

AGENCY OF EDUCATION

Barre, Vermont

TEAM: School Governance and Legal

ITEM: Will the State Board of Education:

1. Adjust the boundaries of the current Southwest Vermont Supervisory Union (SVSU) to include the Arlington School District and the Sandgate School District pursuant to 16 V.S.A. § 261(a);
2. Establish July 1, 2020 as the day on which the enlarged SVSU will be fully operational;
3. Authorize the board of the Arlington School District to appoint three of its members to the SVSU board on or after November 15, 2018 pursuant to 16 V.S.A. § 166 to assist with the transition to full operations of the enlarged SVSU; and
4. Authorize the board of the Sandgate School District to appoint one of its members to the SVSU board on or after November 15, 2018 pursuant to 16 V.S.A. § 166 to assist with the transition to full operations of the enlarged SVSU.

THE SECRETARY RECOMMENDS:

- 1. That the State Board of Education adjusts the boundaries of the current Southwest Vermont Supervisory Union (SVSU) to include the Arlington School District and the Sandgate School District pursuant to 16 V.S.A. § 261(a);**
- 2. That the State Board of Education establishes July 1, 2020 as the day on which the enlarged SVSU will be fully operational;**
- 3. That the State Board of Education authorizes the board of the Arlington School District to appoint three of its members to the SVSU board on or after November 15, 2018 pursuant to 16 V.S.A. § 166 to assist with the transition to full operations of the enlarged SVSU; and**
- 4. That the State Board of Education authorizes the board of the Sandgate School District to appoint one of its members to the SVSU board on or after November 15, 2018 pursuant to 16 V.S.A. § 166 to assist with the transition to full operations of the enlarged SVSU.**

STATUTORY AUTHORITY: 16 V.S.A. §§ 261(a) and 266; 2015 Acts and Resolves No. 46, Sec. 10, as amended (Act 46)

BACKGROUND INFORMATION:

The Battenkill Valley Supervisory Union (BVSU) has two member districts: the Arlington School District and the Sandgate School District.

In Fiscal Year 2018, the two districts had a combined average daily membership (ADM) of 374.90 for kindergarten through grade 12, plus an additional 48.50 for EEE/prekindergarten, for a total combined ADM of 423.40:

	<u>EEE/PreK ADM</u>	<u>K-12 ADM</u>	<u>Total FY2018 ADM</u>
Arlington:	43.5	310.0	353.5
Sandgate:	5.0	64.9	<u>69.9</u>
			423.4

The Arlington School District operates schools for its students in all grades. The Sandgate School District pays tuition for its students in all grades. A majority of Sandgate students enroll in Arlington public schools.

The Arlington School District and the Sandgate School District independently explored potential creation of unified union school districts with districts that share their current operating/tuitioning structures. Ultimately, both districts filed proposals pursuant to Act 46, Sec. 9 that, among other things, asked that the State Board's statewide plan not merge either district with another like district and that the districts remain in their current two-district SU. Both districts later supplemented their Sec. 9 Proposals by indicating a willingness to become members of the Bennington Rutland Supervisory Union, but requesting that the change be delayed until 2021.

The SVSU lies immediately to the south of the BVSU. The combined FY2018 ADM of all districts in the SVSU was 2,803.0 for kindergarten through grade 12, plus an additional 337.05 for EEE/prekindergarten, for a combined total ADM in the SVSU of 3,140.05. The State Board has provisionally decided to create a union elementary school district within the SVSU by merging four town elementary districts in its final statewide plan, which would reduce the number of districts within the SVSU from six to three.

The Bennington Rutland Supervisory Union (BRSU) lies to the north and east of the BVSU. The combined FY2018 ADM of all districts in the BRSU was 2,083.27 for kindergarten through grade 12, plus an additional 208.95 for EEE/prekindergarten, for a combined total ADM in the BRSU of 2,292.22. In March 2017, voters residing in nine towns within the BRSU (organized into six districts) approved formation of the Taconic and Green Regional School District, a unified union school district that operates schools through grade 8 and pays tuition for grades 9-12. In November 2017, voters residing in two other BRSU towns (organized into three districts) approved formation of the Mettawee School District, a unified union school district that operates a school through grade 6 and pays tuition for grades 7-12. The BRSU also includes the Winhall School District, which pays tuition for all resident students in prekindergarten through grade 12 and which is subject to potential merger under the State Board's final statewide plan. Both new

unified union school districts became fully operational on July 1, 2018, reducing the number of districts within the BRSU from ten to three.

