

AGENCY OF EDUCATION

Barre, Vermont

TEAM: School Governance Team

ITEM: Will the State Board of Education find that the proposed unified union school district formed by three member districts of the **WHITE RIVER VALLEY SUPERVISORY UNION (WRVSU)** is “in the best interests of the State, the students, and the school districts,” and will the State Board therefore vote to approve the attached report of the **WRVSU PK-12 Operating Study Committee (Study Committee)** and to assign the new district, if approved, to the WCSU?

RECOMMENDED ACTION:

- 1. That the State Board of Education finds that the proposed formation of a new unified union school district by three member districts of the WRVSU, to be named the WHITE RIVER UNIFIED SCHOOL DISTRICT, is “in the best interests of the State, the students, and the school districts” pursuant to 16 V.S.A. § 706c(b).**
- 2. That the State Board of Education votes to approve the attached report of the WRVSU PK-12 Operating Study Committee.**
- 3. That the State Board of Education votes to approve the assignment of the new unified union school district, if approved, to the WRVSU for administrative, supervisory, and transitional services pursuant to 16 V.S.A. § 706h beginning on the date on which the district becomes a legal entity pursuant to 16 V.S.A. § 706g.**

STATUTORY AUTHORITY: 16 V.S.A. § 706c; Act 46 of 2015; Act 153 of 2010, Secs. 2-4, as amended; Act 156 (2012), Sec. 15, as amended

BACKGROUND INFORMATION:

I. General

The WRVSU consists of ten town school districts with five distinct models of governance:

- Four town school districts, each of which operates a school offering PK/K-12 (Bethel; Chelsea; Rochester; Royalton)
- One town school district that operates a school offering education through Grade 8 and pays tuition for Grades 9-12 (Tunbridge)
- One town school district that operates a school offering education through Grade 8 and designates an approved independent school as its public school for Grades 9-12 pursuant to 16 V.S.A. § 827 (Strafford)
- Two town school districts, both of which operate a school offering education through Grade 6 and pay tuition for Grades 7-12 (Sharon; Stockbridge)
- Two town school districts that pay tuition for all grades (Granville; Hancock)

Until recently, the districts in the WRVSU were members of two distinct supervisory unions. At the request of the State Board, the ten districts began the process of merging into a single SU in 2014, which included creating a guiding educational vision for the region.¹ As described in the over-arching, combined report of the three WRVSU study committees, the vision document made clear that:

the creation of the new supervisory union is not simply about merging business functions or the changing of boundaries; rather it is building a foundational structure that will:

- *Allow for the creation of an exceptional education experience for all children in the White River Valley.*
- *Ensure strong leadership to support the education program throughout the region.*
- *Achieve immediate efficiencies and create the potential for greater cost-effectiveness over time.*

The State Board approved the merger of the two SUs into the WRVSU in January 2015. Prior to assuming full responsibilities as the WRVSU in July 2016, the member districts conducted a strategic planning process for the delivery of education in the region. The process involved staff, students, and the community and was assisted by the International Center for Leadership in Education.² The 5-year plan “calls for the creation of a unified high school program for operating towns, strong middle school opportunities for all students, and strengthened, more equitable experiences for elementary students.”

After passage of Act 46, the ten districts created an exploratory committee³ to examine options available to them. Based upon the work of the exploratory committee, the districts formed three formal study committees under 16 V.S.A. § 706 to develop proposals to create:

- A PK-12 Unified Union School District (UUSD) that operates all grades (formal study committee members: Bethel; Chelsea; Rochester; Royalton)
- A PK-12 UUSD that operates grades through either Grade 6 or Grade 8 and pays tuition for all other grades (formal members: Sharon; Stockbridge; Strafford; Tunbridge)
- A PK-12 UUSD that pays tuition for all grades (formal members: Granville; Hancock)

During deliberations, the Sharon, Stockbridge, and Strafford districts concluded that issues of “topography, historic connections, and operating/tuitioning/designation practices” made it inadvisable to join with other districts to create a union school district at this time. As a result, the districts will prepare and submit a proposal to remain as independent town districts after votes on the three WRVSU mergers proposals are final.

The Chelsea members of the PK-12 Operating Study Committee, in consultation with the Chelsea School Board, requested that Chelsea not be included in the proposal to form a PK-12 Operating UUSD. Instead, the Chelsea members participated informally in the Study Committee formed by

¹ See Appendix A – Report on the Proposed Supervisory Union Boundary Change, dated January 6, 2015

² See Appendix B – WRVSU Strategic Plan: Blueprint for Change 2016-2021

³ See Appendix C – Exploratory Committee Report and Recommendation

the Sharon, Stockbridge, Strafford, and Tunbridge districts and has been named in that Committee's proposal as an "advisable" district.

As a result, the districts identified as "necessary" and "advisable" in the three proposals are not always the same districts that served as formal members of the study committee:

- The White River Unified School District (PK-12 operating) – Bethel; Rochester; Royalton
- The First Branch Unified School District (PK-8 operating/9-12 tuitioning) – Tunbridge; Chelsea
- The Granville-Hancock Unified District (PK-12 tuitioning) – Granville; Hancock

II. The White River Unified School District

The WRVSU PK-12 Operating Study Committee proposes the creation of a UUSD that would provide for the PK-12 education of resident students by operating a school or schools offering all grades (New Unified District) beginning on July 1, 2018.

The Study Committee identifies the following school districts as "necessary" to the proposal pursuant to 16 V.S.A. § 706b(b)(1): Bethel; Rochester; Royalton.

The Study Committee does not identify any school districts as "advisable" to the proposal pursuant to 16 V.S.A. § 701b(b)(2).

In FY2016, the combined average daily membership (ADM) of the three "necessary" districts was 720.74 (Bethel: 275.49; Rochester: 95.40; and Royalton: 349.85) and the combined ADM of all ten WRVSU districts was 1,690.29. In FY2017, the combined ADM of the three "necessary" districts is 716.13.

The electorate of each "necessary" district will vote on April 11, 2017 whether to approve creation of the New Unified District.

The New Unified District would be created only if the voters in other WRVSU districts approve either or both of the other two proposals (the First Branch Unified School District and the Granville-Hancock Unified District) to form a unified union school district that tuitions some or all grades beginning on July 1, 2018 in a manner that makes the New Unified District eligible for incentives under the "Side-by-Side" program established in Act 156 of 2012, Sec. 15.

The New Unified District, which would be known as the White River Unified School District, would unify three existing PK-12 operating school districts into a single district responsible for operating all schools within the district and would replace all current governing bodies with one unified union school board.

The Study Committee proposes to substantially change the delivery of education to students residing in the three towns. Beginning in the first year of operation, the New Unified District would offer:

- An elementary school offering PK-5 education in each of the three towns
- A single middle school offering Grades 6-8 for the region located in Bethel

- A single high school program offering Grades 9-12 centered in South Royalton
- An outdoor education and environmental program in Rochester to prepare middle/high school students for careers in technical and professional fields

The New Unified District would be governed by a unified school board of nine members, with three members allocated to each town. Members would be elected by the voters of the entire New Unified District.

The proposed Articles require that the New Unified District would design and implement a “strong transportation program which will seek to provide reasonable bus commuting times and facilitate participation in curricular and extracurricular activities.”

An elementary school could not be closed without both (1) a 75% vote of the Unified District School Board and (2) an affirmative vote of the voters residing in the town in which it is located.

