

Eligibility Worksheet for Phase 2 Voluntary Mergers

Regional Education Districts and Their Variations

Use the worksheets below to evaluate if the districts in your region are eligible for Phase 2 Voluntary Merger incentives either as a Regional Education District (RED) or one of its variations: a Side-by-Side Merger, a Layered Merger, and a Modified Unified Union School District (MUUSD).

RED Eligibility	
<p>1. Will the proposed merged district be organized and responsible for the education of all resident prekindergarten through grade 12 students?</p> <p><i>Act 153, Sec 2 as amended by Act 156; Act 153, Sec. 3</i></p>	<p>If NO, then you are not eligible to be a RED. Please explore other options, including the RED Variations below.</p> <p>If YES, then continue to question #2.</p>
<p>2. Will the proposed district either:</p> <p>a. be formed by the merger of four or more districts? <u>or</u></p> <p>b. have a total average daily membership (ADM) of at least 1,250?</p> <p><i>Act 153, Sec. 3(a)(1)</i></p>	<p>If NO to <u>both</u> #2a <u>and</u> #2b, then you are not eligible to be a RED <u>unless</u> you obtain a waiver from the State Board by demonstrating that the size criteria “would not be cost-effective [and/or] would decrease educational opportunities [and/or] would diminish student achievement.” <i>Act 153, Sec. 3(a)(2)</i> If you do not request or receive a waiver, then please explore other options, including the RED Variations below.</p> <p>If YES to #2a <u>or</u> #2b <u>or</u> both, <u>or</u> if you have obtained a waiver, then continue to question #3.</p>
<p>3. Will the proposed merged district be organized to educate all resident students in PK through grade 12 by operating one or more schools for PK or K through grade 12?</p> <p><i>Act 153, Sec. 3(b)(1)</i></p>	<p>If NO, then continue to question #4.</p> <p>If YES, then skip questions #4 and #5 and continue to question #6.</p>
<p>4. Will the proposed merged district be organized to educate all resident students in PK through grade 12 by:</p> <p>a. operating one or more schools for all students in at least PK / K through grade 6; <u>and</u></p> <p>b. paying tuition for all students in all remaining grades per 16 V.S.A. § 824 <u>or</u> designating a VT public or approved independent school to be the school in which all students in those grades enroll?</p> <p><i>Act 153, Sec. 3(b)(2); 16 V.S.A. § 827</i></p>	<p>If NO, then continue to question #5.</p> <p>If YES, then skip question #5 and continue to question #6.</p>

RED Eligibility	
<p>5. Will the proposed merged district be organized to educate all resident students in PK through grade 12 by paying tuition for all grades and neither operating nor designating a school?</p> <p><i>Act 153, Sec. 3(b)(3)</i></p>	<p>If NO, then you are not eligible to be a RED. Please explore other options, including the RED Variations below.</p> <p>If YES, then continue to question #6.</p>
<p>6. Are you able to bring the proposal to the voters of each potentially merging district so that the local votes are final prior to July 1, 2017?</p> <p><i>Act 153, Sec. 2, as amended by Act 46, Sec. 16</i></p>	<p>If NO, then you are not eligible to be a RED <u>or</u> any of the RED Variations below.</p> <p>If YES, then continue to question #7.</p>
<p>7. Will the proposed merged district be able to be operational on or before July 1, 2019?</p> <p><i>Act 46</i></p>	<p>If NO, then you are not eligible to be a RED <u>or</u> any of the RED Variations below.</p> <p>If YES, then you are eligible to present a proposal under the RED process and, if successful, will be eligible for incentives described in Act 153, Sec. 4, as amended by Act 156, Sec. 13 and Act 46, Sec. 15.</p>

Under the RED Process:

1. Merging districts do not need to be contiguous.
2. There is no requirement that all districts within one *existing* supervisory union are included in the newly merged district, although it is permissible if they are.
3. It is permissible for the newly merged district to include districts from more than one *existing* supervisory union, but it is not required.
4. For purposes of question #2a above, a union high school district is counted as one district and each of the sending elementary school districts is counted an additional district - *e.g.*, if a union high school district consists of 3 member towns and each of the 3 town is its own elementary school district (regardless of whether it operates an elementary school or pays tuition), then there are a total of 4 districts for purposes of question #2a. The same principle applies to a union elementary school district.

