

1 H.378

2 Introduced by Representatives Scheuermann of Stowe, Bouchard of
3 Colchester, Brennan of Colchester, Donaghy of Poultney,
4 Donahue of Northfield, Komline of Dorset, Morrissey of
5 Bennington, Myers of Essex, Shaw of Pittsford, and Strong of
6 Albany

7 Referred to Committee on

8 Date:

9 Subject: Education; governance; education funding; taxation

10 Statement of purpose of bill as introduced: This bill proposes to make changes
11 to the structure of education governance and finance.

12 An act relating to changing the structure of education governance and
13 funding

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

15 Sec. 1. SHORT TITLE

16 This act shall be referred to as the Putting Children First Initiative.

17 Sec. 2. FINDINGS

18 The General Assembly finds:

19 (1) Vermont is recognized nationally as a leader in educational
20 outcomes.

1 (2) Vermont's scores on the National Assessment of Educational
2 Progress (NAEP) rank among the top ten in the nation. From 2003 to 2011,
3 however, the improvement in Vermont's scores has been small. During that
4 time period, Vermont often ranked 3rd or 4th when compared to the other New
5 England states.

6 (3) The average school district size in Vermont is 299 students. The
7 average in New England is 929 students and national average is 3,212 students.

8 (4) The report of Lawrence O. Picus and Associates commissioned by
9 the General Assembly in 2012 and the Putting Children First position paper
10 published in December 2012 by the Campaign for Vermont Prosperity reported
11 that Vermont's average per pupil spending was \$16,788.00 in fiscal year 2011,
12 which was the third highest in the United States. The New England average
13 for that fiscal year was \$15,316.00 and the national average was \$10,826.00.

14 (5) Putting Children First reports that Vermont's ratio of pupils per
15 teacher in fiscal year 2011 was 9.8 to 1, which was the lowest in the United
16 States. Vermont's ratio of pupils per Administrator in that fiscal year was
17 184.1 to 1, compared to New England and United States ratios of 258.4 to 1
18 and 291.9 to 1 respectively.

19 (6) Putting Children First reports that the average teacher salary in
20 Vermont in fiscal year 2011 was \$49,084.00, causing it to rank 28th nationally
21 in that year.

1 Sec. 3. PUTTING CHILDREN FIRST INITIATIVE

2 (a) On or before October 1, 2013, the Secretary of Education shall develop
3 and publish a detailed blueprint by which the Agency will restructure
4 education and governance by the 2015–2016 academic year pursuant to the
5 following principles:

6 (1) All existing supervisory unions would be restructured into 15 larger
7 education districts (“EDs”). The boundaries of the new EDs would be roughly
8 the same as the current regional technical center districts. Each ED would be
9 governed by a board elected in a manner that ensures fair representation of all
10 school districts.

11 (2) School district boards would remain as local elected bodies focused
12 on the academic policy and educational quality of the schools within their
13 geographic boundaries. Annually, each local board would develop and present
14 a proposed budget for the operation of its schools to the ED board.

15 (3) Each ED would assume certain other powers and responsibilities of
16 the current school districts and supervisory unions within its boundaries.

17 Among other things, the ED would be responsible for:

18 (A) all aspects of special education, including the hiring of special
19 educators, the assignment of their services to schools within the ED, and the
20 development of individualized education plans (“IEPs”); provided, however,

1 that each student's IEP team would consist of those individuals required by
2 State Board of Education Rule 2363.4 and representatives from the ED;

3 (B) the purchase and distribution of supplies to all schools within
4 the ED;

5 (C) financial and student data management for all schools within
6 the ED;

7 (D) transportation services; and

8 (E) in consultation with individual school districts, the hiring of all
9 educators, administrators, and staff employed within the ED, with contracts
10 negotiated and executed at the ED level.

11 (4) Students could:

12 (A) attend any elementary or secondary school operated by
13 the ED; or

14 (B) choose to have the ED pay tuition to:

15 (i) an approved independent school located within or outside
16 the ED; or

17 (ii) a public school located outside the ED.

18 (5) Each ED would work with the local boards to develop procedures to
19 ensure that no school operated by the ED exceed its capacity.

20 (6) Differences among schools would be respected. In order to facilitate
21 school choice, however, each ED would work with the local boards to adopt

1 common standards, requirements, curriculum, and scheduling to the extent
2 possible.

3 (7) All three- , four- , and five-year-old children would have access to
4 publicly funded prekindergarten education that was either offered by the ED or
5 provided by a qualified private provider, or both.

6 (8) No state-level entity or official would have the authority to close any
7 public school.

8 (9) The statewide education property tax system would be eliminated.
9 Each ED would develop an ED-wide budget to be approved by a majority of
10 the electorate in the ED. The ED would be empowered to assess a property tax
11 within the ED to fund the budget.

12 (10) Property tax rates within an ED would be assessed at the same rate.
13 A rolling reappraisal conducted within each ED would replace the common
14 level of appraisal.

15 (11) To the maximum extent possible, all funds raised through the
16 ED-wide property tax would remain within and be distributed by the ED.

17 (12) Nonproperty tax revenue would continue to be paid into a statewide
18 Education Fund. The Agency of Education would use these funds to provide
19 categorical aid to the EDs in order to ensure adherence to *Brigham v. Vermont*,
20 166 Vt. 246 (1997) and to promote the substantial equality of educational
21 opportunity for all Vermont students.

1 (b) On or before December 1, 2013, the Secretary shall provide to the
2 House and Senate Committees on Education proposed statutory amendments
3 necessary to accomplish the purpose of this act.

4 Sec. 4. EFFECTIVE DATE

5 This act shall take effect on passage.