

How to Use This Regional Education District (RED) Template

This template has been created by the Vermont Department of Education (VTDOE), in order to assist districts that are interested in considering the creation of a Regional Education District (RED). A RED is a specialized type of union school district (USD), which affords its member districts certain incentives if they create a USD that has the characteristics of a RED. The rationale for the creation of this incentive system is that larger school districts afford their students broader opportunities, while at the same time reducing costs, in the long term, through economies of scale and through more efficient utilization of buildings and personnel. The legislation which authorizes these incentives for voluntary school district mergers is contained in Sections 1-8 of [Act 153](#) of 2010 (formerly H.66). It can be found at the following link:

<http://www.leg.state.vt.us/docs/2010/Acts/ACT153.pdf>

In considering the creation of a RED, it will also be necessary to review [16 VSA Chapter 11, Subchapter 4 \(§§ 701-724\)](#), relating to union school districts, since a RED is a specialized type of USD. [16 VSA §§ 701-724](#) can be found at the following link:

<http://www.leg.state.vt.us/statutes/sections.cfm?Title=16&Chapter=011>

If you are reading this template in hard copy format and you want to have Internet access to any of the links cited in the template, view the template on the department's Web site at http://education.vermont.gov/new/html/mainlaws.html#act_153

The Basic Steps Involved in Creating a RED

1. Get the necessary district boards to form a study committee (4 or more districts or 1250+ students or a State Board of Education waiver);
2. Apply for up to \$20,000 in consulting services reimbursement grant;
3. Create a plan to form a RED, and prepare a report;
4. Conduct the necessary cost-benefit analysis;
5. Submit the plan to the State Board of Education, requesting approval;
6. Schedule the necessary electorate vote in all involved districts;
7. Begin operation of the RED;
8. Apply for an additional \$130,000 facilitation grant;
9. Provide students with expanded educational opportunities; and
10. Realize the incentives and economies of scale.

Critical Dates

Please note that [Act 153](#) requires all SU Boards to discuss whether they wish to consider district consolidation on or before December 1, 2010. Local school boards are likewise encouraged to have this discussion at their own school board meetings. Please warn the discussion for an upcoming meeting.

Then, each SU must vote on whether to “perform a more comprehensive analysis of the potential merger” on or before October 1, 2012.

In order to qualify for the various incentives, the RED must commence operations on or before July 1, 2017.

* * * * *

Overview of Incentives

There are basically four incentives for the creation of REDs:

1. Then 8-6-4-2 cent per year reduction in residential property tax during the first four years for the districts that create REDs;
2. Up to \$20,000 in consulting fees associated with planning;
3. Up to an additional \$130,000 in additional “facilitation grants;” and
4. Forgiveness of requirement to return state aid for school construction in the case of school closures.

Note also that school closures within the first four years following the creation of the RED are prohibited unless the involved electorate approves. When a RED closes a school, return to the state of “state construction aid,” as is otherwise required by [16 VSA Chapter 123](#), is forgiven.

In addition, if one or more of the districts which form a RED were “eligible school districts” for purposes of small school grants in the fiscal year two years before the first fiscal year of the merger, then the newly formed RED shall receive a like amount for each of the first five years of its existence as “a merger support grant.”

Helpful Links for Finding Necessary Data

For information regarding **ADM**:

<http://education.vermont.gov/new/html/data/adm.html>

For information regarding **per pupil spending**:

http://education.vermont.gov/new/html/data/per_pupil.html

For information regarding **student teacher ratios**:

http://education.vermont.gov/new/html/data/teacher_FTE.html

For information regarding **student adult ratios**:

http://education.vermont.gov/new/html/data/teacher_FTE.html

For information regarding **town and district populations**:

<http://healthvermont.gov/research/index.aspx#popest>

Use the next portion of this template to assist you in creating your Plan for your RED

Fill in the blanks by assembling the necessary information, which will help you in assessing the comparative pluses and minuses of creating a RED in your particular region. Most of the data that you will need are available on the DOE website, and links are provided on the online version of this Template. If you have difficulty finding or understanding the necessary information, please contact [Mark Oettinger](#) at (802) 828-3135.

_____ School District; _____ School District;
_____ **School District**; _____ **School District**;
_____ **School District**; _____ **School District**

**Regional Education District (RED)
Planning Committee Report**

The Plan

_____, 20__

Authorization to engage in this RED Planning Committee process was voted in the affirmative by the following boards of directors on the following dates:

_____ Board of Directors, on _____, 20__;
_____ Board of Directors, on _____, 20__;
_____ Board of Directors, on _____, 20__;
_____ Board of Directors, on _____, 20__;
_____ Board of Directors, on _____, 20__;
_____ Board of Directors, on _____, 20__;

The Commissioner of Education was advised of the formation of this RED Study Committee, pursuant to Title [16 V.S.A. § 706b](#), by letter dated _____, 20__, and in that letter, _____ was identified as chairperson of the RED Planning Committee.

