

1 TO THE HONORABLE SENATE:

2 The Committee on Education to which was referred House Bill No. 955  
3 entitled “An act relating to next steps in transforming Vermont’s education  
4 system” respectfully reports that it has considered the same and recommends  
5 that the Senate propose to the House that the bill be amended as follows:

6 First: In Sec. 1, legislative intent, in subsection (a), following the words  
7 “provided substantially equal”, by striking out the words “educational  
8 opportunities” and inserting in lieu thereof the words “opportunities for an  
9 excellent education”

10 Second: In Sec. 2, 16 V.S.A. chapter 10, in section 603, in subdivision  
11 (b)(4), following the words “including any applicable membership fee”, by  
12 inserting “, both of which shall be allocated according to the amount of  
13 services actually provided to each member supervisory union”

14 Third: In Sec. 2, 16 V.S.A. chapter 10 (CESAs), following section 607  
15 (employment), by adding a new section to be section 608 to read as follows:

16 § 608. CESA MEMBERSHIP ADJUSTMENT PROPOSALS

17 (a) The board of a member supervisory union may propose to the General  
18 Assembly to adjust the membership of the CESA it belongs to in accordance  
19 with the following procedure:

1           (1) A proposal to adjust CESA membership may be made by a member  
2           supervisory union board or by petition of five percent of the aggregate voters  
3           of the supervisory union’s member school districts.

4           (2) An official copy of the CESA membership adjustment proposal shall  
5           be filed as a public record with the clerk of each of the applicable supervisory  
6           union’s member school districts at least 10 days before the first public hearing  
7           regarding the membership adjustment proposal. The school district clerk shall  
8           certify the date on which the clerk received the official copy and the date  
9           copies shall be made available to members of the public upon request.

10           (3)(A) The member supervisory union board shall hold at least two  
11           public hearings prior to the vote on the membership adjustment proposal.

12           (B) The first public hearing shall be held in accordance with  
13           subdivision (2) of this subsection (a) and at least 30 days before the vote.

14           (4)(A) If the membership adjustment proposal is made by a member  
15           supervisory union board, the board may revise the proposal as a result of  
16           suggestions and recommendations made at a public hearing, but in no event  
17           shall such revisions be made less than 20 days before the date of the meeting to  
18           vote on the membership adjustment proposal.

19           (B) If revisions are made, the supervisory union board shall post a  
20           notice of these revisions in the same places as the warning for the meeting not  
21           less than 20 days before the date of the meeting and shall attach such revisions

1 to the official copy of the request kept on file for public inspection in the office  
2 of the clerk of each of the supervisory union’s member school districts.

3 (5)(A) If the membership adjustment proposal is made by petition, the  
4 second public hearing shall be held not later than 10 days after the first public  
5 hearing. The supervisory union board shall not have the authority to revise a  
6 membership adjustment proposal made by petition.

7 (B) After the warning and hearing requirements of this section are  
8 satisfied, the membership adjustment proposal shall be submitted to the voters  
9 of each of the applicable supervisory union’s member school districts at the  
10 next annual meeting, primary election, or general election in the form in which  
11 it was filed, except that the supervisory union board may make technical  
12 corrections.

13 (6)(A) Notice of each public hearing and of the annual or special  
14 meeting shall be given in accordance with 17 V.S.A. § 2641.

15 (B)(i) Each notice shall specify the CESA membership to be  
16 adjusted, setting out the new proposed membership in the amended form, with  
17 deleted matter struck through and new matter underlined.

18 (ii) If the supervisory union board determines that the membership  
19 adjustment proposal is too long or unwieldy to set out in amended form, the  
20 notice shall include a concise summary of the membership adjustment proposal  
21 and shall state that an official copy of the membership adjustment proposal is

1 on file for public inspection in the office of the clerk of each of the applicable  
2 supervisory union’s school districts and that copies thereof shall be made  
3 available to members of the public upon request.

4 (7)(A) Voting on a membership adjustment proposal shall be by  
5 Australian ballot. Ballots shall be commingled.

6 (B)(i) The ballot shall show each membership adjustment to be  
7 adopted, in the amended form, with deleted matter struck through and new  
8 matter underlined, and shall permit the voter to vote on each separate proposal  
9 contained within the membership adjustment request.