With the exception of the Rivendell Interstate School District, the BVSU is the smallest SU in Vermont. Another SU of a similar size, the Essex North SU, voluntarily expanded its boundaries with the creation of the NEK Choice District. Although its ADM remains small, the Essex North SU includes 11 towns covering a large geographic area. The State Board dissolved the only other SU of similar size when it expanded the boundaries of the Orange East SU to include the Blue Mountain Union School District. Both SU boundary adjustments took effect on July 1, 2018.

ADJUSTMENT OF SUPERVISORY UNION BOUNDARIES

16 V.S.A. § 261(a) empowers the State Board, on its own initiative or at the request of one or more school districts, to adjust the boundaries of existing supervisory unions (SUs) “to afford increased efficiency or greater convenience and economy and to facilitate prekindergarten through grade 12 curriculum planning and coordination as changed conditions may seem to require.” This section has been in law for decades.

In addition, Act 46, Sec. 10(b) directs the State Board, by November 30, 2018, to “publish ... its order merging and realigning districts and supervisory unions where necessary.”

The BVSU has struggled historically to employ a business manager on a consistent basis. Similarly, the BVSU has experienced high turnover of its part-time superintendents. In early 2017, then Secretary Holcombe authorized the BVSU to “proceed with recruiting to hire a new interim superintendent with a contract term not to exceed two years.” The Secretary based her decision on recognition by the Arlington and Sandgate boards that there is a “need to adjust supervisory union boundaries to create appropriately-sized units and [on information] that the Bennington-Rutland Supervisory Union anticipates that it could integrate both districts as of July 1, 2019. [She noted that these] and other conversations in the region will affect where superintendents are needed in the future.”

The State Board is now considering the question of whether its final statewide plan should adjust the boundaries of the SVSU or the BRSU to include the Arlington and Sandgate Districts.

After conversations with the superintendents of all three SUs and based upon a long-standing familiarity with educational structures in the region, the Secretary believes that, wherever moved, the two districts should be members of the same SU because a majority of Sandgate students enroll in Arlington’s publicly-operated schools. In addition, the Secretary recommends that the State Board of Education expand the boundaries of the SVSU to include the Arlington and Sandgate Districts. The factors leading the Secretary to this recommendation include the following:

- In compliance with the Act 46 objectives, the voters in eight of the nine BRSU districts voluntarily agreed to form themselves into two new unified union school districts serving students in 11 towns, spread across a large geographic area. Both of the new districts became fully operational in July and are in the midst of complex work to move not only

their structure, but also the way they think about providing for the education of their students, into unified structures that are capable of achieving the goals of Act 46.

- In contrast, there are currently six districts in the SVSU, providing for the education of students residing in five towns. The SVSU district's voluntary merger proposal was not approved by the voters in a sufficient number of the member districts. The SVSU is in a better position than the BRSU to begin working toward SU boundary changes without interfering with the ongoing work of achieving the goals of Act 46. Even if the State Board affirms its provisional decision to merge four of the six SVSU districts into a union elementary school district, the four districts and the SVSU board could begin working toward compliance with that order with the knowledge that membership in the SVSU itself would also be changing – and thus could plan for both changes in a consistent and coherent manner.

A number of other factors contribute to the Secretary's conclusion that the Arlington and Sandgate Districts should be members of the SVSU. For example, the BVSU has contracted with the SVSU to provide it with business management services at times that it found itself without anyone to fill that position. In addition, the SVSU and its member union high school district have experience serving the needs of students in a publicly operated high school, while the BRSU districts pay tuition for all high school students. Finally, the concept of membership in the SVSU has been contemplated since at least 2010.

The volume of work required to accomplish both a State Board-required merger and the adjustment of SU boundaries could be eased in the SVSU by establishing a deadline for the enlarged SU to be operational one year after the new union elementary school district becomes operational.

Accordingly, the Secretary recommends that the State Board adjust the existing Southwest Vermont Supervisory Union boundaries to include the Arlington School District and the Sandgate School District, and that the enlarged SU be operational on July 1, 2020.

Just as the new union school districts will use the transitional months to prepare for full operations, so too must a new SU prepare for the responsibilities it will assume on July 1, 2020.

Accordingly, the Secretary recommends that the State Board authorize the boards of the Arlington School District and the Sandgate School District to appoint members to the SVSU Board to assist with transition to full operations.

STAFF AVAILABLE:

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