Recommended Articles of Agreement, pursuant to the requirements of [Title 16, Chapter 11, Subchapter 3](#), as are set forth herein below, were agreed upon by the Planning Committee at its duly warned meeting of _____, 20__.

**The Following Districts Are Deemed Necessary
for the Establishment of the Proposed RED**

_____ School District
Grades served: _____
Current year ADM: _____
Current year per pupil spending : _____
Current year student-to-teacher ratio: _____
Current year student-to-adult student ratio: _____
Current year administrator-to-teacher ratio: _____
Current year student-to-administrator ratio: _____
Last year ADM: _____
Last year per pupil spending: _____
Last year student-to-teacher ratio: _____
Last year student-to-adult student ratio: _____
Last year administrator-to-teacher ratio: _____
Last year student-to-administrator ratio: _____
2 years ago ADM: _____
2 years ago per pupil spending: _____
2 years ago student-to-teacher ratio: _____
2 years ago student-to-adult student ratio: _____
2 years ago administrator-to-teacher ratio: _____
2 years ago student-to-administrator ratio: _____
District population (latest decennial census): _____

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Grades served: _____
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Current year per pupil spending : _____
Current year student-to-teacher ratio: _____
Current year student-to-adult student ratio: _____
Current year administrator-to-teacher ratio: _____
Current year student-to-administrator ratio: _____
Last year ADM: _____
Last year per pupil spending: _____
Last year student-to-teacher ratio: _____
Last year student-to-adult student ratio: _____
Last year administrator-to-teacher ratio: _____
Last year student-to-administrator ratio: _____
2 years ago ADM: _____
2 years ago per pupil spending: _____
2 years ago student-to-teacher ratio: _____
2 years ago student-to-adult student ratio: _____
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2 years ago student-to-administrator ratio: _____
District population (latest decennial census): _____

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Current year student-to-adult student ratio: _____
Current year administrator-to-teacher ratio: _____
Current year student-to-administrator ratio: _____
Last year ADM: _____
Last year per pupil spending: _____
Last year student-to-teacher ratio: _____

Last year student-to-adult student ratio: _____
Last year administrator-to-teacher ratio: _____
Last year student-to-administrator ratio: _____
2 years ago ADM: _____
2 years ago per pupil spending: _____
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Current year administrator-to-teacher ratio: _____
Current year student-to-administrator ratio: _____
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Last year student-to-teacher ratio: _____
Last year student-to-adult student ratio: _____
Last year administrator-to-teacher ratio: _____
Last year student-to-administrator ratio: _____
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Current year student-to-adult student ratio: _____
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Current year student-to-administrator ratio: _____
Last year ADM: _____
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Last year student-to-adult student ratio: _____
Last year administrator-to-teacher ratio: _____
Last year student-to-administrator ratio: _____
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2 years ago student-to-teacher ratio: _____
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District population (latest decennial census): _____

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Grades served: _____
Current year ADM: _____
Current year per pupil spending : _____

Current year student-to-teacher ratio: _____
Current year student-to-adult student ratio: _____
Current year administrator-to-teacher ratio: _____
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Last year administrator-to-teacher ratio: _____
Last year student-to-administrator ratio: _____
2 years ago ADM: _____
2 years ago per pupil spending: _____
2 years ago student-to-teacher ratio: _____
2 years ago student-to-adult student ratio: _____
2 years ago administrator-to-teacher ratio: _____
2 years ago student-to-administrator ratio: _____
District population (latest decennial census): _____

**The Following Districts Are Deemed Advisable
for the Establishment of the Proposed RED**

_____ School District
Grades served: _____
Current year ADM: _____
Current year per pupil spending : _____
Current year student-to-teacher ratio: _____
Current year student-to-adult student ratio: _____
Current year administrator-to-teacher ratio: _____
Current year student-to-administrator ratio: _____
Last year ADM: _____
Last year per pupil spending: _____
Last year student-to-teacher ratio: _____
Last year student-to-adult student ratio: _____
Last year administrator-to-teacher ratio: _____
Last year student-to-administrator ratio: _____
2 years ago ADM: _____
2 years ago per pupil spending: _____
2 years ago student-to-teacher ratio: _____
2 years ago student-to-adult student ratio: _____
2 years ago administrator-to-teacher ratio: _____
2 years ago student-to-administrator ratio: _____
District population (latest decennial census): _____

