

**Responses to Unanswered Community Questions at the
Reading Public Forum held on August 3, 2016
Responses compiled by Shiri Macri, committee
representative, on August 11, 2016**

1. How is membership proportioned on a 706b Study Committee?

Voting membership on a 706b committee is proportional based on the equalized pupil counts of all the participating districts.

Title 16: Education

Chapter 011: Union Schools and School Districts and Joint Schools

Subchapter 004: Union School Districts

§ 706. Proposal to form study committee

When the boards of two or more school districts believe that a study committee should be established to study the advisability of forming a union school district, or if five percent of the voters eligible to vote at the last annual or special school district meeting petition the board of their respective school districts to do so, each of the boards shall meet with the superintendent of each participating district. With the advice of the superintendent, the boards shall establish a budget, and shall fix the number of persons to serve on the study committee that prepares the report required by this subchapter. The boards' proposal shall ensure that each participating district share in the committee's budget and be represented on the committee in that proportion which the equalized pupils (as defined in section 4001 of this title) of the district bear to the total equalized pupils of all school districts intending to participate in the committee's study. Nothing in this section shall be construed to prohibit informal exploration between and among school districts prior to the formation of a study committee. (Added 1967, No. 277 (Adj. Sess.), § 6; amended 1997, No. 71 (Adj. Sess.), § 109, eff. March 11, 1998; 2005, No. 182 (Adj. Sess.), § 24; 2007, No. 154 (Adj. Sess.), § 21.)

2. How does a 706b Study Committee decide which districts will be designated as “necessary” and which districts will be designated as “advisable” in the Articles of Agreement?

All decisions on a 706b Study Team are decided by majority vote; but committees are encouraged to reach as many consensus votes as possible. It would not be in the interest of any of the participating districts to force a district/community that wants to be advisable to be

designated as necessary, because if a necessary community votes no, the whole proposal goes down. Whereas, if a community designated as advisable decides to put the proposal before its voters and they in turn vote no, the new unified district can still come into being if all the necessary districts vote yes, or a majority of all the advisable districts (assuming the committee made every community advisable) votes yes.

3. When is the decision on necessary vs. Advisable made?

There is nothing in statute that defines the order in which decisions must be made.

Currently, the committee is working on sections of the report designed to address/ answer the key questions that committee members have raised as whether it makes sense to do any of this, and the rationale for recommending a merger should the committee reach that point.

The Articles of Agreement are what voters vote on. We just beginning to consider them. To facilitate that process, the consultant has prepared a first draft, based on articles that have passed legal muster in the past and been approved by district attorneys and the AOE. If the committee wants different language on any point, the consultant will research language that addresses the committee's concerns.

One of the articles needs to state which districts/communities will be necessary and which will be advisable.

Typically, committees address this issue at the end of the process when everyone knows what the articles say and what the report has concluded. The rationale for this approach is that only at that point will community representatives be in a position to decide which designation their community wishes to be. In short, committees have concluded that it is important to know what one is "signing" on to, before deciding whether to advocate on their community's behalf whether to be necessary or advisable.

The "deadline" for making this decision is on or before the final vote deciding whether or not to approve the draft articles and put them up for voter approval.

4. When is the deadline for approving a merger?

The Phase 2 merger currently being contemplated by the committee must be voted and approved before July 1, 2017.

There is still the option, however, the option of pursuing a Phase 3/conventional merger that must be operational by July 1 2019. This merger, however, allows no variations from the preferred structure as defined in Act 46. In Windsor Central this means a complete unified merger approved by every district is the only option. There is no deadline for voting on merging into this "preferred district structure" - just the operational deadline.

The Phase 2 merger the committee is contemplating would create a unified Regional Educational District or one of its variations in this case Modified Unified Union School District (MUUSD) should some districts decide not to join, as long as the majority voted yes. As noted earlier, this option goes away after July 1, 2017.

If a Unified Union School District is approved by voters, then the new district would be led by a single, unified school board. If the majority of districts approve the merger but one or more do not, then RED variation or MUUSD will be created. There would be one unified board for the districts that voted to merge, local boards for whichever districts voted no, and a union board.

The current time-line adopted by the committee is to put a Phase 2 merger before the voters on Town Meeting day in 2017.

Finally, districts that vote no or decide to merge and stay as they are, will be required to submit a proposal to the AOE concerning their desired governance proposal by November 30, 2017. The AOE has just put out a first draft of what will be required in those proposals. You can see this draft at: http://media.wix.com/ugd/b44bfd_9f6c3563a03546d7a5dd94b0d1873667.pdf

These proposals will be considered as part of the final step in the process outlined in Act 46 – the creation of a final Statewide Plan for school governance to be approved by the State Board.

5. Currently, what financial/tax information is available concerning a merger in Windsor Central?

To date, the Committee has created a financial model that projects the impact of merging on local tax rates which include the projected tax rates through FY23 for a merged district, as well as, those same rates for each district should a merger not occur. The model takes into account the state-wide tax incentives for merging under the current law (8, 6, 4, 2 cents over 4 years) and the loss of Small Schools Grants and/or Hold Harmless provisions should a district decide not to merge. That model is available on the District's Act 46 Website.

*Note: These financial projections do not specifically model for individuals who qualify for income sensitivity on their property taxes, the specific tax savings due to the tax incentives on the homestead tax rate over 4 years (8,6,4,2 cents) granted to communities/districts that elect to merge. However, both Act 153 and Act 46 state that: **“The household income percentage shall be calculated accordingly”** in connection with both the tax rate decreases and the 5% protection available for each type of incentivized merger.*

*In short, those taxpayers whose education taxes are income sensitized **will receive** tax benefits from merger incentives. According to the AOE, homestead income sensitized taxpayers **will see the same proportional reduction in their education taxes that taxpayers, whose tax rates are based on property value, will see as a result of a merger that qualifies for tax incentives.***

Currently the committee is attempting to calculate the cost of achieving program equity across all of the elementary schools in the current Supervisory Union. In addition, the committee is investigating different restructuring proposals that might create the financial efficiencies necessary to fund achieving equity without requiring additional tax resources from voters.

6. How will future budgets, special articles, and election of board members be approved after unification.

Currently the Committee is considering using an Australian ballot with informational annual meetings prior to district votes on these matters.

By law, the initial vote on the proposed articles of agreement and the election of initial board members, must be done by Australian ballot. Each town's vote determines whether it merges. The impact of that vote, is determined by whether is a necessary of advisable district in the proposed merger (see earlier discussion).

7. Are there provisions in the law for absentee balloting on a merger vote?

Yes. Both early and absentee balloting is permitted in a merger vote. The relevant statute reads:

§ 706d. Vote to establish union school districts

Each school district that is designated in the final report as necessary to the proposed union school district shall vote, and any school district designated in the final report as advisable to be included may vote on the establishment of the proposed union school district. The vote shall be held on the date specified in the final report. The vote shall be warned in each proposed member school district by the school board of that district, and the vote shall be by Australian ballot, at separate school district meetings held on the same day and during the same hours. The polls shall remain open at least eight hours. **Early or absentee voting as provided by 17 V.S.A. §§ 2531 to 2550 shall be permitted.** The meetings shall be warned as a special meeting of each school district voting on the proposal. The school board of a school district designated as "advisable" in the proposed union school district may choose not to hold a meeting to vote on the question of establishing the union school district; provided, however, it shall warn and conduct the meeting on application of ten percent of the voters in the school district.