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## Governor Shumlin Defines His Vision for Education

Governor Peter Shumlin dedicated a significant portion of this year’s budget address to PK-12 education-related issues. The Governor’s budget address is an annual speech to the General Assembly given on the same day that the Governor presents his proposal for a state budget for the upcoming fiscal year (FY2013). The Governor’s proposals for education included several concepts he has previously supported as well as a couple that are new to his policy platform. What follows is a breakdown of each of his education-related proposals, including quotes from the speech and contextual information for our readers.

These words from the speech last Thursday summarize Gov. Shumlin’s perspective:

*From early education to higher education and technical school, we have among the most innovative offerings in the country. By creating a seamless system that allows each student to take advantage of these offerings, we will achieve excellence. However, we have to have the courage to do some things differently.*

### Level-fund Education Spending

The Governor reiterated his request for school boards to level-fund school budgets in FY2013. Statewide, school boards did level-fund budgets in FY2011 and FY2012.

*I commend our local school boards for holding the line on new spending over the past two years and urge them to do it again. Rising property taxes continue to be a tremendous burden for Vermonters struggling in this recovery, and **a failure by local boards to hold the line again will result in unacceptable property tax increases.** As student enrollment continues to decline, we are finally seeing a downward trend in the number of teachers and staff, which should make level funding our school budgets even more achievable. [Emphasis added.]*

### Enlarge Supervisory Union Boundaries

In what might be considered the most surprising of his education-related proposals, Gov. Shumlin urged Legislators to consider a bill introduced by Sen. Kevin Mullin, chair of the Senate Education Committee and a Republican from Rutland County.

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*I am a strong supporter of local control. I firmly believe that we in Montpelier should never live under the illusion that we should decide which schools stay open and which schools consolidate. However, **we can save money and retain local control by cutting administrative costs and consolidating supervisory unions.** Senator Kevin Mullin has proposed consolidating our 60 supervisory unions, reducing bureaucracy and saving taxpayers roughly \$9 million each year. This bold proposal deserves your consideration.*  
[Emphasis added.]

Sen. Mullin's bill, [S.194](#), would direct the State Board of Education to reconfigure and reduce the number of supervisory unions in Vermont from its current configuration to 16 units roughly aligning the boundaries of existing technical education center regions. The reconfiguration would be to "promote increased efficiency, convenience, and cost-effectiveness, and to facilitate K-12 curriculum planning." The State Board would be directed to publish proposed boundaries by September 1, 2012, and announce final boundaries on January 1, 2013. The new boundaries would take effect for the 2013-14 school year.

S.194 would not adjust the boundaries or quantity of school districts in Vermont. Therefore, under S.194, enlarged supervisory unions would average 17 member school districts each. Each district would be entitled to one, two, or three representatives on its supervisory union board determined by the population of the municipality. S.194 would not alter the current statutory duties or authorities of any supervisory union or school district.

Here is a link to S.194: <http://www.leg.state.vt.us/docs/2012/bills/Intro/S-194.pdf>

### **Public High School Choice**

Governor Shumlin first voiced support for expanded school choice opportunities at the August 2011 meeting of the State Board of Education. On Thursday, he further defined his platform as supporting public school choice for all Vermont high school students:

*Flexibility is critical for all students, and I strongly believe that expanding our limited school choice to all of our public high schools in Vermont will enhance innovation.*

### **Gubernatorial Appointment of a Secretary of Education; Relocation of the Department**

The Governor has consistently supported replacing the position of Commissioner of Education (supervised by the State Board of Education) with a Secretary of Education appointed by the Governor. This issue is the focus of H.440, a bill that received significant attention last year and remains in the House Education Committee.

The Governor also recommended that the Department of Education be relocated from its two current locations in Montpelier and Berlin to a new office building in downtown Barre.

## **Dual Enrollment**

*Allowing high school juniors and seniors to take college courses for college credit wherever they choose will make higher education more affordable for low- and middle-income, first-generation students. This flexibility, with the money following the student, should be available to all high school juniors and seniors in Vermont.*

This policy statement was not sharply defined by the Governor in his speech, but he appears to be supporting expanded dual enrollment opportunities for high school students with expenses paid by the school districts in which the students are enrolled.

## **Expand Access to Prekindergarten**

Gov. Shumlin has consistently supported prekindergarten education. In his speech, he urged an expansion of prekindergarten access; he did not propose any new procedures or funding streams to accomplish this goal.