_____ School District
Grades served: _____
Current year ADM: _____
Current year per pupil spending : _____
Current year student-to-teacher ratio: _____
Current year student-to-adult student ratio: _____
Current year administrator-to-teacher ratio: _____
Current year student-to-administrator ratio: _____
Last year ADM: _____
Last year per pupil spending: _____
Last year student-to-teacher ratio: _____
Last year student-to-adult student ratio: _____
Last year administrator-to-teacher ratio: _____
Last year student-to-administrator ratio: _____
2 years ago ADM: _____
2 years ago per pupil spending: _____
2 years ago student-to-teacher ratio: _____
2 years ago student-to-adult student ratio: _____
2 years ago administrator-to-teacher ratio: _____
2 years ago student-to-administrator ratio: _____
District population (latest decennial census): _____

_____ School District
Grades served: _____
Current year ADM: _____
Current year per pupil spending : _____
Current year student-to-teacher ratio: _____
Current year student-to-adult student ratio: _____
Current year administrator-to-teacher ratio: _____
Current year student-to-administrator ratio: _____
Last year ADM: _____
Last year per pupil spending: _____
Last year student-to-teacher ratio: _____

Last year student-to-adult student ratio: _____
Last year administrator-to-teacher ratio: _____
Last year student-to-administrator ratio: _____
2 years ago ADM: _____
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_____ School District

Grades served: _____
Current year ADM: _____
Current year per pupil spending : _____

Current year student-to-teacher ratio: _____
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2 years ago student-to-teacher ratio: _____
2 years ago student-to-adult student ratio: _____
2 years ago administrator-to-teacher ratio: _____
2 years ago student-to-administrator ratio: _____
District population (latest decennial census): _____

Planning Committee Members

_____, Chairperson

_____, Superintendent of Schools, _____

_____, Principal, _____ School

_____, Business Manager, _____ Supervisory Union

Articles of Agreement

The Planning Committee recommends that the following Articles of Agreement be approved by the electorates of each of the named school districts in order to create of a RED to be named _____ Regional Education District.

Article 1

The School Districts of _____, _____, _____, _____, _____ and _____ (hereinafter referred to as the “forming districts”) are necessary to the establishment of the _____ RED.

Article 2

The member school districts of the _____ RED have worked increasingly over the past several years to consolidate management and educational services, master employee contracts and to otherwise bring about effective and efficient operating procedures and practices. Through this process, both formal and informal agreements, management systems and operating procedures have evolved between and among these member school districts, laying a foundation for the creation of the _____ Regional School District.

Article 3

The _____ RED will offer education to students in Kindergarten through Grade _____, and will offer Pre-K education as determined by the _____ RED Board.

Article 4

Beginning _____, 20____, the RED will be responsible for providing, or contracting for, any transportation which is to be provided to publicly-funded students attending public schools within the boundaries of the RED, in accordance with transportation policies to be adopted by the RED Board.

Article 5

The RED will honor all pre-existing master and individual contracts that are in place for the forming school districts on _____, 20____. These master and individual agreements will continue until their respective specified termination dates.

Article 6

The combining/forming districts of the RED recognize their obligations, pursuant to [Act 153](#) of 2010, Section 9, to standardize curricula, and to otherwise standardize their operations within existing Supervisory Unions boundaries, on or before July 1, 2012.

Article 7

Any and all operating deficits and/or surpluses of any of the combining/forming districts shall become the property, and/or the obligation, of the RED effective on the date of the creation of the RED.

Note Regarding Article 7

There are alternative ways to structure the treatment of deficits and surpluses, but the foregoing structure is recommended as the system which is most consistent with the goals of [Act 153](#) of 2010.

Article 8

The combining/forming districts will convey to the RED all of their school-related real and personal property, for One Dollar, and the RED will assume all capital debt associated therewith, effective on the date of the creation of the RED.

In the event that, and at such subsequent time as, the RED determines that any of the real property, including land and buildings, conveyed to it by one or more of the combining/forming districts is or are unnecessary to the continued operation of the RED, and its educational programs, the RED shall convey such real property, for the sum of One Dollar, and subject to all encumbrances of record, to the town in which it is located.

Note Regarding Article 8

There are alternative ways to structure the assumption of real property-related assets and debt, but the foregoing structure is recommended as the system which is most consistent with the goals of [Act 153](#) of 2010.

Article 9

A combining/forming town/district's representation on the RED Board will be closely proportional to the fraction that its population bears to the aggregate population of the RED. Initial RED Board composition will be based upon the year 2010 Federal Census, and shall be recalculated promptly following the release of each subsequent decennial census. However, at no time will a combining/forming town/district have less than one board member on the RED Board. Subject to the previous sentence, each proportionality calculation shall be rounded to the nearest whole number.