If a school building is closed and would no longer be used for the direct delivery of student education programs, then the town in which the school building is located would have the right of first refusal and could purchase the property for \$1.00, provided that the town agreed to use the property for public and community purposes for a minimum of five years. The proposal includes provisions addressing use for these purposes for fewer than five years.

All future votes on the budget, Board membership, and other public questions would be by Australian ballot.

If the voters of Bethel and Royalton approve the proposal on April 11, 2017, but the voters of Rochester do not, then Article 13 includes a process by which the Study Committee could modify the articles, designate Rochester as an “advisable” district, and resubmit the proposal to the voters of the three districts. Article 13 anticipates two different procedures, depending upon whether Rochester voters submit a petition for a revote within the period permitted by 17 V.S.A. § 2661.

POLICY IMPLICATIONS: By enacting Act 46, which incorporated the provisions of Act 153 (2010), the General Assembly declared the intention to move the State toward sustainable models of education governance designed to meet the goals set forth in Section 2 of the Act. It was primarily through the lens of those goals that the Secretary has considered whether the Study Committee’s proposal is “in the best interests of the State, the students, and the school districts” pursuant to 16 V.S.A. § 706c.

The Study Committee reviewed data such as demographics, dropout rates, costs per pupil, and programmatic offerings. “Given the immediate challenges [identified by the Study Committee, including current socioeconomic factors and the small scale of operations, the Committee] sought not only to create a unified governance structure, but also to put before the voters greater detail ... for substantial changes in the delivery of education in this region, beginning in year one, the fall of 2018.”

This is the first proposal presented to the State Board that would require – in the first year of operation – the merger of three disparate middle school and high school programs and the creation of an outdoor experiential, career-focused program for secondary students.

EDUCATION IMPLICATIONS:

The Study Committee identified a range of potential educational benefits of merger, including:

1. The ability to provide a broader array of programming at the elementary level in such areas as music, world languages, arts, and STEM, but moving staff and programs from building to building.
2. The ability, through a merged middle-school program for all three towns, to respond to students' request for more peer interaction and access to a broader array of curricular offerings.
3. The ability, through a merged high-school program for all three towns, to provide increased availability of world languages, arts, music, athletics, outdoor and hands-on education, and other opportunities.
4. An enhanced opportunity for high school students to gain real-world experience through rigorous place-based opportunities, semester or multi-semester long programs in the outdoor experiential program, and otherwise.
5. Increased stability in and ability to retain high quality staff by combining several part-time positions into one full-time position.

FISCAL IMPLICATIONS:

The Study Committee's report "estimates that savings from the merging of three middle school programs and three high school programs will be approximately \$1 million dollars, driven largely by reductions in FTEs. The new district will likely make \$400,000 in new investments related to the new Rochester-based program and added curricular and extra-curricular offerings, resulting in an estimated net savings of \$600,000."

See also Act 153, as amended, for cost implications to the State.

See the Report at pages 13-24, Attachments A-C, E, & F, and appendices A-C, for a more detailed discussion of educational and fiscal elements of the proposal and *see* the Committee's Worksheet for an overview of those elements in the proposal that address the goals identified by Act 46, Section 2.

The Study Committee's proposal is aligned with the goals of the General Assembly as set forth in Act 46 of 2015 and with the policy underlying the union school district formation statutes as articulated in 16 V.S.A. § 701.

STAFF AVAILABLE:

Donna Russo-Savage, Principal Assistant to the Secretary,
School Governance
Brad James, Education Finance Manager

Type of Merger	
<i>Please refer to the related eligibility worksheets to determine baseline eligibility for each merger type.</i>	(column reserved for agency use)
<input type="checkbox"/> Accelerated Merger (Act 46, Section 6)	
A Regional Education District (RED) or one of its variations (Act 153 (2010) and Act 156 (2012)) <input type="checkbox"/> RED (Act 153, Secs. 2-3, as amended by Act 156, Sec. 1 and Act 46, Sec. 16) <input checked="" type="checkbox"/> Side by Side Merger (Act 156, Sec. 15) Districts involved in the related merger: Non-operating: Granville and Hancock, PK-8 w/9-12 tuition: Chelsea and Tunbridge <input type="checkbox"/> Layered Merger (Union Elementary School District) (Act 156, Sec. 16) <input type="checkbox"/> Modified Unified Union School District (MUUSD) (Act 156, Sec. 17, as amended by Act 56 (2013), Sec. 3)	
<input type="checkbox"/> Conventional Merger – merger into a preferred structure after deadline for an Accelerated Merger (Act 46, Section 7)	

Dates, ADM, and Name	
Date on which the proposal will be submitted to the voters of each district (16 V.S.A. § 706b(b)(11)):	April 11, 2017
Date on which the new district, if approved, will begin operating (16 V.S.A. § 706b(b)(12)):	July 1, 2018
Combined ADM of all "necessary" districts in the current fiscal year:	716.13

Proposed name of new district:

White River Unified School District

Please complete the following tables with brief, specific statements of how the proposed union school district will comply with the each of the listed items. Bulleted statements are acceptable.

The Proposed School District is in the Best Interest of the State – as required by 16 V.S.A. § 706c		
<p><u>Goal #1:</u> The proposed union school district will provide substantial equity in the quality and variety of educational opportunities.</p> <p><i>Act 46, Sec. 2(1)</i></p>	<p>Explained on pages 17-21 of the report.</p>	
<p><u>Goal #2:</u> The proposed union school district will lead students to achieve or exceed the State's Education Quality Standards, adopted as rules by the State Board of Education at the direction of the General Assembly.</p> <p><i>Act 46, Sec. 2(2)</i></p>	<p>Explained on page 17-21 of the report.</p>	
<p><u>Goal #3:</u> The proposed union school district will maximize operational efficiencies through increased flexibility to manage, share, and transfer resources, with a goal of increasing the district-level ratio of students to full-time equivalent</p>	<p>Explained on pages 21-23 of the report.</p>	

<p>staff.</p> <p><i>Act 46, Sec. 2(3)</i></p>		
<p><u>Goal #4:</u> The proposed union school district will promote transparency and accountability.</p> <p><i>Act 46, Sec. 2(4)</i></p>	<p>Explained on page 24 of the report.</p>	
<p><u>Goal #5:</u> The proposed union school district will deliver education at a cost that parents, voters, and taxpayers value.</p> <p><i>Act 46, Sec. 2(5)</i></p>	<p>Explained on page 21-23 of the report.</p>	
<p><u>Regional Effects:</u></p> <p>What would be the regional effects of the proposed union school district, including: would the proposed union school district leave one or more other districts geographically isolated?</p> <p><i>Act 46, Section 8(a)(2)</i></p>	<p>This proposal is one of three being submitted simultaneously to create 3 new school districts from 7 current districts within the White River Valley Supervisory Union. If all three succeed, the current SU will be reduced from 10 districts to 6 districts. The three current districts not unifying were heavily involved in study committees and came to their conclusion with careful deliberation. They will be needing to submit an "alternative model" proposal at a later time that will describe how they will meet the goals of Act 46 without unification. Given that the districts not unifying do not have the same delivery model as any of the proposed new districts, there is no consideration for issues related to "geographic isolation".</p>	

Articles of Agreement – as required by 16 V.S.A. § 706b(b)(3) - (10)