*We must also continue to partner with our local communities to expand access to pre-K education. Last year, we lifted the cap that gives every community equal access to quality pre-K education. Continuing to build universal pre-K in Vermont will assure a strong start for every student.*

## **Invest in Public Institutions of Higher Learning**

Gov. Shumlin recommended a one-time \$8 million investment in public institutions of higher learning, split between the University of Vermont and the Vermont State College system. The investment would be paid from the Higher Education Trust Fund.

## **Committee Considers Changes to Education Finance Procedures**

The House Ways and Means Committee is examining a proposal to alter the procedure by which education taxes for residents would be estimated and finalized during the school budget development process. The intent of the change is to simplify the process of setting education tax rates, but admittedly, with Vermont's complex funding system, we must delve into finite details of the proposal to explain its affect on our current procedures.

Current law requires the Commissioner of Taxes to recommend a statewide base homestead tax rate on December 1 each year (\$0.87 in FY2012). The following spring, the Legislature must approve a bill that finalizes the base homestead tax rate. In addition, statute requires the "base education amount" to be announced annually (\$8,544 in FY2012), and this figure is based on an inflationary index. Both figures are components in the formula that determines residential education tax rates for all school districts.

The Committee is considering eliminating both the base homestead tax rate and the base education amount from the education funding formula. Instead, each fall, a per pupil "yield" would be announced by a state official and the Legislature would be charged with finalizing this yield figure each spring. The

yield would be the amount per pupil that any district could expend for an equalized homestead tax rate<sup>1</sup> of \$1.00. Any amount of per pupil spending above or below the yield would result in a proportional change to the equalized homestead tax rate. For example, if the yield was announced at \$10,000, and a district approved spending of \$12,000 per pupil, the district's equalized homestead tax rate would be 20 percent greater, or \$1.20. If a district approved \$9,000 in per pupil spending, assuming a \$10,000 yield, its equalized homestead tax rate would be \$0.90.

The Committee has had preliminary discussions regarding complementary changes to the education finance system to accompany the yield proposal. These changes include:

- Setting the income amount for income sensitized payers at 2 percent for a \$1.00 homestead tax rate. The income amount would also increase or decrease in proportion to spending above or below the yield. For example, if the yield was \$10,000 and a district approved \$12,000 in per pupil spending, the income amount assessed to taxpayers would be increased 20 percent (i.e., 2.4 percent of income).
- Directing the State's Department of Taxes to bill and collect education taxes (current law requires towns to bill and collect education taxes). This is an entirely separate proposal but the Committee has discussed implementing the yield and state collection of taxes as a package.

The proposal is in the early stages of consideration in the Committee and no bill has been introduced. Our Associations have not testified on the proposal but we intend to do so. We are waiting to see the proposal in writing so that we can fully understand the implications of the proposed change.

## **“Green Cleaning” Bill Approved by Legislature**

A bit of holdover business from the 2011 session the General Assembly appears to be headed towards conclusion. [S.92](#) has been approved by the Legislature and is now awaiting the Governor's probable signature. S.92 would require distributors of cleaning products to sell only environmentally preferable cleaning products to public and approved independent schools where those products are available. In addition, distributors would be required to provide training on these products to school personnel at no cost to the school districts. Schools would be permitted to exhaust existing supplies of cleaning products. The implementation date will be July 1, 2012 for public schools and July 1, 2013 for approved independent schools.

## **Senate Committee Considers Mandatory CPR and AED Instruction**

The Senate Education Committee took testimony this week on [S.245](#), a bill that would require all public and independent school students to receive instruction in CPR and automated external defibrillators (AEDs). S.245 would also make CPR and AED instruction a prerequisite for graduation for all students. The instruction would be required to include “practical, skills-based experiences and assessments.”

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<sup>1</sup> An “equalized” homestead tax rate is the tax rate prior to application of the Common Level of Appraisal (CLA). Current practice of applying the CLA to each town's education tax rate would not be modified by this proposal.

Testimony by advocates for the bill indicated that the training could be completed in no more than one class period. The Committee will continue consideration of the bill next week.

## **House Committee Will Consider Modifications to Act 153**

The House Committee on Education has continued to take testimony on Act 153. The Committee has heard from a number of school board members and school administrators with a wide variety of experiences with the law. The Committee appears satisfied with the testimony it has received regarding prior experiences with Act 153 and is ready to move into a phase where it will consider modifications to the Act. The modifications are expected to allow for greater flexibility in applying the principles of Act 153 to a wider variety of potential governance changes. The modifications would not affect the basic premise of the Act (i.e., any changes to school district boundaries must be developed and approved locally, and centralization of certain business and management functions will be required of all supervisory unions by a date certain.)