Hypothetical Number of School Board Members by Town/City

Town/City 1	1 Member
Town/City 2	2 Members
Town/City 3	3 Members
Town/City 4	1 Member
Town/City 5	3 Members
Town/City 6	1 Member
Total	11 Members

Article 10

RED Board Members will be elected for three-year terms, except for those initially elected at the time of the formation of the RED. In the initial RED Board Member terms of office will be as follows:

Hypothetical Distribution of Initial One-Year, Two-Year and Three-Year Terms

Town/City	1 Year Term	2 Year Term	3 Year Term
Town/City 1			X
Town/City 2	X	X	
Town/City 3	X	X	X
Town/City 4		X	
Town/City 5	X	X	X
Town/City 6			X

Note Regarding Articles 9 and 10

There are alternative ways to select and structure the RED Board, including weighted (non-rounded) voting and at large election, but the foregoing structure is recommended as a system which is fair, easy to implement, and most likely to withstand a constitutional court challenge.

Article 11

The proposal for forming this RED will be presented to the voters of each member school district which is designated as “necessary,” and to the voters of each district which is designated as “advisable,” on March __, 20 __, at which time the required RED Board Members will also be elected.

Article 12

The RED shall become operative on July 1, 20__.

Article 13

Determine whether the RED Board shall propose annual budgets in accordance with [16 VSA Chapter 11](#), or whether it will opt to propose multi-year budgets as permitted by Section 4(f) of [Act 153](#) of 2010.

State whether the voting on the annual or multi-year budgets shall be conducted by Australian ballot. Note: If an Australian ballot system is to be implemented, the requirements of [17 VSA Chapter 55](#), Subchapter 3 must be followed.

Article 14

The combining/forming districts, and their boards, shall remain in existence after the date of the creation of the RED, but only for so long as is reasonably necessary for the purpose of completing any business not concluded prior to (or at) the creation of the RED. All such uncompleted business shall be completed as soon as practicable, and in no event any later than June 30, 20__ (one year following the creation of the RED).

Article 15

Attach Cost Benefit Analysis.(See form at Attachment A)

Note Regarding Article 15

A cost-benefit analysis must be included with your plan. How will efficiencies be gained through the creation of the RED? Address issues including, but not limited to, the following:

- Improved student opportunities;
- Improved student outcomes;
- Technology;
- Teacher staffing;
- Non-teacher staffing;
- Student data collection and reporting;
- Financial accounting and budgeting;
- Improved utilization of buildings and sports facilities;
- Centralized contracting;
- Transportation; and
- Food service.

Article 16 (See form at Attachment B)

Your Plan must address all aspects of school choice that are implicated by your Plan. Describe the grades which are presently served by your combining/forming districts, and their building configurations, before the proposed merger. Describe the grades which will be served by the RED after its creation, and their building configurations. Discuss any expansion or diminishment of school choice options that will result from the creation of the proposed RED. Discuss the present status of your Act 150 partnerships ([16 VSA 1621 and 1622](#)), and any planned expansion or diminishment thereof. Describe any plans, or any discussions, to designate one or more public or private schools. Describe in detail any plans, or any discussions that have been had, regarding closure of schools.

Article 17

How will enrollment determinations be made once your RED has multiple schools? In other words, if your newly-created RED will have three K-6 schools, how will the RED's administration and/or Board decide which (for example) 4th graders will attend which schools? Attach your "Enrollment Plan."

Article 18

Your Plan must address how local participation in the development of RED policy and budget development will be assured.

Note Regarding Article 18

The intent of this requirement (see Act 153 of 2010, Section 3(e)) is to assure that each town/city within the RED have a voice in the RED's policy and budget development, even though the RED will be run by a single board, in place of the multiple town/city district boards that previously had seats (and votes) on the SU and/or union district boards.

* * * * *

Attachment A
Cost Benefit Analysis

Efficiencies will be gained through the creation of a RED in the following areas;

Improved student opportunities

Improved student outcomes

Technology

Teacher staffing

Non-teacher staffing

Student data collection and reporting

Financial accounting and budgeting

Improved utilization of buildings and sport facilities

Centralized contracting

Transportation

Food service

Any questions, and any requests for technical assistance, may be addressed to Mark Oettinger, DOE General Counsel, (802) 828-3135.

Attachment B School Choice Options

Describe the grades which are presently served by combining/forming districts, and their building configurations (before the proposed merger).

Describe the grades which will be served by the RED after its creation, and their building configurations.

Describe any expansion or diminishment of school choice options that will result from the creation of the proposed RED.

Describe the present status of your Act 150 partnerships ([16 VSA 1621 and 1622](#)), and any planned expansion or diminishment thereof.

Describe any plans, or any discussions that have occurred, regarding designation one or more public or private schools.

Describe any plans, or any discussions that have occurred, regarding closure of schools.

Any questions, and any requests for technical assistance, may be addressed to Mark Oettinger, DOE General Counsel, (802) 828-3135.