<p>(3) The grades to be operated by the proposed union school district</p> <p>The grades, if any, for which the proposed union school district shall pay tuition</p>	<p>Grades K-12 will be operated for all students:</p>	
<p>(4) The cost and general location of any proposed new schools to be constructed</p> <p>The cost and general description of any proposed renovations</p>	<p>No new schools are required for this unification to occur. No immediate renovations are anticipated.</p> <p>However, over the long run, this district would like to see a new centrally-located building which created more equal access to secondary education for all students in the district.</p>	
<p>(5) A plan for the first year of the proposed union school district's operation for:</p> <p>(A) the transportation of students</p> <p>(B) the assignment of staff</p> <p>(C) curriculum</p> <p>The plan must be consistent with existing contracts, collective bargaining agreements, and other provisions of law, including 16 V.S.A. chapter 53, subchapter 3 (transition of employees)</p>	<p>This proposal is much more than a governance unification. Given the educational challenges and financial realities of this region, this study committee focused on how to dramatically improve education for students at a much better cost as soon as possible. This unification has involved extensive work in planning for changes in education that are outlined on pages 26-27 of the report. The heart of the changes will be implemented in year 1.</p>	
<p>(6) The indebtedness of the proposed merging districts that the proposed union school district shall assume.</p>	<p>See page 33 of the report.</p>	
<p>(7) The specific pieces of real property</p>	<p>See pages 34 of the report.</p>	

<p>owned by the proposed merging districts that the proposed union school district shall acquire, including:</p> <ul style="list-style-type: none"> * their valuation * how the proposed union school district shall pay for them 		
<p>(8) The allocation of capital and operating expenses of the proposed union school district among the proposed member</p>	<p>Repealed.</p>	
<p>(9) Consistent with the proportional representation requirements of the Equal Protection Clause, the method of apportioning the representation that each proposed member town shall have on the proposed union school board</p> <ul style="list-style-type: none"> * no more than 18 members total * each member town is entitled to at least one representative * <i>see also</i> 16 V.S.A. § 706k(c): one or more at-large directors * <i>see also</i> 16 V.S.A. § 707(c): weighted voting 	<p>The committee is proposing the “hybrid model” for comprising a new board. Three residents from each town will be elected to the new board by a comingled election involving voters from all three towns. This is described on pages 28-29 of the report.</p>	
<p>(10) The term of office of directors initially elected, to be arranged so that one-third expire on the day of each annual meeting of the proposed union school district, beginning on the second annual meeting, or as near to that proportion as possible</p>	<p>Described on page 29 of the report.</p>	
<p>Any other matters that the study</p>	<p>Other matters on covered on page 30-31 of the report.</p>	

committee considers pertinent, including whether votes on the union school district budget or public questions shall be by Australian ballot

(please list each matter separately)

Article 11 calls for Australian ballot voting in the future.

Article 12 encourages creation of school councils for each school and an advisory council for school districts that tuition their students to the programs of the White River Unified District.

Article 13 creates the ability of the Study Committee to choose to implement an expedited vote of a modified proposal, should this proposal be voted down by voters in the Rochester School District.

REPORT OF THE STUDY COMMITTEE RELATIVE TO THE CREATION OF A NEW UNION DISTRICT IN THE WHITE RIVER VALLEY SUPERVISORY UNION OPERATING SCHOOLS IN GRADES K-12

Committee Proposal

The study committee is proposing the creation of the White River Unified School District, a new union school district which operates schools that provide education in grades K-12 for students residing in Bethel, Rochester, and Royalton. Pre-K services, pursuant to state law, will be provided through tuition paid to private providers or may, additionally, be offered through the District. The new district will have a single school board, a single budget, and a single pre-CLA tax rate.

Most unification proposals presented to the State Board over the past year have largely focused on creation of new governing entities with a long-term goal of improving student equity and opportunity and greater efficiencies. Given the immediate challenges in this region, this committee has sought not only to create a unified governance structure, but also to put before the voters greater detail on a plan for substantial changes in the delivery of education in this region, beginning in year one, the fall of 2018. This proposal describes a delivery model, beginning in the first year of operation, which features an elementary school in each community serving grades PK-5, a single grade 6-8 middle school for the region located in Bethel, and a single, unified high school program centered in South Royalton, but which also features a robust outdoor education and environmental program in Rochester.

Committee Membership and Charge

This study committee was created by the following districts: Bethel, Chelsea, Rochester, and Royalton "to analyze the advisability of forming a union school district under Act 46." The committee was created through votes in the Spring of 2016. It was agreed that each district could name five members to the committee. All five members from Bethel and Royalton each were voting members. Chelsea and Rochester could send 5 participants to the committee with some being voting members and others as participating members who could serve as alternates.

District	Date of Vote	Eq.Pupils	%	Voting Members
Bethel	3/21/16	286.98	31%	5
Chelsea	5/4/16	173.14	19%	3
Rochester	3/15/16	133.71	14%	2
Royalton	3/15/16	332.09	36%	5
Total		925.92		15

Voting membership on the committee is:

Bethel: Lisa Floyd, Rachel Irish, Lisa McCrory, Rodney Rainville, Todd Sears

Chelsea: Jessica Anderson, Deborah Ackerman, Joe Spinella
(Kate Willard and Laurel Marchia—Alternates and non-voting members)

Rochester: Jeff Sherwin, Andy West
(Frank Russell, Chris Mattrick, and Jess Arsenault—Alternates and non-voting members)

Royalton: Bridget Barry, Geo Honigford, Christine Hudson, Tim Murphy, Jennifer Stratton

In November, following lengthy deliberations and a survey of citizens in Chelsea, the Chelsea members of the committee, in consultation with the Chelsea School Board, chose to ask the full study committee to not to include Chelsea in the proposal moving forward. Instead, they have chosen to connect with Tunbridge in a different unification proposal. The members of this study committee formally consented on January 12, 2017, to this change. Therefore, Chelsea is not included in the remainder of this report and will not go forward with a vote.

Committee Process

Given the urgency and the complexity of the task at hand, this study committee has taken great care to explore all options and to engage community members. Between June, 2016, and the end of January, 2017, the committee will have convened 12 times. In addition, members of the committee convened community meetings in each of the involved communities on at least two occasions. Most recently, the committee convened community forums to focus on three possible models for education delivery going forward.

Description of the Current State

Geography

This new district will be formed by the unification of the Bethel, Rochester, and Royalton School Districts. The three towns are adjoining, with the Royalton and Bethel Schools being approximately 8 miles apart and easily accessible by main roads. Rochester is located 12 miles

from Bethel and 20 miles from South Royalton over a road that crosses a sizable mountain. The geographical considerations of this district are of concern to all of the parties. Rochester is geographically isolated and does not have readily available options. The members of the new district have agreed to take special care to address transportation challenges that could impact student opportunity.

Historic Connections

All three communities are key to the upper White River Valley and have long-standing social, economic and institutional connections. Over the past two years, they have been part of the merger of two supervisory unions and extensive educational and administrative planning in the creation of the White River Valley Strategic Plan. They have all been part of the White River Valley Supervisory Union since July 1, 2016. Bethel and Rochester have both long been part of the same supervisory union, and have sought to work together to share educational programs and sports.

Socio-economic Considerations

The region covered by the new district faces some economic challenges. Average household incomes are below the state average.

Average Household Income	
Bethel	\$42,649
Rochester	\$44,746
Royalton	\$38,654
Statewide	\$52,578

All three communities have rates of free and reduced meals that exceed the statewide average:

Rates of Reported Free and Reduced Meals	
Bethel	51%
Rochester	54%
Royalton	48%
Statewide Average	44%

Current Scale of Operations

The unified district will bring together three forming districts of varied sizes to comprise a group with sufficient size and scale that will support achievement of the goals of Act 46. Populations of the three towns in the 2010 census are as follows:

Bethel	2030
Rochester	1139
Royalton	2773

Currently, none of the districts has a student census large enough to provide a specialized, robust middle school experience. None are large enough to provide a full range of offerings to students at the high school level. By contrast with the other two, Rochester is particularly small, limiting opportunities for students and carrying a particularly high per-student cost.

