

H.361
House As Passed Version v. Senate Passed Version
Side by Side Comparison (high level overview)
(5/11/15)

Topic	As Passed by the House	As Passed by the Senate	Notes
Findings	<i>[not addressed]</i>	<u>Sec. 1</u> Findings	
Education Policy Goals	<u>Sec. 1</u> (a) Intent (b) Design of legislation / list of goals	<u>Sec. 2</u> (a) Preferred ed governance structure (b) Alternative structure	
Intent: School Closure / Small Schools	<i>[not addressed]</i>	<u>Sec. 3</u> (a) No intent to close schools (b) No intent to close small schools	
Tuition Payment / Operation: Protections & Intent	<i>[See Sec. 17(h) below – a tuition-paying or operating district cannot be forced to change how they choose to educate resident students unless the district wants to change]</i>	<u>Sec. 3</u> (c) Substantively identical to House-Passed Sec. 17(h) (<i>see left</i>)	
RED and Other Current Incentives	<u>Secs. 20 – 21</u> * <i>Current law</i> : RED incentives if operational on 7/1/17 * <i>Amendments</i> : available if voters approve by 11/30/17	<u>Secs. 4–5</u> * <i>Amendments</i> : if operational by 7/1/20	
Performance Measures	<u>Sec. 1</u> (c) SBE adopts by 12/31/15	<i>[not addressed]</i>	
Guidelines	<u>Sec. 1</u> (d) SBE adopts by 12/31/15	<i>[not addressed]</i>	

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Yield; Dollar Equivalent	<u>Secs. 2 – 5</u> Transitions to “yield” model	<u>Secs. 26–32</u> Substantively identical to House 2 small additions	
FY16 Tax Rates etc.	<u>Secs. 6 – 7</u> Sets FY16 tax rates: Nonresidential: \$1.525 Homestead: \$0.98 Applicable Percentage: 1.94% Base Ed Amount: \$9,459	<u>Secs. 33–34</u> Nonresidential: \$1.535 Homestead: \$0.99 Applicable Percentage: 1.82% Base Ed Amount: \$9,459	
Household Income; Assets	<i>[not addressed]</i>	<u>Secs. 34a-34b</u> Increases the counting of investment income in the calculation of household income for the purposes of property tax adjustments. Result is that for claimants under age 65, investment income over \$10,000 is triple counted. Requires a report from Tax on how to account for assets in the calculation of household income	
Ballot; Per EP Spending	<u>Secs. 8–9</u> Amends 16 V.S.A. §§ 563 and 4001 to include per EP spending on ballot	<i>[not addressed]</i>	

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Accelerated Activity AND Enhanced Incentives	<i>[not addressed]</i>	<u>Sec. 6</u> Enhanced RED-type incentives if voters approve by 7/1/16 an existing SU merger into unified union school district	
SU Boundary Changes	<i>[not addressed]</i>	<u>Sec. 7</u> Clarifies current authority to ask State Board for boundary changes	
Merger Support Grant (Small School Grant (current RED incentive)	<p><u>Sec. 10</u></p> <p>* <i>Current law:</i> REDS that formerly received small school grants receive Merger Support Grant for 5 years</p> <p>* <i>Amendments:</i></p> <ul style="list-style-type: none"> * MS Grant continues indefinitely * grants cease if close small school * EXCEPT –life of bond if closed because consolidating buildings <p><u>Sec. 11</u> – Merger Support Grants per Sec. 10 to mergers <i>or</i> joint contract by 7/1/19 operation</p>	<p><i>[does not address current Merger Support Grants for REDs]</i></p> <p><u>Sec. 8</u> – Merger Support Grants for 5 years to mergers by 7/1/20 Doesn't address joint contract schools</p>	