10 (ii) If the supervisory union determines that the membership  
11 adjustment proposal is too long or unwieldy to be shown in the amended form,  
12 voters shall be permitted to vote upon each separate proposal in its entirety in  
13 the form of a yes or no proposition.

14 (C) An official copy of the membership adjustment proposal shall be  
15 posted conspicuously in each ballot booth for inspection by the voters during  
16 the balloting.

17 (b)(1) The clerk of each of the applicable supervisory union’s member  
18 school districts shall announce and post the results of the vote immediately  
19 after the vote is counted.

20 (2) The clerk of each of the applicable supervisory union’s school  
21 districts, within 10 days after the day of the meeting, shall certify to the

1 Secretary of State each separate membership adjustment contained within the  
2 membership adjustment proposal, showing the facts as to its origin and the  
3 procedure followed, which shall include:

4 (A)(i) if the membership adjustment proposal was made by the  
5 supervisory union board, the minutes recorded by the supervisory union board  
6 that detail the origins and intent of each separate membership adjustment  
7 proposal; and

8 (ii) if the membership adjustment proposal was made by voter  
9 petition, the body of the petition and evidence of the required number of  
10 petition signatures;

11 (B) a copy of the official certified copy of the membership  
12 adjustment proposal filed with the clerk of each of the applicable supervisory  
13 union’s school districts pursuant to subdivision (a)(2) of this section;

14 (C) copies of the warnings and published notices for each of the  
15 public hearings held pursuant to subdivision (a)(3) of this section;

16 (D) minutes recorded by the supervisory union board that detail each  
17 of the public hearings held pursuant to subdivision (a)(3) of this section;

18 (E) copies of warnings and published notices for the meeting to vote  
19 on the membership adjustment proposal;

20 (F) a copy of the ballot and the results of the vote or votes on the  
21 membership adjustment proposal; and

1           (G) the results of the advisory supervisory union board votes made  
2           pursuant to subsection (c) of this section.

3           (3) If the voters do not approve the membership adjustment proposal, no  
4           further action shall be taken unless and until a new membership adjustment  
5           proposal is initiated pursuant to this section.

6           (c) If the voters of the applicable supervisory union’s member school  
7           districts vote to approve the membership adjustment proposal, the boards of  
8           the supervisory unions affected by the membership adjustment proposal shall  
9           hold an advisory vote to approve the membership adjustment proposal within  
10           45 days after the results of the school district votes. The supervisory union  
11           board requesting the membership adjustment shall submit the results of the  
12           advisory supervisory union board votes to the Secretary of State with the  
13           information required to be submitted pursuant to subdivision (b)(2) of this  
14           section.

15           (d) If the voters of the applicable supervisory union’s member school  
16           districts vote to approve the membership adjustment proposal, after confirming  
17           that the clerks of the member school districts have certified each of the  
18           documents listed in subdivision (b)(2) of this section, the Secretary of State  
19           shall file the certificate and deliver copies of it to the Agency of Education, the  
20           State Board of Education, the Clerk of the House, the Secretary of the Senate,

1 and the chairs of the committees concerned with CESA membership of both  
2 houses of the General Assembly.

3 (e) The membership adjustment proposal shall become effective upon  
4 affirmative enactment of the proposal, either as proposed or as amended by the  
5 General Assembly.

6 Fourth: By adding two new sections to be Secs. 2a and 2b to read as  
7 follows:

8 Sec. 2a. 16 V.S.A. § 604(a) is amended to read:

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

18 (1) special education, including implementation and maintenance of  
19 tiered systems of support and the provision of low-incidence, high-cost  
20 services;

21 (2) business and administrative services; ~~and~~

- 1 (3) union school district creation consultation and facilitation;
- 2 (4) professional development;
- 3 (5) curriculum coordination and development; and
- 4 (6) transportation.

5 Sec. 2b. 16 V.S.A. § 604(a) is amended to read:

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

- 16 (1) special education, including implementation and maintenance of  
17 tiered systems of support and the provision of low-incidence, high-cost  
18 services;
- 19 (2) business and administrative services;
- 20 (3) union school district creation consultation and facilitation;
- 21 (4) professional development;



1 (5) curriculum coordination and development; and

2 (6) transportation.