If you are eligible to present a proposal under the RED Merger process above, then please refer to and complete the [Study Committee Worksheet for All Phases of Voluntary Merger](#).

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Side-by-Side Merger Eligibility	
<p>1. Will the proposal result in the creation of two or more newly merged districts?</p> <p><i>Act 156, Sec. 15</i></p>	<p>If NO, then you are not eligible for a Side-by-Side Merger. Please explore other options, including the other RED Variations below.</p> <p>If YES, then continue to question #2.</p>
<p>2. Will the two or more proposed merged districts belong to same supervisory union on the effective date of merger?</p> <p><i>Act 156, Sec. 15</i></p>	<p>If NO, then you are not eligible for a Side-by-Side Merger. Please explore other options, including the other RED Variations below.</p> <p>If YES, then continue to question #3.</p>
<p>3. Will <u>each</u> of the proposed merged districts be formed by the merger of at least two existing districts?</p> <p><i>Act 156, Sec. 15</i></p>	<p>If NO, then you are not eligible for a Side-by-Side Merger. Please explore other options, including the other RED Variations below.</p> <p>If YES, then continue to question #4.</p>
<p>4. Will <u>each</u> of the proposed merged districts be organized and responsible for the education of all resident prekindergarten through grade 12 students in that district?</p> <p><i>Act 156, Sec. 15; Act 153, Sec 2 as amended by Act 156, Sec. 1; Act 153, Sec. 3</i></p>	<p>If NO, then you are not eligible for a Side-by-Side Merger. Please explore other options, including the other RED Variations below.</p> <p>If YES, then continue to question #5.</p>
<p>5. Will <u>at least one</u> of the proposed merged districts be organized to educate all resident students in PK through grade 12 by <u>operating</u> one or more schools for PK or K through grade 12?</p> <p><i>Act 156, Sec. 15</i></p>	<p>If NO, then you are not eligible for a Side-by-Side Merger. Please explore other options, including the other RED Variations below.</p> <p>If YES, then continue to question #6.</p>
<p>6. Will <u>at least one</u> of the proposed merged districts be organized to educate resident students in PK through grade 12 by paying <u>tuition</u> for some or all grades?</p> <p><i>Act 156, Sec. 15</i></p>	<p>If NO, then you are not eligible for a Side-by-Side Merger. Please explore other options, including the other RED Variations below.</p> <p>If YES, then continue to question #7.</p>
<p>7. Are you able to bring each of the proposed mergers to the voters of each potentially merging district so that the local votes are final prior to July 1, 2017?</p> <p><i>Act 153, Sec. 2, as amended by Act 46, Sec. 16; Act 156, Sec. 15</i></p>	<p>If NO, then you are not eligible for a Side-by-Side Merger. Please explore other options, including the other RED Variations below.</p> <p>If YES, then continue to question #8.</p>

Side-by-Side Merger Eligibility	
8. Will <u>each</u> of the proposed merged districts be able to become operational on the same day?	<p>If NO, then you are not eligible for a Side-by-Side Merger. Please explore other options, including the other RED Variations below.</p> <p>If YES, then continue to question #9.</p>
9. Will <u>each</u> of the proposed merged districts be able to be operational on or before July 1, 2019? <i>Act 46</i>	<p>If NO, then you are not eligible for a Side-by-Side Merger. Please explore other options, including the other RED Variations below.</p> <p>If YES, then you are eligible to present a proposal under the Side-by-Side Merger process and, if successful, will be eligible for incentives described in Act 153, Sec. 4, as amended by Act 156, Sec. 13 and Act 46, Sec. 15.</p>

Under the Side-by-Side Merger Process:

1. Merging districts do not need to be contiguous.
2. There is no requirement that all districts within one *existing* supervisory union are included in the proposal for the two or more newly merged districts, although it is permissible if they are.
3. It is permissible for the proposal for two or more newly merged districts to include districts from more than one *existing* supervisory union, but it is not required.

If you are eligible to present a proposal under the Side-by-Side Merger process above, then please refer to and complete the [Study Committee Worksheet for All Phases of Voluntary Merger](#).