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Small School Grants	<p><u>Sec. 12</u> (FY20 and after)</p> <p>Limits grants to districts that are geographically isolated / no capacity in nearby school AND other factors</p> <p><u>Sec. 12a</u> SBE adopts / publishes guidelines by 7/1/18</p>	<p>Sec. 9 & 10 Removed. [Leaves small school grants as is under current law]</p>	
3.5% Hold Harmless Provision (“phantom students”)	<p><u>Sec. 13</u> Protection for declining enrollment amended to remove “tail”</p> <p><u>Sec. 14</u> 3 yr transition</p> <p>[does not repeal]</p> <p>[no grandfathering because does not repeal]</p>	<p><u>Sec. 11</u> Identical to House Passed Sec. 13</p> <p><u>Sec. 12</u> Identical to House Passed Sec. 14 <u>except</u> that it delays one year for districts actively discussing merger</p> <p><u>Sec. 13</u> Repeals 3.5% protection on 7/1/20 (FY21) <u>except</u> as grandfathered in Sec. 14</p> <p><u>Sec. 14</u> Grandfathers in FY21 and after if merger</p>	
Existing Incentives	<p>[not addressed]</p>	<p><u>Sec. 15</u> Existing incentives for other kinds of joint activity – eligibility deadline shortened from 7/1/17 to 12/31/15</p>	

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SU as the LEA	<i>[not addressed]</i>	<u>Sec. 16</u> SU is LEA for federal accountability (AYP)	
Enforcement of Current Laws	<i>[not addressed]</i>	<u>Sec. 17</u> After notice, hearing, and opportunity to remediate, 5% tax increase for each district if violating current law that SU performs certain duties	
Employee Transition	<i>[See House Passed Sec. 25 below – nearly identical]</i>	<u>Sec. 18</u> Employee transition to newly created employer – codifies existing session law	
Unified Union Sch District	<i>[not addressed]</i>	<u>Sec. 19</u> Definition of unified union school districts expanded to include tuitioning district	
AHS / AOE Coordination; Proposal	<i>[not addressed]</i>	<u>Sec. 20</u> AHS / AOE Coordination – study and proposal <u>Sec. 20a</u> Adds a report from AOE on metrics for evaluating Pre-K and special education programs.	
Quality Assurance	<i>[not addressed]</i>	<u>Sec. 21</u> Clarifies current State Board authority for failure to move toward EQS and adds authority to merge; effective 7/1/2020	
Quality Assurance	<i>[not addressed]</i>	<u>Sec. 22</u> Secretary reviews, evaluates, and keeps SBE apprised of various data and activity	

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Tuition	Secs. 15 – 16 [deleted on floor]	Secs. 35 – 36 [deleted on floor]	
Optional Self Evaluation, Meetings, and Declaration	<i>[addressed in a different way in Sec. 17 below]</i>	<u>Sec. 23</u> A district may self-evaluate, meet with others, and/or declare intent to retain current governance structure OR to form a different structure /act jointly	
Governance Changes	<p><u>Sec. 17</u> Statement that integrated education systems By 7/1/2019;</p> <p>Evaluation and Study Proposal by Districts; Evaluation by State Board</p> <p>Describes preferred and alternate structures for integrated systems</p> <p>Secretary creates <i>proposal</i> to realign “Remaining Districts” into integrated education systems “to the extent possible” – if it is not possible or practicable to meets one or more provisions of sub (a) or (c), then proposal designed in way to best serve interests of resident students, local communities, and the State</p>	<p><i>[no similar statement]</i></p> <p><i>[Senate not required; can occur voluntarily; see Sec. 23 above]</i></p> <p><i>[Senate preferred /alternative structures are similar; see Sec. 2(a)]</i></p> <p><u>Sec. 24</u> <i>[Similar – <u>except as follows</u>]</i></p>	