A task force convened by VSA, including representation from the Vermont Council of Special Education Administrators and the Vermont Association of School Business Officials, developed a specific set of recommendations to amend Act 153 in the fall of 2011. The State Board of Education endorsed the task force recommendations at its December 2011 meeting. The VSBA Board of Directors endorsed its own recommendations for Act 153, including significant overlap with the recommendations of the task force. These two sets of recommendations will form the basis for a first-draft bill that the House Education Committee will consider next week. The Committee has not yet offered any assurances that it will accept any particular recommendation put forward by VSA or VSBA. We will continue to work with the Committee to develop a bill that could have broad appeal for school officials and the public at-large.

## **New Bills**

The following education-related bills have been introduced by one or more members of the Legislature from January 6 to January 13, 2012. To read any bill's full text or see its status in the Legislative process, go to <http://www.leg.state.vt.us/database/status/status.cfm>.

### **H.507 AN ACT RELATING TO AUTHORIZING THE CITY OF BURLINGTON TO ISSUE IN FISCAL YEAR 2012 THE SCHOOL BOND APPROVED IN 2009**

Introduced by Representatives Donovan of Burlington, Aswad of Burlington, Bissonnette of Winooski, Lorber of Burlington, O'Sullivan of Burlington, Pearson of Burlington, Wizowaty of Burlington and Wright of Burlington

Statement of purpose: This bill proposes to authorize the city of Burlington to issue in fiscal year 2012 the school bond approved in 2009.

### **H.508 AN ACT RELATING TO TUITION PAYMENTS TO OUT-OF-STATE INDEPENDENT SCHOOLS**

Introduced by Representative Clarkson of Woodstock

Statement of purpose: This bill proposes to prohibit school districts from paying tuition for a resident student to attend an out-of-state independent school.

**H.509 AN ACT RELATING TO PERMITTING SUPERVISORY UNION BOUNDARY ADJUSTMENTS WITHOUT STATE BOARD OF EDUCATION INVOLVEMENT**

Introduced by Representatives Masland of Thetford and Cheney of Norwich

Statement of purpose: This bill proposes to permit supervisory unions and school districts to adjust supervisory union boundaries without obtaining authorization from the commissioner of education or the state board of education to do so. It would also authorize a supervisory union to hire a superintendent without first seeking approval from the commissioner or state board.

**H.510 AN ACT RELATING TO DUTIES PERFORMED BY SUPERVISORY UNIONS ON BEHALF OF MEMBER DISTRICTS**

Introduced by Representatives Masland of Thetford and Cheney of Norwich

Statement of purpose: This bill proposes to reverse the presumption that a supervisory union and superintendent will perform certain duties on behalf of the member districts except upon receipt of a waiver from the commissioner of education and instead would create the presumption that the districts will perform the duties unless they enter into an agreement with the supervisory union to do them on the districts' behalf.

**H.511 AN ACT RELATING TO JOINT CONTRACT SCHOOLS AND CONSOLIDATION GRANTS**

Introduced by Representative Manwaring of Wilmington

Statement of purpose: This bill proposes to make joint contract schools eligible to receive (1) construction aid for school building consolidation and (2) a facilitation grant to aid with transitional costs. It would also correct an incorrect statutory reference to a joint contract school as a "district" and require a joint school board to select a treasurer.

**H.516 AN ACT RELATING TO PUBLIC SCHOOL ATHLETIC TEAMS**

Introduced by Representatives Emmons of Springfield and Martin of Springfield

Statement of purpose: This bill proposes to require public secondary schools to accept a resident student attending an independent school as a member of the public school's athletic team in any sport for which the independent school does not sponsor a team.

**H.527 AN ACT RELATING TO REQUIRING IMMUNIZATIONS FOR ATTENDANCE AT SCHOOL AND CHILD CARE FACILITIES**

Introduced by Representatives Till, Atkins, Bohi, Cheney, Christie, Consejo, Evans, Gilbert, Howrigan, Kitzmiller, Lenes, Masland, Munger, Shand, Townsend and Waite-Simpson

Statement of purpose: This bill proposes to eliminate a philosophical exemption from the requirement that all children attending school and child care facilities receive immunizations specified by the department of health.

**END**