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Layered Merger Eligibility	
<p>1. Will the proposed structure be a single school district formed by the merger of elementary school districts?</p> <p><i>Act 156, Sec. 16</i></p>	<p>If NO, then you are not eligible for a Layered Merger. Please explore other options, including the other RED Variation below.</p> <p>If YES, then continue to question #2.</p>
<p>2. Will the merging elementary school districts represent a majority of the member towns of an existing union high school district?</p> <p><i>Act 156, Sec. 16</i></p>	<p>If NO, then you are not eligible for a Layered Merger. Please explore other options, including the other RED Variation below.</p> <p>If YES, then continue to question #3.</p>
<p>3. Will the proposed merged elementary school district be organized and responsible for the education of all resident students, beginning with prekindergarten, in all grades not operated by the existing union high school district?</p> <p><i>Act 156, Sec. 16</i></p>	<p>If NO, then you are not eligible for a Layered Merger. Please explore other options, including the other RED Variation below.</p> <p>If YES, then continue to question #4.</p>
<p>4. Will the proposed merged elementary school district operate one or more schools for all grades not offered by the union high school district and in which all resident students will enroll (except as provided in 16 V.S.A. § 829 for prekindergarten education)?</p> <p><i>Act 156, Sec. 16</i></p>	<p>If NO, then you are not eligible for a Layered Merger. Please explore other options, including the other RED Variation below.</p> <p>If YES, then continue to question #5.</p>
<p>5. Are you able to bring the proposal to the voters of each potentially merging district so that the local votes are final prior to July 1, 2017?</p> <p><i>Act 153, Sec. 2, as amended by Act 46, Sec. 16; Act 156</i></p>	<p>If NO, then you are not eligible for a Layered Merger. Please explore other options, including the other RED Variation below.</p> <p>If YES, then continue to question #6.</p>
<p>6. Will the proposed merged district be able to be operational on or before July 1, 2019?</p> <p><i>Act 46</i></p>	<p>If NO, then you are not eligible for a Layered Merger. Please explore other options, including the other RED Variation below.</p> <p>If YES, then you are eligible to present a proposal under the Layered Merger process and, if successful, will be eligible for incentives described in Act 153, Sec. 4, as amended by Act 156 and Act 46.</p>

If you are eligible to present a proposal under the Layered Merger process above, then please refer to and complete the [Study Committee Worksheet for All Phases of Voluntary Merger](#).

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MUUSD Eligibility	(Act 156, Sec. 17, as amended by Act 56 (2013), Sec. 3 and Act 46, Sec. 16)
<p>1. Will the warning ask the voters of each member elementary school district in a union high school (or union middle / high school) district if all of the elementary school districts will:</p> <ul style="list-style-type: none"> a. merge to form a single unified union school district organized and responsible for the education of all resident students in prekindergarten through grade 12; <u>and</u> b. fulfill that responsibility by operating one or more schools offering PK / K through grade 12 for all resident students? 	<p>If NO, then you are not eligible to be an MUUSD. Please explore other options.</p> <p>If YES, then continue to question #2.</p>
<p>2. Will the warning clearly provide that if a majority, <u>but not all</u>, of the elementary school districts (or some number greater than a majority) vote in favor of establishing a unified union school district as set out in question #1 above, then a new modified unified union high school district will be formed that is responsible for the education of resident students as follows:</p> <ul style="list-style-type: none"> a. “provide to the students residing in the member towns of the union high school district education in those grades provided by the union high school district;” <u>and</u> b. “provide elementary education to the students residing in the current elementary school districts that voted in favor of the unified union school district”? 	<p>If NO, then you are not eligible to be an MUUSD. Please explore other options.</p> <p>If YES, then continue to question #3.</p>
<p>3. Are you able to bring the proposal to the voters of each potentially merging district so that the votes are final prior to July 1, 2017?</p>	<p>If NO, then you are not eligible to be an MUUSD. Please explore other options.</p> <p>If YES, then continue to question #4.</p>
<p>4. Will the proposed merged district be able to be operational on or before July 1, 2019?</p>	<p>If NO, then you are not eligible to be an MUUSD. Please explore other options.</p> <p>If YES, then you are eligible to present a proposal under the MUUSD process and, if successful, will be eligible for incentives described in Act 153, Sec. 4, as amended by Act 156 and Act 46.</p>

If you are eligible to present a proposal under the MUUSD process above, then please refer to and complete the [Study Committee Worksheet for All Phases of Voluntary Merger](#).

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