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	<p>State Board approves OR amends and approves proposal and issues as order by 9/1/18</p> <p>Doesn't apply to interstate school districts</p> <p>Protects Tuitioning & Operating Dists</p>	<p>State Board submits <i>proposal</i> to 2019-2020 General Assembly</p> <p><u>intent</u> of the 2015 GA that 2019–2020 General Assembly shall enact the proposed plan ether as submitted by the SBE or in an amended form</p> <p>Doesn't apply to interstate school districts; CTE districts, & merged districts</p> <p><i>[see Sec. 3(c)above - identical]</i></p>	
Position-Tech Assistant	<i>[not addressed]</i>	<u>Sec. 25</u> Ltd Service Position in AOE – no funding	
Incentives for Joint Activity Encouraged by Bill	<p><u>Sec. 18</u> Merger by 7/1/2019 per Sec. 17 receives RED tax incentives</p> <p><i>[Also:</i></p> <p><i>Sec. 11: Merger Support Grants</i></p> <p><i>Sec. 17(b)(2): acknowledges that menu of Act 156 reimbursements and incentives are also available if meet Act 156 requirements and deadlines]</i></p>	<p><i>[See, e.g.,</i></p> <p><i>Sec. 6: Accelerated Action – multiple enhanced RED-like incentives</i></p> <p><i>Sec. 8. Merger Support Grants for less accelerated mergers</i></p> <p><i>Sec. 14. 3.5% continues after repeal in FY21]</i></p>	

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Repayment of State Construction Aid	<u>Sec. 19</u> Repeals repayment of % of state construction aid upon bldg. sale <u>Sec 19a</u> AOE Study of issue <u>Sec. 19b</u> repeals Sec. 19 on 11/30/17	<i>[not addressed]</i>	
RED Incentives	<u>Secs. 20 – 21</u> <i>[see descriptions in Sen Ed Secs. 4–5 above]</i>	<i>[see Secs. 4–5 above]</i>	
Recent Mergers	<u>Sec. 22</u> protects articles of amendment re: manner in which a district may join in future	<i>[not addressed]</i>	
Data Reporting	<u>Sec. 23</u> full implementation of statewide data systems by 7/1/2017	<i>[not addressed]</i>	
Strikes etc.	<u>Sec. 24</u> [Deleted.]	<i>[not addressed]</i>	
Employee Transition	<u>Sec. 25</u> Codifies transitional language used in connection with other acts and bills in prior years	<i>[See Senate Sec. 18 above – identical – w/ one clarification and one exemption]</i>	
Mandates; General Fund	<u>Sec. 26</u> JFO identifies amounts of any new unfunded education mandates Amounts are added to GF transfer in next FY	<i>[not addressed]</i>	
Spending Caps & Trigger	<u>Secs. 27–28</u> Sets a variable, indexed 2% cap on school district’s increase in education spending – 2 years * appeals * trigger	<i>[not addressed]</i>	

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Special Ed Funding; Study	<u>Sec. 29</u> Secretary of Ed proposes alternative methods to pay for Special Ed –including possibility that some paid by ADM - 1/15/16	<i>[not addressed]</i>	
Supers and Principals	<u>Sec. 30</u> Secretary of Ed and others study roles and responsibilities of superintendents / principals - 1/15/16	<i>[not addressed]</i>	
Property Tax Adjustment Lag; Study	<u>Sec. 31</u> Commissioner of Taxes determine steps necessary to transition property tax adjustments on a current year basis - 1/15/16	<i>[not addressed]</i>	
Adequacy Funding Model; Study	<u>Sec. 32</u> JFO hires consultant to study movement to adequacy funding model Authorizes use of \$300,000 from FY2015 Ed Fund appropriation prior to January 2016 reversion Due: 1/15/16	<i>[not addressed]</i>	
Joint Leg Ed Oversight Committee	<u>Secs. 33 – 34</u> Creates a new statutory Joint Legislative Education Oversight Committee	<i>[not addressed]</i>	
Health Care Costs; Study	<u>Sec. 35</u> considers and proposes alternatives for employee health insurance including VEHI, VHC, etc	<i>[not addressed]</i>	

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Funding for Existing Incentives	<u>Sec. 35a</u> Authorizes use of \$620,000 from FY2015 Ed Fund appropriation prior to January 2016 reversion to fund existing incentives	<i>[not addressed]</i>	
Designation of High School	<u>Sec. 35b</u> District that does not operate a high school can designate 1-3 independent and/or public schools (currently can designate only 1)	<i>[not addressed]</i>	
Socio-economic Isolation		<u>Sec. 37</u> Requires Secretary of Ed to develop guidelines to minimize possibility that mergers will result in socioeconomic isolation of districts	
Effective Dates	<u>Sec. 36</u>	<u>Sec. 39</u> Moves Sec. 16 effective date from 2015 to 2016	