District	EEE	PK	Grades K-5	Grades 6-8	Grades 9-12	Total
Bethel		22.2	118.75	46.8	83.13	270.88
Rochester		11.4	45	19	20	95.4
Royalton	2	31	147.6	77.45	91.8	349.85
TOTAL	3	64.6	311.35	143.25	194.93	716.13

Population projections show that the steep decline in student count may have levelled in the area overall, although growth is not expected.

Student Performance

Our communities love our small schools and the fact that students are “known” in a small school in the towns where they live. There are a number of positives in our current schools. The vast majority of students participate in extracurricular activities. The majority of our students enroll in post-secondary experiences, many at excellent colleges and universities. Many of our students do very well.

Despite our many strengths, it is clear that we have plenty of room for improvement. Official reporting by the Agency of Education of student outcomes is of marginal value when it comes to very small schools. Nevertheless, we have some indicators of quality so will report what is readily available through the Agency of Education:

Student Performance--Standardized Testing (Percent Proficient)

	SBAC 11th Grade Math	SBAC 11th Grade English	NECAP 11th Grade Science
Bethel	13%	45%	9%
Rochester	30%	41%	33%
Royalton	35%	67%	26%
Statewide	37%	57%	30%

High School Dropout Rates Grades 9-12

	12-'13	13-'14	14-'15
Bethel (Whitcomb High School)	2.44	1.2	8.24
Rochester School	0	1.72	0
Royalton (So. Royalton School)	2.72	5.59	3.23
Statewide	2.68	2.48	2.99

We are aware that very small schools have limited opportunity for students whose learning style and needs may not fit with what can be offered. We are concerned about all students being able to get a quality learning experience that fits their interests, needs, and learning styles, and we are optimistic about the exciting opportunities created by this unification.

Fulfilling the goals of Act 46

The study supports unification as the right thing to do for our students, as well as for our taxpayers, especially as we look at what is best for all students who live in the region. We believe we can create for our students a world-class education and for our taxpayers we can create greater efficiency, sustainability, and predictability. This action will help our towns be attractive destinations for families to live and children to learn. We envision more young families choosing to reside in our region and we believe that programs created through the new district will be the schools of choice for families in neighboring towns which tuition their students for particular grades. Unification also creates a substantial opportunity for achieving the goals of Act 46 and for assuring that we are in control of our own destiny.

Improving Education Quality, Opportunity, and Equity

The proposed Unified School District will realize the WRVSU vision by operating exceptional student-focused elementary, middle, and high school programs that will serve the students of Bethel, Rochester, and Royalton, and be the educational programs of choice for parents and students in other towns which choose to tuition their students. The goals of this effort will be to increase student opportunity and achieve equity across the entire region.

The schools of the White River Unified School District will first and foremost be student-centered. Planning for the new district has involved students who have worked with teachers,

board members and Up for Learning, an organization that helps students to use their voice to make positive changes in their schools.

The new district will be characterized by:

Strong personalized learning at all levels and for all students with diverse flexible pathways and a broad array of offerings both in the community and within the school.

Strong connections with the community and through public/private partnerships.

Excited, engaged teachers who are using their strengths in creative ways and are creating intentionally innovative instruction and engage in best practices.

Each student having a close relationships with at least one adult and being seen as a valued member of the educational community.

State of the art technology to support the educational process and to assure students can be competitive regardless of where their journey beyond high school leads.

Substantial parent and community involvement in all local schools.

A transportation policy and system which promotes student access to and participation in the full range of curricular and extra-curricular offerings, with special attention to students living far from the school building that serves their grade level, including the provision of space and supports for students awaiting busses.

Effective use of all facilities in the new district including several gymnasiums, the performing arts capacity of Rochester, the tech capacity at South Royalton, etc. The district will also seek to schedule athletic events throughout the district to allow for greater involvement of all communities in the educational opportunities of students.

A creative policy on managing bad-weather days which affect different parts of the region both to attend to student safety and to prevent the need for frequent cancellations.

In addition, we have a vision for grade-level programming in our schools:

Elementary School

We believe it is important for our youngest learners to be educated in elementary schools located in their home communities. This allows greater family involvement and connection and assures their time is not spent on long bus rides. As needed, staff and programs will move to them rather than vice versa. The creation of a larger district will allow our smallest schools to realize a broader array of programming allowing educators to teach music, world languages, arts and STEM in more than one location. This provides maximum opportunity for students and allows the district to attract teachers who may be more inclined to seek full-time employment. Advisory councils will be created within our schools to insure that each elementary school

maintains its unique culture and identity while benefitting from the resources and common curricular offerings and practices that being part of this larger district brings.

Middle School

While our middle schoolers are still young, they have communicated a need for more peer interaction and a desire to access a broad range of curricular offerings not currently available in all of our communities. The new district is committed to creating a state-of-the-art middle school program characterized by:

Cooperative learning in teams.

Strong student/teacher relationships.

Flexible schedules protected from the pressures of different types of scheduling for higher and lower grades.

Learning that acknowledges the needs of middle schoolers to move and have hands-on opportunities to apply their learning in innovative ways with inspired teachers as stewards of their learning.

Personal Learning Plans for all students based on their own passions and educational experiences.

Broad curricular offerings including a robust STEM program and world languages and the arts.

Extensive extra-curricular offerings including a range of athletics, music groups, performances, and other group-dependent activities.

Reasonable travel distances and a strong transportation system to support full participation.

High School

Our high school will be the place where we bring students together to learn, grow, and build a strong community that is both innovative in its approach to learning and in responding to the needs within it. Students and teachers will build relationships through a strong advisory program. Students, who will be guided in personalizing their education will have a broad array of programs from which to choose which will include more traditional classes as well as project-based learning, independent learning opportunities, community-based learning, co-ops and apprenticeships. Technical education will be strongly supported. Early college and AP courses will also be available for students.

As a larger school, we will be able to create greater opportunities which can include: a broader selection of world languages, arts, music, athletics, outdoor and hands-on education. We will work to assure that students are able to travel and gain real-world experience by exploring the world beyond our communities. This will allow them to apply problem-solving, communication, and other important life skills.

Our communities matter. Curriculum will be integrated into all of our communities. Students will create Capstone projects that represent their creativity, knowledge, interests, and the skills they have gained as they have mapped their educational pathways.

The school will have a strong advisory committee structure that represents all towns in the district (as well as districts from which substantial numbers of students are being tuitioned) to assure that community members, students, teachers, and parents maintain a strong voice in the operation of the school.

High school education will be operated as one school, under one administrative and faculty structure, but will be delivered in two primary locations as well as in many community locations. At the outset, the primary high school will be located in South Royalton with the Rochester School hosting a specialized program in Outdoor Experiential Learning.

Over time, the district will continue to seek strong state support to create a centrally located high school facility to promote easier access for all students and families.

It is understood that the current high school choice program defined in 16 V.S.A. § 822a. and administered through the Winooski Valley Consortium; will be an important resource for some families who reside far from the new high school program. The program is currently underutilized and should have sufficient capacity to meet the need.

Finally, the district will create vehicles for ongoing communication with graduates. We want to know the impact of their education and to gather feedback for continuous improvement.

Attachment E includes a chart showing expected high school offerings compared with those currently available in the three current high schools.

