sec. 70. EFFECTIVE DATES

16 (a) This section and the following sections shall take effect on passage:

17 (1) Sec. 1 (findings; intent; plan);

18 (2) Sec. 2 (Commission on the Future of Public Education);

19 (3) Sec. 3 (School District Redistricting Task Force);

20 (4) Sec. 32 (Agency of Education transformation support);

21 (5) Sec. 33. (Agency of Education positions);

- 1 (6) Sec. 44 (transportation reimbursement guidelines);
- 2 (7) Sec. 45 (inflationary measures; prekindergarten; reports);
- 3 (8) Sec. 45a (foundation formula report);
- 4 (9) Sec. 45c (Education Fund Advisory Committee; delay);
- 5 (10) Sec. 53 (homestead declaration sample form);
- 6 (11) Sec. 53a (homestead exemption report);
- 7 (12) Sec. 61 (tax classification study);
- 8 (13) Sec. 63 (regional assessment district transition);
- 9 (14) Sec. 64 (RAD stakeholder working group);
- 10 (15) Sec. 65 (inadvertently removed language);
- 11 (16) Sec. 66 (minimum debt for tax sales);
- 12 (17) Sec. 68 (property tax credit late fee); and
- 13 (18) Sec. 69 (education property tax spending adjustment).
- 14 (b) The following sections shall take effect on July 1, 2025:
- 15 (1) Sec. 4 (scale; intent);
- 16 (2) Sec. 7 (SBE rules; report);
- 17 (3) Sec. 8 (school closure);
- 18 (4) Sec. 11 (16 V.S.A. § 3443);
- 19 (5) Sec. 12 (School Construction Advisory Board sunset);
- 20 (6) Sec. 18 (16 V.S.A. § 828);
- 21 (7) Sec. 19 (tuition transition);

- 1 (8) Sec. 20 (statewide cohesion; intent);
- 2 (9) Sec. 21 (AOE report; graduation requirements);
- 3 (10) Sec. 22 (State-level governance; intent);
- 4 (11) Sec. 23 (16 V.S.A. § 161);
- 5 (12) Sec. 24 (SBE appointments transition);
- 6 (13) Sec. 25 (16 V.S.A. § 162);
- 7 (14) Sec. 26 (SBE rule review; appropriation);
- 8 (15) Sec. 29 (special education report);
- 9 (16) Sec. 30 (AOE special education strategic plan);
- 10 (17) Sec. 31 (AOE position);
- 11 (18) Sec. 60 (grand list parcel definition); and
- 12 (19) Sec. 67 (PVR hearing officer pay).
- 13 (c) The following sections shall take effect on July 1, 2026:
- 14 (1) Sec. 3a (transitional school boards);
- 15 (2) Sec. 5 (class size minimums);
- 16 (3) Sec. 6 (failure to comply with class size minimums);
- 17 (4) Sec. 9 (school construction policy);
- 18 (5) Sec. 10 (16 V.S.A. § 3442);
- 19 (6) Sec. 13 (16 V.S.A. § 3444);
- 20 (7) Sec. 14 (16 V.S.A. § 3445);
- 21 (8) Sec. 15 (16 V.S.A. § 3446);

1 (9) Sec. 16 (transfer of rulemaking authority); and

2 (10) Sec. 17 (repeals).

3 (d) Sec. 48 (December 1 letter) shall take effect on July 1, 2028.

4 (e) The following sections shall take effect on July 1, 2029, provided that
5 the new school districts contemplated by this act have assumed responsibility
6 for the education of all resident students and that the General Assembly has
7 received the report provided pursuant to section 45a of this act:

8 (1) Secs. 27 (16 V.S.A. § 823) and 28 (repeals);

9 (2) Secs. 34–43 (transition to cost-factor foundation formula);

10 (3) Sec. 45b (educational opportunity payment transition);

11 (4) Secs. 46, 47, 49, and 50 (statewide education tax; supplemental
12 district spending tax);

13 (5) Sec. 48a (homestead property tax rate transition);

14 (6) Secs. 51, 52, and 54–56 (property tax credit repeal; creation of
15 homestead exemption); and

16 (7) Sec. 57 (Education Fund Advisory Committee; review of foundation
17 formula).

18 (f) Sec. 62 (regional assessment districts) shall take effect on January 1,
19 2030.

20 (g) Secs. 58 and 59 (transition to evidence-based foundation formula) shall
21 take effect upon:

- 1 (1) development and review of an evidence-based foundation formula
- 2 by professional judgment panels;
- 3 (2) compliance by 90 percent of Vermont classes with class-size
- 4 minimum standards set in the education quality standards;
- 5 (3) compliance by 90 percent of Vermont school buildings with school
- 6 size standards set in the education quality standards; and
- 7 (4) implementation of a multitiered system of supports in each
- 8 classroom in each Vermont school.