3 Fifth: In Sec. 13, union school district creation consultation and facilitation,  
4 in subdivision (b)(1)(A)(i), following the words “shall be a minimum of”, by  
5 striking out “2,000” and inserting in lieu thereof “1,000”

6 Sixth: In Sec. 13, union school district creation consultation and  
7 facilitation, in subdivision (b)(1)(A)(ii) following “school districts shall” by  
8 striking out the words “be contiguous” and inserting in lieu thereof the words  
9 “have the same operating structure”

10 Seventh: In Sec. 13, union school district creation consultation and  
11 facilitation, by striking out subdivision (b)(3)(A) in its entirety and inserting in  
12 lieu thereof a new subdivision (b)(3)(A) to read as follows:

13 (A) A study committee formed pursuant to this section shall only  
14 identify school districts with the same operating structure as necessary and  
15 shall identify a school district with an operating structure that differs from the  
16 majority of study committee members as advisable, as those terms are used in  
17 16 V.S.A. § 708(b)(1) and (2). Nothing in this act shall be construed to compel  
18 the merger of school districts with dissimilar operating structures. If a study  
19 committee identifies a school district as necessary that is not a member of the  
20 study committee or that is not a member of the CESA, or both, the study

1 committee shall work with the applicable facilitator or facilitators to adjust  
2 study committee membership as necessary.

3 Eighth: By adding a new section to be Sec. 14a to read as follows:

4 Sec. 14a. INTERIM STUDY COMMITTEE REPORTS

5 (a) On or before January 1, 2028, the lead facilitator employed or  
6 contracted by the Vermont Learning Collaborative (VTLC) shall submit a  
7 written report to the House and Senate Committees on Education with an  
8 update on the status of each study committee formed pursuant to Sec. 13 of this  
9 act, including membership and the final recommendation of each study  
10 committee.

11 (b) On or before January 1, 2028, the Agency of Education, in consultation  
12 with the study committees formed pursuant to this act and the State Board of  
13 Education, shall submit a written interim report to the House and Senate  
14 Committees on Education with preliminary recommendations for supervisory  
15 union boundary adjustments and CESA boundary adjustments that take into  
16 account the final recommendations of the study committees formed pursuant to  
17 Sec. 13 of this act.

18 Ninth: By striking out Sec. 24, 16 V.S.A. § 828 (prohibition on charging  
19 fees beyond tuition), and Sec. 24a, prohibition on charging fees beyond tuition;  
20 legislative intent, and their reader assistance heading in their entirety and  
21 inserting in lieu thereof new Secs. 24 and 24a to read as follows:

1 Sec. 24. [Deleted.]

2 Sec. 24a. [Deleted.]

3 Tenth: By striking out Sec. 27, intradistrict budgeting; Agency of  
4 Education; District Quality Standards; rulemaking, in its entirety and inserting  
5 in lieu thereof a new Sec. 27 to read as follows:

6 Sec. 27. INTRADISTRICT BUDGETING; AGENCY OF EDUCATION;

7 DISTRICT QUALITY STANDARDS; RULEMAKING

8 The Agency of Education shall, unless extended by the Legislative  
9 Committee on Administrative Rules, adopt updates to the district quality  
10 standards contained in Agency of Education, District Quality Standards (CVR  
11 22-000-039) to establish criteria for intradistrict budgeting under the  
12 foundation formula, pursuant to 3 V.S.A. § 843 on or before December 31,  
13 2028. The criteria shall provide guidelines for intradistrict budgeting that  
14 ensure resources are allocated across schools within each district in a way that  
15 supports the State’s goal that all Vermont children will be afforded  
16 opportunities and excellent education that are substantially equal in quality and  
17 enable them to achieve or exceed the education quality standards approved by  
18 the State Board of Education.

19 Eleventh: By striking out Sec. 29a, 16 V.S.A. § 11 (definitions), and its  
20 reader assistance heading in their entirety and inserting in lieu thereof a new  
21 Sec. 29a to read as follows:

1 Sec. 29a. [Deleted.]

2 Twelfth: In Sec. 29, 16 V.S.A. § 4019, by striking out subsection (a) in its  
3 entirety and inserting in lieu thereof a new subsection (a) to read as follows:

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

5 (1) “Average grade size” means the quotient resulting from dividing a  
6 school’s two-year average enrollment by the number of grades above  
7 prekindergarten operated by the school.

8 (2) “Enrollment” means the number of students in kindergarten through  
9 grade 12 who are enrolled in a school operated by the school district on  
10 October 1. A student shall be counted as one whether the student is enrolled as  
11 a full-time or part-time student.