Outdoor Experiential Learning Program

One of the very unique offerings of the Unified District will be an Outdoor Experiential Learning Program at its Rochester, VT campus that will prepare students for careers in technical and professional fields. The program is designed to provide students with rigorous, place-based learning opportunities by accessing the unique resources within the White River Valley, the current Rochester School Forest and the Green Mountain National Forest. The program is envisioned as a semester or multi-semester long program that could be formatted in a variety of ways to serve a broad segment of both the high school and middle school student population. Curricula offered by this program will enhance the skills and knowledge gained in traditional education settings by allowing those concepts and theories to be put into practice through the use of an interdisciplinary, hands-on approach and collaborative partnerships. This will expose students to the practical application of knowledge and skills to potential career paths. A more complete explanation of this program can be found in **Attachment F**.

Transitioning to the New Plan

Upon approval of the plan in the spring of 2017 by the electorates of the involved towns, the board of the new school district will begin immediately to develop a plan for a merged middle

school, a merged high school, and the Outdoor Experiential Learning Program, all to be implemented at the start of the 2018-19 school year.

Achieving Efficiency and Sustainability

Part of our obligation is not just to deal with today's immediate budget issues, but to design a district which can be efficient and sustainable over the long-run, regardless of whether we continue to experience a decline in student numbers. Act 46 provides some incentives for action and some consequences for inaction, both of which must be taken seriously.

The merging of districts results in the merging of budgets and creates a single pre-CLA tax rate. Cost per equalized pupil is one of the major drivers of local tax rates. The chart below shows that those costs, as calculated by the state, have been reasonably close between the three districts over the past five years. The last column shows, however, that Rochester has benefitted from a large percentage of "phantom students" as well as from a small schools grant, both of which are at risk of phase-out as a result of Act 46. These variables are explained in greater detail later in this section.

WHITE RIVER VALLEY SU PK-12 OPERATING DISTRICTS							
FY 13 THRU FY 17							
EQUALIZED PUPILS/COST PER EQUALIZED PUPIL							
		FY13	FY14	FY15	FY16	FY17	Illustration Only FY17 w/o phantoms
Bethel	Equalized pupils	267.18	271.09	278.94	288.56	286.98	286.98
	Cost per Eq/Pupils	\$ 15,088	\$ 15,517	\$ 16,168	\$ 16,570	\$ 16,610	\$ 16,610
Rochester	Equalized pupils	154.2	148.8	143.59	138.56	133.71	100.98
	Cost per Eq/Pupils	\$ 11,956	\$ 14,085	\$ 13,814	\$ 14,159	\$ 15,558	\$ 22,234
Royalton	Equalized pupils	330.52	318.95	308.2	316.47	332.09	332.09
	Cost per Eq/Pupils	\$ 13,592	\$ 13,889	\$ 14,282	\$ 14,498	\$ 14,757	\$ 14,757
COMBINED	Equalized pupils	751.9	738.84	730.73	743.59	752.78	720.05
	Cost per Eq/Pupils	\$ 13,788	\$ 14,525	\$ 14,909	\$ 15,238	\$ 15,606	\$ 16,544
Disclaimer: The "Combined" section is simply for illustration purposes. It does not reflect any cost savings that may result from unification.							

There are a number of financial advantages of unification:

Greater Efficiencies

Combining the three districts makes possible much greater efficiencies in operation. That is especially true given the plan to consolidate middle and high school education. No longer will these three towns seek to operate three full secondary programs which can meet all state standards and respond effectively to many student learning styles. Operating together will,

literally, make it possible to deliver more for less. Even in the elementary grades, there will be savings available across the multiple elementary schools. There may be less need for part-time staff. Some specialized functions may be able to be covered by a single staff member serving more than one school. The administration estimates that savings from the merging of three middle school programs and three high school programs will be approximately \$1 million dollars, driven largely by reductions in FTEs. The new district will likely make \$400,000 in new investments related to the new Rochester-based program and added curricular and extra-curricular offerings, resulting in an estimated net savings of \$600,000.

Stabilization of Local Homestead Tax Rates

Local homestead tax rates are driven in part by the expenditure per student. Very small districts are subject to significant swings in student count (by percentage). Unification will result in a much larger student count and make the district less prone to swings in student population which can affect tax rates. In essence, unification creates a larger “risk pool”, stabilizing per-student cost.

Maintenance of Small Schools Grants

Unification will allow the new district to keep the small schools grant that has been allocated to Rochester. In the new district, it becomes a “Merger Support Grant”. The grant in 2017 has been in the amount of \$164,885.

Reinstatement of the “ADM Hold Harmless” Provision

One feature of Act 46 is to phase out the “ADM Hold Harmless” provision of Act 60, but to allow its continuation for districts that unify within certain parameters. Over the years, Royalton has benefitted in a limited way from this feature. Rochester has benefitted more than almost any other district in the state.

It is important for our citizens to understand this potential benefit. In short, homestead property tax rates are determined in part, on the amount of education spending *per pupil* in a particular district. That figure is driven by the amount spent, divided by the number of students counted by the district. Current law related to education finance provides protection for districts which are rapidly losing students from their count. The “hold harmless” provision has protected a district from losing more than 3.5% of its student count in a given year. If the number of students continues to decline substantially over time, the 3.5% reduction for subsequent years is applied against the inflated number from the previous year and, thus, over time, a district could be counting a large number of students who don’t actually exist—thus the term, “phantom students”. As a result, Rochester has counted a number of these students. In 2017, Rochester counted 32.73 “phantom students”, 25% of its total count. Without

phantom students, Rochester's cost per student would have been 43% higher and would have resulted in a much higher tax rate. Act 46 eliminates the hold harmless provision, beginning a phase out in FY'18, but it is re-activated for unified districts that adopt a "side by side" unification such as is recommended here.

Direct Financial Benefits

Taxpayers in the new district receive incentives over the first four years of operation. When the budgets are unified, a new tax rate is determined and that rate is then reduced by a particular amount, beginning the first year of operation and dropping by two cents each year (.08, .06, .04, .02). This new district, along with any other unified districts being created within the White River Valley Supervisory Union, will also share in a \$150,000 "transition grant". This is all in addition to retaining the small schools grant as described above.

The committee has considered the impact of three possible scenarios, and has modeled the potential tax implications of each over the next five years. They are:

- What happens to taxes over the next 5 years if the districts do nothing?
- What happens if this proposal is approved by voters and we unify on our terms and in a way that qualifies for "side-by-side" incentives?
- What happens if we do not act on our own initiative and the state later requires the creation of a unified district among these three communities?

The full model of these scenarios can be found in Attachment A. They show the following:

- The immediate impact of voluntary action is projected to vary town by town with Royalton homestead property taxpayers being held fairly level with a savings of only \$42 on a house valued at \$200,000. A similarly situated taxpayer in Bethel is projected to save \$576 and those in Rochester could save as much as \$1118 on a similar house.
- Should we decide not to take voluntary action and should the state require us to become a unified district in FY'20 as allowed for in Act 46, the combined tax rate for the new district in FY'20 is projected to cost the same taxpayers \$412 more in taxes in each of our towns, because of the loss of incentives, the loss of Rochester's small schools grant, and some lost efficiencies:

Greater efficiency and creative management of resources can free up dollars both to achieve our educational vision and to temper future tax increases. They can also allow for expansion of student opportunity, increased ability to attract and retain excellent staff, and other efforts to enhance the quality, opportunity, and equity of education in the region.

