

Proposed Workplan for the Task Force on the Pupil Weighting Factors Report Joint Legislative Fiscal Office, June 29, 2021

Act No. 59 of 2021 provides for twelve compensated meetings of the Task Force on Pupil Weighting Factors. This draft workplan proposes topics for ten of those meetings and reserves two meetings for public hearings. Under this schedule, the Task Force would meet twice monthly over the summer and fall of 2021 and would hold two public hearings – one in September and another in November – on dates yet to be determined. In addition to the two hearings, there would also be time set aside for public comment at each meeting. The final report would be submitted on or before December 15, 2021.

June – First Meeting

The enabling legislation provides that the Joint Fiscal Office shall convene the first meeting of the Task Force. This meeting will be used to introduce key administrative, technical, and legal staff; elect co-chairs of the Task Force; review the enabling legislation; discuss process, logistics, and the proposed workplan; and review the current-law context of the Task Force’s work including a comparison of homestead tax rates under current law and the proposed pupil weights.

July – How Best to Ensure Equitable Access to Educational Opportunities

The enabling legislation provides that the Task Force shall recommend to the General Assembly an action plan and proposed legislation “to ensure that all public school students have equitable access to educational opportunities” while considering the Pupil Weighting Factors Report.

One impediment to achieving this objective identified in the Report is cost differences across school districts that are not adequately accounted for under current law. The enabling legislation identifies two ways that these cost differences may be addressed, pupil weighting and categorical aid, and provides that the Task Force shall consider both.

In addition, the Task Force is to recommend how to define a student from an “economically-deprived background.” This is a significant question since the Report identified the current-law weight for economically disadvantaged students as the most inadequate in terms of addressing differences in the cost of educating these students across school districts.

Finally, since accounting for these cost differences alone would not necessarily result in additional spending on underserved students under current law, the enabling legislation also provides that the Task Force shall recommend changes to the Agency of Education’s powers and duties to ensure that all school districts are meeting Vermont’s education quality standards.

August – Weighting Special Education Aid; Transition Issues

The enabling legislation provides that the Task Force shall consider whether the special education census grant should be adjusted for differences in costs associated with students with disabilities. This is a threshold question since the Report includes two alternative sets of recommended pupil weights – one that adjusts for these differences and one that does not.

In addition, the Task Force is to recommend ways to mitigate the impact of changes to the homestead tax rates that would result from the adoption of its recommendations. Other related issues include the transition period and current-law statutory provisions on “excess” spending and the 3.5% limit on annual pupil loss.

September – Development of Interim Findings and Recommendations; First Public Hearing

The enabling legislation provides that the Task Force is to recommend an action plan and proposed legislation. In developing its recommendations, the Task Force is to consider the interaction between its recommendations and the goals and outcomes of Acts 60 and 68 as well as integration with current law.

Under this proposed workplan, the Task Force would develop and draft its *interim* findings and recommendations to be made available to the public in advance of the first hearing at the end of September on a date to be determined by the Task Force.

October – Development of Final Findings and Recommendations; Second Public Hearing

Under this proposed workplan, the Task Force would develop and draft its *final* findings and recommendations to be made available to the public in advance of the second hearing at the end of October on a date to be determined by the Task Force.

November – Second Public Hearing; Drafting of Final Report

In November, the Task Force would revise the draft of its final findings and recommendations considering the feedback received from the public at the second hearing and prepare its final written report with an action plan and proposed legislation.

December – Preparation and Submission of the Final Report of the Task Force

In December, the Task Force would approve and submit its final report to the House and Senate Committees on Education, the House Ways & Means Committee, and the Senate Finance Committee. The report is due on or before December 15, 2021.

Prepared by the Joint Fiscal Office

Detailed Addendum

The powers and duties of the Task Force are set forth in subsections 2(c)(1)-(10) of Act No. 59 of 2021. Below each subsection* is linked to the proposed workplan:

July

Pupil Weighting. Review the findings, recommendations, and homestead tax rate simulations included in the Pupil Weighting Factors Report

Categorical Aid. Consider how categorical aid may be used to address the educational cost differences across school districts – Sec. 2(c)(2)

Definition of “Economically Deprived”. Recommend how to define a “person from an economically-deprived background” for the purpose of calculating the number of equalized pupils – Sec. 2(c)(3)

Education Quality Standards. Recommend statutory changes to the Agency of Education’s powers and duties to ensure that all school districts are meeting Vermont’s EQS – Sec. 2(c)(5)

August

Special Education Funding. Consider whether the special education census block grant under Act 173 of 2018 should be adjusted for differences in costs associated with students with disabilities – Sec. (2)(c)(7)

Transition issues:

- Transition Period. Recommend how and when to transition to the recommended pupil weights and/or categorical aid – Sec. 2(c)(6)
- Homestead Tax Rate Mitigation. Recommend ways to mitigate the impact of changes to pupil weights and/or categorical aid on homestead tax rates – Sec. 2(c)(9)
- Excess Spending Threshold.** Recommend whether the excess spending threshold under current law should be retained, modified, or repealed – Sec. 2(c)(10)
- Hold-Harmless Provision. Consider the impact of the 3.5% equalized pupil hold-harmless provision in current law on the transition to proposed pupil weights

September

Develop and draft interim findings and recommendations considering two broad considerations set forth in the enabling legislation:

Goals and Outcomes. Consider the interaction between the recommendations and the goals and outcomes of Act 60 and 68 – Sec. 2(c)(8)

Integration with Current Law. Consider how to integrate pupil weighting recommendations with the determination of homestead tax rates – Sec. 2(c)(1)

First public hearing on September XX – Sec. 2(f)

October

Develop and draft final findings and recommendations considering the public input received at the first hearing; make this final draft available to the public in advance of the second hearing in November

Second public hearing on November XX – Sec. 2(f)

November

Revise the draft final findings and recommendations considering the feedback received from the public at the second hearing and draft the final written report of the Task Force with an action plan and proposed legislation

December

Review and approve the final written report of the Task Force and present it to the House and Senate Committees on Education, the House Ways & Means Committee, and the Senate Finance Committee on or before **December 15, 2021** – Sec. 2(g)

* Subsection (2)(c)(4) of the enabling legislation provides that the Task Force should consider changes to the current-law formula used to calculate equalized pupils that would make it simpler and more transparent if the Task Force recommends retaining it.

** Under Section 5 of the enabling legislation, there is a moratorium on this statutory provision in effect until FY2024.

Prepared by the Joint Fiscal Office