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Secretary's Proposed Plan under Act 46, Sec. 10

Frequently Asked Questions

What is Act 46?

Vermont's General Assembly passed Act 46 in 2015 in response to a substantial change in the State's demographics and other related factors. The Legislature created three phases of voluntary school district merger and one, non-voluntary phase to be mandated by the State Board of Education and effective on July 1, 2019.

Many more districts chose to take advantage of the voluntary merger phases than were originally expected. Since 2014, a total of **157** districts in 146 towns came together to create **39** new unified districts, for a net reduction of **118** districts and at least 4 fewer supervisory unions.

Why is this proposed plan being issued?

This proposal is being issued in accordance with Section 10 of Act 46 of 2015, which states: "[i]n order to provide educational opportunities through sustainable governance structures" designed to meet the goals of Act 46, a proposed plan must be both published on the Agency of Education's website and presented to the State Board of Education. The proposed plan must, to the extent necessary, possible, and practicable, move districts into the more sustainable, preferred model of governance identified by the Legislature.

Who is potentially affected by the proposed plan?

The proposed plan makes recommendations to the State Board of Education on how to move unmerged districts into more sustainable governance models. Accordingly, the draft plan involves the districts and groups of districts that presented written or verbal alternative governance structure proposals under Sec.9 of Act 46. Altogether, that includes 43 districts or groups of districts, representing a total of 88 towns and 93 districts.

The proposed plan will not affect districts that Act 46 exempted from the final plan. This includes 37 newly unified districts (of 39 total new districts) that were eligible for tax rate incentives, 2 interstate school districts, 9 supervisory districts with 900 or more students, and 5 non-merging districts exempted by the 3-1 and 2-2-1 provisions of Act 49 of 2017.

Are districts legally bound to change governance in response to this proposed plan?

No. Districts are not legally bound to change their governance structure in response to the proposed plan, presented by the Secretary of Education to the State Board of Education. However, the State Board of Education is required to review and analyze this proposed plan as it begins work on its final statewide plan. The Legislature gave authority only to the State Board of Education to require the merger of school districts in its final statewide plan, which is due November 30, 2018.

What steps did the Secretary and Agency of Education take to write this proposal?

Act 46, Section 10, directs the Secretary to “review the governance structures of the school districts and supervisory unions of the State as they will exist, or are anticipated to exist, on July 1, 2019.” The same section directs the Secretary to include consideration of any proposals submitted by districts or groups of districts pursuant to Section 9 of Act 46, and to have “conversations” with those and other districts.

In keeping with the law, the Secretary and Agency staff hosted 42 individual conversations throughout the months of February, March, and April 2018 with the school boards for each district or group of districts that submitted a written or verbal Section 9 proposal. Each conversation enabled the school board representatives to highlight the elements they believed to be most important in their Section 9 proposals, and to highlight additional nuance or context for the proposal. The meetings provided an invaluable opportunity to listen to the priorities and concerns of the proposing districts and to acquire a better understanding of local systems and their options.

Is this the final plan for school governance under Act 46?

No. This is a starting place for the State Board of Education to consider as it begins work on the final statewide plan, which is due November 30, 2018. While the agency’s proposed plan is the result of extensive conversations with local school districts and review of their written proposals, the State Board of Education has scheduled additional meetings this summer to ensure the public has ample opportunity to speak to the State Board before it finalizes its statewide plan.

What happens next?

The State Board of Education will review this proposed plan as the first of many steps, which will ultimately lead to the issuance of the final statewide plan in November. The State Board of Education has stated it will hold three regional meetings in July, August and September in the northern, central and southern areas of the State, respectively, to provide an opportunity for public comment on the Agency’s proposed plan and any other issues related to the final statewide plan. [A Governance Timeline](#) is available on the AOE website.

Where can I find information about Act 46?

[Information about Act 46](#) is available on the AOE website.