Increased Transparency and Accountability

The effort to reduce the number of districts within the WRVSU will serve the goals of transparency and accountability. Currently, each school district is one of ten in the supervisory union. Each has its own school board meetings, its own budget-building, its own governance processes. It is difficult for individual boards or board members to feel that the administrative structure is accountable to them. The entire system will be more accountable if the number of districts in the supervisory union is reduced from 10 to a substantially lower number.

Recommendation

The committee recommends that the State Board and the voters of Bethel, Rochester, and Royalton support this unification. This action will be good for the education of students. It will be good for taxpayers. And in addition, the unification of these towns, as side-by-side districts with at least one other unifying district within the White River Valley Supervisory Union, will exempt these districts from further mandated restructuring by the State Board under Act 46.

The committee is recommending that all three towns be necessary for this unification vote. That means that the full committee is enthusiastic about the passage of this proposal, understanding that failure in any one community will mean that the proposal will not go forward.

ARTICLES OF AGREEMENT

The WRVSU PK-12 Operating Study Committee recommends that the following Articles of Agreement be presented to the electorate of each of the named school districts in order to create a unified union district to be named the White River Unified School District, hereinafter referred to as the "Unified District". All of the referenced school districts are hereinafter referred to as the "forming districts."

Article 1 Necessary and Advisable Districts

The School Districts of Bethel, Rochester, and Royalton are proposing to come together to create the Unified District. All three forming towns are considered necessary for the establishment of the new district.

The Unified District shall become effective on the date this article is approved by a majority vote of the electorates of the necessary districts in meetings warned for the adoption of these articles, and said votes become final per 16 V.S.A. 706g. Provided, however, that such votes shall not become effective unless the voters of other White River Valley Supervisory Union town school districts vote on or before the date established by the Vermont General Assembly for the Forming Districts to obtain financial incentives for merger, but not later than December 31, 2017, to approve the formation of a new unified union district which pays tuition for students in at least one grade, and said votes become final per 16 V.S.A. 706g, thus allowing the creation of two or more Unified Districts that qualify as "Side-by-Side" Districts with operation commencement dates of July 1, 2018.

Article 2 Grades to be Operated

The Unified District will offer education to students in Pre-K through grade twelve. The Unified District is committed to providing its students with equal educational opportunity.

Article 3 New School Facilities

No new facilities will be required to create and operate the Unified District. However, the Unified District is committed to addressing issues of more equal geographic access for students across the Unified District to promote full student and parent involvement at all grade levels. It is also committed to offering the best educational program in the region and attracting students from tuitioning districts. Both of those factors dictate that when the State resumes school construction aid, the Unified District will fully explore the possibility of constructing a new high school in a more central location. The Unified District will work with its legislators to

promote restoration of construction aid to benefit the students of the Unified District and the adjoining tuitioning towns. This was made clear when the supervisory unions were approved for merger in January, 2015.

Article 4 First Year of Operation

- 4(a) In the first year that the Unified District is fully operational and providing educational services, students will attend the elementary school (grades K-5) according to town of residence; provided however, with parental consent, the Board of School Directors may allow for student enrollment at a district school other than that located in the town of residence, based on individual student circumstances, and the Superintendent's determination of capacity to serve the child.
- 4(b) In the first year that the Unified District is fully operational and providing educational services, middle school education (grades 6-8) will be provided at the current Whitcomb Jr.-Sr. High School. A new name for the middle school will be determined by the newly elected school board.
- 4(c) In the first year that the Unified District is fully operational and providing educational services, a comprehensive high school education program (grades 9-12) will be provided at the current South Royalton School. High school education will also be provided through an outdoor experiential learning program offered to high school students at the current Rochester School and its associated forest property as described below.
- 4(d) In the first year, the Unified District will operate an Outdoor Experiential Learning Program at its Rochester, VT campus that will prepare students for careers in technical and professional fields. The program will be designed to provide students with rigorous, place-based learning opportunities by accessing the unique resources within the White River Valley, the current Rochester School Forest and the Green Mountain National Forest.
- 4(e) The new district will design and implement a strong transportation program which will seek to provide reasonable bus commuting times and facilitate participation in curricular and extracurricular activities.
- 4(f) The Unified District will comply with 16 VSA Chapter 53, subchapter 3, regarding the recognition of the representatives of employees of the respective forming districts as the representatives of the employees of the Unified District and will commence negotiations pursuant to 16 VSA Chapter 57 for teachers and 21 VSA Chapter 22 for other employees. In the absence of new collective bargaining agreements on July 1, 2018, the board of the Unified District will comply with the pre-existing master agreements pursuant to 16 VSA Chapter 53, subchapter 3. The Board of School Directors shall honor all individual employment contracts that are in place for the forming school districts on June 30, 2018 until their respective termination dates.

- 4(g) The Unified District will provide for the transportation of students, assignment of staff, and curriculum that is consistent with the contracts, collective bargaining agreements, and provisions of law that are in existence during the first year of the new Unified District's operation.
- 4(h) The Board of School Directors of the Unified District shall make all subsequent decisions relative to the operation of the new district consistent with state and federal laws and these Articles of Agreement.

Article 5 Surpluses and Debts, Special Funds

- 5(a) The Unified District will assume all capital debt of the forming districts including both principal and interest, as may exist at the close of business on June 30, 2018. The status of both on June 30, 2016 may be found in **Attachment B**.
- 5(b) The Unified District shall assume any and all general operating surpluses and deficits of the forming districts that may exist as of the close of business on June 30, 2018. In addition, reserve funds identified for specific purposes will be transferred to the Unified District and will be used for said purpose unless otherwise determined through appropriate legal procedures.
- 5(c) The debt and funds specified above, subject to finalization of audits, shall be transferred to the new Unified District in accordance with procedures and timelines established by the Unified District Board following its organizational meeting, as further discussed in Article 10.
- 5(d) The forming districts will transfer to the Unified District any pre-existing school district specific endowments or other restricted accounts that may exist on June 30, 2018. Scholarship funds or like accounts held by school districts or the Supervisory Union prior to June 30, 2018 that have specified conditions of use will be used in accordance with said provisions.

Article 6 Existing School Facilities and Real Property

- 6(a) Transfer of Property to the Unified District.

No later than June 30, 2018, the forming districts that vote to join the Unified District will convey to the Unified District for the sum of One Dollar, and subject to all encumbrances of record, all of their school-owned, school-related real and personal property, including all land, buildings, and contents.

6(b) Existing School Facilities

The Unified District shall seek to maximize the use of existing facilities in all communities for the conduct of the educational programs of the district.

No elementary school (grades K-5) shall be closed without 75% vote of the Unified District School Board, and an affirmative vote of the voters residing in the town in which it is located.

6(c) Subsequent Sale of Real Property to Towns.

In the event that, and at such subsequent time as, the Unified District Board of Directors determines, in its discretion, that continued possession of the real property, including land and buildings, conveyed to it by one or more town forming districts will not be used in direct delivery of student educational programs, the Unified District shall offer for sale such real property to the town in which such real property is located, for the sum of One Dollar; subject to all encumbrances of record, the assumption or payment of all outstanding bonds and notes, and the repayment of any school construction aid or grants required by Vermont law, in addition to costs of capital improvements subsequent to July 1, 2018. The conveyance of any of the above school properties shall be conditioned upon the town owning and using the real property for community and public purposes for a minimum of five years. In the event a town elects to sell the real property prior to five years of ownership, the town shall compensate the Unified District for all capital improvements and renovations financed by the Unified District prior to the sale to the town. In the event a town elects not to acquire ownership of such real property, the Unified District shall, pursuant to Vermont statutes, sell the property upon terms and conditions established by the Unified District Board of Directors.

