

Committee on the Financing and Effectiveness of the Vermont Education System in the 21st Century

December 2009

Section H.57 of Act No. 1 of the 2009 Special Session created the Committee on the Financing and Effectiveness of the Vermont Education System in the 21st Century (the Committee) and instructed it “to examine potential improvements to the structure and funding of the Vermont educational system in light of the state’s limited financial resources.” See Attachment A for the complete text of Sec. H.57 and Attachment B for a list of the Committee’s members.

The Committee met six times during the 2009 Legislative Interim and heard from more than 40 scheduled witnesses and members of the public. Witnesses included Dr. David Silvernail who discussed the funding and governance changes recently implemented in Maine.

The Committee agrees that any proposed changes to Vermont’s education system should promote the most efficient use of resources and the best education for students. The members considered the elements of an ideal governance structure and funding mechanism. They focused particular attention on the following discrete topics:

- * Supervisory Union Efficiencies
- * Student / Teacher Ratios
- * Special Education

Copies of the agendas, minutes, and electronic versions of documents presented to the Committee can be found on the Department of Education web site at http://education.vermont.gov/new/html/laws/legislative_committees/ed_system_financing_effectiveness.html#schedule

I. Supervisory Union Duties

[add text]

The Committee's recommendations include:

- * Supervisory Union duties that are currently optional would become mandatory:
 - * Compensatory and Remedial Services
 - * Centralized Purchasing
 - * Construction Management
 - * Budgeting, Accounting, and other Financial Management Services
 - * Transportation, including special education transportation
 - * All contracts
- * Allow SDs/SUs to determine whether regional or districtwide special education services are more appropriate and cost-effective.
- * Superintendents would recommend licensed educators and administrators for the boards to hire at both the SU and district levels (board can say yes or no; if no, then superintendent nominates another person)
- * Superintendents would appoint non-licensed personnel at both the SU and district levels (sole authority to select)
- * Superintendents could dismiss licensed and non-licensed personnel at both the SU and district levels, subject to contractual provisions, and federal and state laws and regulations
- * Superintendents would evaluate the work of principals
- * A district or SU board would have the option of referring its quasi-judicial functions to hearing officers retained, assigned, and paid by the Department of Education

NOTE to COMMITTEE MEMBERS: The next two pages contain charts outlining specific proposed amendments to existing statutes. It will probably be easiest to discuss the concepts by working through the items on the charts.

Superintendents:

Existing Law (The Superintendent shall...)	Recommendation	16 V.S.A.
carry out policies adopted by district school board(s)	clarify/expand that supt may develop procedures to do so	§ 242(1)
identify educational goals and prepare plans for achieving them to be adopted by district school board(s)	prepare plans for goals that have been adopted by the district school boards	§ 242(2)
recommend that district school boards employ/dismiss people	* <u>nominate</u> licensed educators and administrators for SU and districts (board can only vote yes / no) * <u>appoint</u> all non-licensed personnel at SU and district levels	§ 242(3)
	dismiss SU and district employees subject to contracts, state law, fed law, and regulations	New § 242(4)
provide data and information requested by the Commissioner	<u>Add language</u> from 261a(9): report SU financial transactions to Commissioner / State Board <u>AND</u> <u>add duties</u> from 16 V.S.A. § 563(13): provide financial accounting to Commissioner for district boards (and delete it from § 563(13))	Old § 242(4) renumbered as New § 242(5)
provide general supervision of schools within the SU		Old § 242(5) renumbered as New § 242(6)

III. Special Education

[add text]

Note: The following is a combination of the minutes and my notes from the November meeting. Karin Edwards and Susan Marks are meeting on Thursday 12/10 to discuss and will provide more details:

- * Develop regional capacity to develop staff expertise for working with students with low incidence disabilities
- * Allow SU responsibility for special education budget and service provision
- * Encourage best practices (carrot/stick)
- * Training/culture change of all staff/administrators
- * Expand beyond pilots: Special educators co-teach with classroom teachers (reduces need for para-educators)
- * Increase threshold for 90% reimbursement and increase by some index each year.

DRAFT

Attachment A

Act No. 1 of the Acts of the 2009 Special Session

Sec. H.57. FINANCING AND EFFECTIVENESS OF THE VERMONT EDUCATION SYSTEM IN THE 21ST CENTURY; COMMITTEE

(a) Findings.