12 (3) “Small school” means a public school that:

13 (A) has an average grade size of fewer than 12 students; and

14 (B) has been determined by the Agency of Education, on an annual  
15 basis, to be “small by necessity” under standards consistent with State Board of  
16 Education rule.

17 (4) “Sparse area” means a city, town, or incorporated village where the  
18 number of persons per square mile residing within the land area of the  
19 geographic boundaries of the city, town, or incorporated village as of July 1 of  
20 the year of determination is fewer than 55 persons.

21 (5) “Sparse school” means a public school that:

1           (A) is within a sparse area; and

2           (B) has been determined by the Agency of Education, on an annual  
3 basis, to be “sparse by necessity” under standards consistent with State Board  
4 of Education rule.

5           (6) “Two-year average enrollment” means the average enrollment of the  
6 two most recently completed school years.

7           Thirteenth: In Sec. 67, Agency of Education; State aid for school  
8 construction; rulemaking, following “On or before”, by striking out “March 31,  
9 2027” and inserting in lieu thereof “March 1, 2028”

10          Fourteenth: By striking out Sec. 74, 16 V.S.A. § 4033, in its entirety and  
11 inserting in lieu thereof the following:

12          Sec. 74. [Deleted.]

13          Fifteenth: By striking out Sec. 86, effective dates, in its entirety and  
14 inserting in lieu thereof a new Sec. 86 to read as follows:

15          Sec. 86. EFFECTIVE DATES

16          This act shall take effect on July 1, 2026, except as follows:

17               (1) This section, Sec. 18 (Act 73 effective dates), Sec. 27a (rulemaking;  
18 reserve guidance), Sec. 27c (student profile form), Sec. 34(a) (repeal of 2025  
19 Acts and Resolves No. 73, Secs. 62 and 63), Sec. 53 (transition provisions),  
20 Sec. 56 (valuing property in a limited equity cooperative), Sec. 61 (repeals),  
21 Sec. 62 (rate multipliers), Sec. 63 (prospective repeal), Sec. 79 (transition

1 repeals), Sec. 83 (tax rate transition report), Sec. 84 (homestead exemption  
2 structure report delay), and Sec. 85 (Education Fund Advisory Committee)  
3 shall take effect on passage.

4 (2) Sec. 2a (16 V.S.A. § 804; services offered) shall take effect on July  
5 1, 2027.

6 (3) Sec. 57 (grand list contents) shall take effect on July 1, 2027, and  
7 shall apply to grand lists lodged beginning in calendar year 2028.

8 (4) Sec. 60 (transition provisions) shall take effect on January 1, 2029,  
9 provided that the conditions under 2025 Acts and Resolves No. 73, Sec.  
10 70(f)(1)(A), (B), and (C), as amended by this act, have been met.

11 (5) Sec. 2b (16 V.S.A. § 804; members shall avail themselves of all  
12 services offered) shall take effect on July 1, 2029.

13 (6) Sec. 54 (regional assessment district boundaries) shall take effect  
14 and the boundary submission to the General Assembly shall be due on  
15 December 15, 2029, provided that the conditions under 2025 Acts and  
16 Resolves No. 73, Sec. 70(f)(1)(A), as amended by this act, have been met.

17 (7) Sec. 29 (16 V.S.A. § 4019), Secs. 58 and 59 (tax classifications),  
18 Sec. 64 (homestead definition), Sec. 76 (education payments), Sec. 77  
19 (supplemental district spending definition), Sec. 78 (supplemental district  
20 spending budget vote), and Secs. 80–82 (foundation formula transitions) shall

1 take effect on July 1, 2030, provided that the conditions under 2025 Acts and  
2 Resolves No. 73, Sec. 70(f)(1), as amended by this act, have been met.  
3 (8) Sec. 30 (creation of regional assessment districts), Secs. 31–33  
4 (conforming changes for regional assessment), Sec. 34(b) (repeal of 32 V.S.A.  
5 chapter 131), and Secs. 37–52 (conforming changes for repeal of 32 V.S.A.  
6 chapter 131) shall take effect on January 1, 2031, provided regional assessment  
7 district appeals boards shall commence jurisdiction over valuation appeals and  
8 notices of changes of valuation on July 1, 2031.

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(Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

FOR THE COMMITTEE