6(d) Investment in Buildings

The Unified District recognizes the investment each town has made in the upkeep and improvement of its school buildings and grounds. If any land and/or building is deemed unnecessary by the new Board, and sold to the town, the condition of such facilities shall be comparable, given standard depreciation, to their current condition at the time of this Agreement.

The list of specific pieces of real property that will be conveyed to the Unified District, and their valuations, is attached to these articles as **Attachment C**.

Article 7 Board Composition

The Unified District Board of Directors shall be composed of nine (9) members, elected on an at-large basis by Australian Ballot vote of the voters of the Unified District, as follows:

Three (3) Directors shall be elected from candidates nominated by the legal voters of Bethel from among the legal residents of that town;

Three (3) Directors shall be elected from candidates nominated by the legal voters of Rochester from among the legal residents of that town; and

Three (3) Directors shall be elected from candidates nominated by the legal voters of Royalton from among the legal residents of that town.

All directors shall have equal votes on the Board

Article 8 Terms of Office of School Directors

Pursuant to the provisions of 16 VSA §706j(b), elected school directors shall be sworn in and assume the duties of their office. The term of office for School Directors elected at the April 11, 2017, election shall be one, two, or three years respectively, plus the additional months between the date of the Organizational Meeting of the Unified District (16 VSA §706j), when the initial school directors will begin their term of office, and the date of the Unified District's annual meeting in the spring of 2018, as established under 16 VSA §706j. Thereafter, terms of office shall be three (3) years and shall begin and expire on the date of the Unified District's Annual Meeting. The following table establishes the expiration dates of the initial terms:

Town/District	2019	2020	2021
Bethel	1	1	1
Rochester	1	1	1
Royalton	1	1	1
TOTAL	3	3	3

Article 9 Date of Voter Action

The proposal to form a Unified District will be presented to the voters of each forming district on April 11, 2017. The candidates for the new Unified District Board of School Directors will be elected by Australian ballot on April 11, 2017, as required by law. The form of the warning for these votes will be substantially as attached as Attachment D. Nominations for the office of School Director representing any district/town shall be made by filing with the clerk of that school district/town a statement of nomination signed by at least 30 voters in that district or one percent of the legal voters in the district, whichever is less and accepted in writing by the nominee. A statement shall be filed not less than 30 nor more than 40 days prior to the date of the vote.

Article 10 Unified District Board of School Directors Transition Role

Upon an affirmative vote of the electorates of the school districts, and upon compliance with 16 V.S.A. § 706g, the Unified District Board of School Directors shall have and exercise all of the authority which is necessary in order for it to prepare for full operation beginning on July 1, 2018. The Unified District Board of School Directors shall, between the date of the affirmative votes and June 30, 2018, develop school district policies, adopt curriculum, educational programs, assessment measures and reporting procedures in order to fulfill the State's Education Quality Standards (State Board Rule 2000), prepare for contractual agreements, prepare and present a budget for Fiscal Year 2019, prepare for the 2018 Unified District Annual Meeting, and transact any other lawful business that comes before the Unified District Board of School Directors, provided, however, that the exercise of such authority by the Unified District Board of School Directors shall not be construed to limit or alter the authority and/or responsibilities of the school districts of Bethel, Rochester, and Royalton. The new Unified District will begin operating schools and providing educational services on July 1, 2018.

On July 1, 2018, when the Unified District becomes fully operational and begins to provide educational services to students, the school districts of Bethel, Rochester, and Royalton shall cease all educational operations and shall remain in existence for the sole purpose of completing any outstanding business not given to the Unified District under these articles and state law. Such business shall be completed as soon as practicable, but in no event any later than December 31, 2018. The Unified District shall continue to be a part of the White River Valley Supervisory Union.

Article 11 Annual Budget and Public Questions

The Unified District Board of School Directors shall propose annual budgets in accordance with 16 VSA Chapter 11. The vote on the annual budget and public questions shall be conducted by Australian ballot pursuant to 17 VSA Chapter 5513(b). Unified District School Board Members shall also be chosen by Australian ballot.

Article 12 School Councils

The new Unified District Board of School Directors shall consider the creation of school councils to promote strong connections between communities and individual school buildings.

The Unified District Board of School Directors shall also consider the creation of an advisory structure to assure a strong relationship with other districts who tuition students to the schools of the Unified District.

Article 13 Authority to Modify and Re-vote Articles

If only the voters of Rochester do not approve these articles during the vote on April 11, 2017, the Study Committee of the White River Valley supervisory Union for districts operating grades K-12 may promptly meet and modify these Articles ("Modified Articles") to designate Rochester as "advisable" and provide for establishment of a nine (9) member governing board allocated to each town based on its proportional population. The initial allocation will provide for three (3) members to be elected by the voters of Bethel, four (4) members by the voters of Royalton and two (2) members by the voters of Rochester. The Modified Articles may be submitted to the voters without further review or approval by the Agency of Education or State Board of Education. The vote on the Modified Articles will be conducted as follows:

A. If a petition is submitted pursuant to 17 V.S.A. Section 2661, to reconsider any of the votes taken on April 11, 2017, the vote on the Modified Articles and the vote on the reconsideration petition(s) may be conducted on the same date with polling places being open during the same hours. The outcome of the votes will be determined in the following manner:

1. If, as a result of the vote on any reconsideration petition, the voters of all three districts approve the Articles in the form originally voted on April 11, 2017, the new Unified Union District will be established on the basis of such Articles and the directors elected by the vote on April 11, 2017 shall be sworn in and assume the duties of their office; or

2. If, as a result of the vote on any reconsideration petition, the voters of any of the three districts disapprove the Articles in the form originally voted on April 11, 2017, the new Unified Union District will only be established if the vote on the Modified Articles is approved either when first voted or following any reconsideration vote conducted pursuant to 17 V.S.A. Section 2661.

B. If a petition is not submitted pursuant to 17 V.S.A. Section 2661 to reconsider any of the votes taken on April 11, 2017, the vote on the Modified Articles will be conducted after proper notice on the same date in all districts with polling places being open during the same hours.

If a vote is conducted on the Modified Articles as provided above, the districts shall simultaneously elect directors in accordance with the Modified Articles. If a new Unified District is established as provided above, the directors elected by the vote on the Modified Articles shall be sworn in and assume the duties of their office.

Attachment A

WRVSU PK-12 OPERATING DISTRICT Pre-CLA Homestead Tax Comparisons

	FY 17	FY18	FY19	FY20	FY21	FY22
No Merger Scenario						
Bethel	1.712	1.725	1.778	1.831	1.887	1.944
Rochester	1.604	1.651	2.047	2.278	2.348	2.419
Royalton	1.521	1.466	1.511	1.557	1.604	1.652
* assumes loss/reduction of hold harmless						
* loss of small schools grant						
* assumes 2% incr in education spending/yr						
* assumes 1% reduction of equalized pupils						
	FY 17	FY18	FY19	FY20	FY21	FY22
Unified District District FY19						
Bethel	1.712	1.725	1.490	1.550	1.620	1.690
Rochester	1.604	1.651	1.490	1.550	1.620	1.690
Royalton	1.521	1.466	1.490	1.550	1.620	1.690
*assumes retaining hold harmless						
*assumes retaining small schools grant						
* assumes 2% incr in education spending/yr						
* assumes 1% reduction of equalized pupils						
* factors the .08, .06... Reduction in tax rates effective with FY19						
*assumes reduction of \$600K in expenses through unification						
	FY17	FY18	FY19	FY20	FY21	FY22
State Created District FY20						
Bethel	1.712	1.725	1.778	1.756	1.827	1.883
Rochester	1.604	1.651	2.047	1.756	1.827	1.883
Royalton	1.521	1.466	1.511	1.756	1.827	1.883
* assumes loss/reduction of hold harmless						
* loss of small schools grant						
* assumes 2% incr in education spending/yr						
* assumes 1% reduction of equalized pupils						

Note: This table is for illustration purposes only. These models are estimates and projections. Actual tax rates will vary depending on state policy decisions, actual changes in equalized pupils, and spending decisions of boards. Note also that these tax estimates do not include possible excess penalties, particularly for Rochester in the "No Mergers" scenario.