(1) The future of Vermont's economic and social well-being is dependent on a strong, efficient public education system.

(2) Pressures on Vermont's education funding system, the state's general fund, and the Vermont economy as a whole make it increasingly difficult to ensure that Vermonters will continue to have access to the high quality education they have come to expect.

(b) Committee created. There is created a committee to examine potential improvements to the structure and funding of the Vermont educational system in light of the state's limited financial resources. When performing the duties assigned to it, the committee shall consider the work of the committee convened by the governor, the speaker of the house, and the president pro tempore during the 2009 legislative session. Among other issues, the committee shall:

(1) Examine the role and the effectiveness of the policy-making, management, and administrative structure that creates and implements Vermont education policy, including consideration of the functions of the legislature, the governor, the state board of education, the department of education, supervisory unions, local school boards, parents, students, community members, and other entities and individuals.

(2) Consider the types of decisions the identified entities and individuals make and how these decisions influence decisions made by others, with a focus on how they shape educational outcomes and drive funding requirements.

(3) Identify and evaluate the long-range sustainability of current and potential funding sources and mechanisms.

(4) Determine whether and to what extent each identified funding source and mechanism advances the mission of Vermont's educational system, including whether it complies with *Brigham v. State*, 166 Vt. 246 (1997).

(c) Committee membership. The committee shall have 15 members who shall be:

(1) The chairs of the house committees on education, on appropriations, and on ways and means or their designees, plus one additional member of the house of representatives appointed by the speaker of the house.

(2) The chairs of the senate committees on education, on appropriations, and on finance or their designees, plus one additional member of the senate appointed by the committee on committees.

(3) The commissioner of education or the commissioner's designee.

(4) Six members from constituencies such as the business community, superintendents, school boards, teachers, parents, and community members to be selected by July 15, 2009 as follows: two by the speaker of the house, two by the committee on committees, and two by the governor.

(d) Committee's overall composition. Persons making appointments under subsection (c) of this section shall consider the overall composition of the committee and shall

attempt to ensure both that committee members have a broad understanding of the current education funding system and that the committee includes both supporters and critics of the system.

(e) Initial meeting. The commissioner of education shall convene the first meeting of the committee on or before July 30, 2009. The committee shall select a chair from among its members at the first meeting.

(f) Committee staff. The department of education and the joint fiscal office shall provide administrative and fiscal services to the committee. The committee shall rely upon the legislative council to draft all proposed legislation.

(g) Compensation for legislators. For attendance at a meeting when the general assembly is not in session, legislative members of the committee shall be entitled to compensation for services and reimbursement of expenses as provided in 2 V.S.A. § 406(a).

(h) Compensation for private citizens. Committee members who are not full-time state employees shall be entitled to expenses as provided in 32 V.S.A. § 1010 from money appropriated for this purpose by the general assembly.

(i) Number of meetings authorized. The committee shall meet no more than six times unless specifically authorized by the speaker of the house and the president pro tempore of the senate.

(j) Report. On or before December 15, 2009, the committee shall present detailed written findings and recommendations to the members of the house and senate committees on education, the house committee on ways and means, the senate committee on finance, and the governor. It shall provide draft legislation designed to implement its recommendations to the same parties by January 15, 2010.

Attachment B

**Committee on the Financing and Effectiveness of the
Vermont Education System in the 21st Century**

Members

Armando Vilaseca, Commissioner of Education, Committee Chair
Janet Ancel, Vice Chair of the House Committee on House Ways and Means
Susan Bartlett, Chair of the Senate Committee on Appropriations
Sen. Hartwell, Member of the Senate Committee on Finance
Johannah Donovan, Chair of the House Committee on Education
Martha Heath, Chair of the House Committee on Appropriations
Robert Starr, Chair of the Senate Committee on Education
Carolyn Schwalbe, Governor's appointed constituent
Moe Germain, Governor's appointed constituent
Sen. MacDonald, Committee on Committees' appointed representative
June Rosenberg, Committee on Committees' appointed constituent
Bill Mathis, Committee on Committees' appointed constituent
Rep. Hube, Speaker's appointed representative
Jeff Francis, Speaker's appointed constituent
Bob Rusten, Speaker's appointed constituent