Attachment B

BETHEL, ROCHESTER AND ROYALTON SCHOOL DISTRICTS DEBT AND BALANCES				
		LT Debt Principal Balances		
DEBT SERVICE SCHEDULES		as of 6/30/16		
Bethel School District	\$	385,000.00	Bond	paid off 6/30/23
	\$	288,560.00	LT Note	paid off 12/30/17
Rochester School District	\$	175,000.00	Bond	paid off 6/30/23
	\$	280,000.00	Bond	paid off 6/30/23
Royalton School District	\$	2,320,000.00	Bond	paid off 6/30/29
SIGNIFICANT FUNDS- BALANCES				
pre-audit FY16				
Bethel School District				
	Building Reserve	\$	40,364.00	\$58,500 to be added in FY17
Rochester School District			None	
Royalton School District				
	Building Reserve	\$	178,149.00	\$40,741 to be added in FY17

Attachment C

Property to be Transferred

	Building	Personal Prop	Site Improvements	Computer Equip	Books/Valuables/ Mobile equip.	Total Insured Value
Bethel						
Elementary School	\$ 3,454,000.00	\$ 220,000.00	\$ 43,900.00	\$ -	\$ -	\$ 3,717,900.00
Maintenance Bldg	\$ 38,500.00	\$ 28,000.00	\$ -	\$ -	\$ -	\$ 66,500.00
Greenhouse	\$ 22,000.00	\$ 1,100.00	\$ -	\$ -	\$ -	\$ 23,100.00
High School	\$ 4,532,629.00	\$ 220,000.00	\$ 31,000.00	\$ -	\$ -	\$ 4,783,629.00
Rochester						
High School	\$ 3,658,100.00	\$ 566,500.00	\$ 44,900.00	\$ -	\$ -	\$ 4,269,500.00
Elementary School	\$ 3,041,190.00	\$ 82,500.00	\$ 16,100.00	\$ -	\$ -	\$ 3,139,790.00
Dandelion Day Care	\$ 90,000.00	\$ -	\$ -	\$ -	\$ -	\$ 90,000.00
Bingo Road Forest Land Property						
Royalton						
Elem/High School	\$ 7,519,000.00	\$ 1,100,000.00	\$ 71,800.00	\$ 100,000.00	\$ 8,000.00	\$ 8,813,800.00
Dugouts	\$ 150,000.00	\$ 150,000.00	\$ -	\$ -	\$ -	\$ 300,000.00

Attachment D: Language for Warning

_____ TOWN SCHOOL DISTRICT
WARNING
SPECIAL SCHOOL DISTRICT MEETING
APRIL 10, AND APRIL 11, 2017

The legal voters of the _____ Town School District are hereby notified and warned to meet at _____ on Monday, April 10, 2017, at _____ PM to discuss the articles set forth below and transact any business not involving voting by Australia Ballot.

Article I:

To discuss the Act 46 Study Committee Report and the articles set forth below.

The meeting shall then be recessed to Tuesday, April 11, 2017, in order to vote on the following articles by Australian ballot. The polls will be open from ___ to ___ at the _____ Town Offices.

Article II:

Shall the voters of the _____ Town School District vote to form the White River Unified School District (“Unified District”) on the following terms:

1. The districts listed below shall be identified as “necessary” for the formation of the Unified District (referred to herein as “Member Districts”):

Bethel Town School District
Rochester Town School District
Royalton Town School District

2. The Unified District shall become effective on the date this article is approved by a majority vote of the electorates of the necessary districts in meetings warned for the adoption of these articles, and said votes become final per 16 V.S.A. 706g. Provided, however, that such votes shall not become effective unless the voters of other White River Valley Supervisory Union town school districts vote on or before the date established by the Vermont General Assembly for the Forming Districts to obtain financial incentives for merger, but not later than December 31, 2017, to approve the formation of a new unified union district which pays tuition for students in at least one grade, and said votes become final per 16 V.S.A. 706g, thus allowing the creation of two or more Unified Districts that qualify as “Side-by-Side” Districts with operation commencement dates of July 1, 2018.

3. The name of the district shall be the White River Unified School District.

4. The Unified District shall commence operating the above-mentioned school on July 1, 2018 (“Operation Commencement Date”) provided this article shall have become effective by such date.

5. The Unified District will provide education to all students in grades Pre-K through Twelve and will operate schools to provide those services for all children within the Unified District.

6. (a) The Unified District will assume all capital debt of the forming school districts including both principal and interest, as may exist at the close of business on June 30, 2018.

6. (b) The Unified District shall assume any and all general operating surpluses and deficits of the forming school districts that may exist as of the close of business on June 30, 2018. In addition, reserve funds identified for specific purposes will be transferred to the Unified District and will be applied for said purpose unless otherwise determined through appropriate legal procedures.

6. (c) The forming districts will transfer to the Unified District any pre-existing school district specific endowments or other restricted accounts that may exist on June 30, 2018. Scholarship funds or like accounts held by school districts or the Supervisory Union prior to June 30, 2018 that have specified conditions of use will be used in accordance with said provisions.

7. (a) No elementary school (grades K-5) shall be closed without 75% vote of the Unified District School Board, and an affirmative vote of the town in which it is located.

7. (b) In the event that, and at such subsequent time as, the Unified District Board of Directors determines, in its discretion, that continued possession of the real property, including land and buildings, conveyed to it by one or more town forming districts will not be used in direct delivery of student educational programs, the Unified District shall offer for sale such real property to the town in which such real property is located, for the sum of One Dollar, subject to all encumbrances of record, the assumption or payment of all outstanding bonds and notes, and the repayment of any school construction aid or grants required by Vermont law, in addition to costs of capital improvements subsequent to July 1, 2018. The conveyance of any of the above school properties shall be conditioned upon the town owning and using the real property for community and public purposes for a minimum of five years. In the event a town elects to sell the real property prior to five years of ownership, the town shall compensate the Unified District for all capital improvements and renovations financed by the Unified District prior to the sale to the town. In the event a town elects not to acquire ownership of such real property, the Unified District shall, pursuant to Vermont statutes, sell the property upon terms and conditions established by the Unified District Board of Directors.

8. A forming district's representation on the Unified District Board of School

The Unified District Board of Directors shall be composed of nine (9) members, elected on an at-large basis by Australian Ballot vote of the voters of the Unified District, as follows:

Three (3) Directors shall be elected from candidates nominated by the legal voters of Bethel;

Three (3) Directors shall be elected from candidates nominated by the legal voters of Rochester; and

Three (3) Directors shall be elected from candidates nominated by the legal voters of Royalton.

All directors shall have equal votes on the Board

9. The provisions of the Report and Formation Plan approved by the State Board of Education on February 21, 2017, which is on file at the offices of the White River Valley Supervisory Union shall govern the Unified District.

Article III: To elect from the following officers:

- A. Unified District Director from Bethel for a term of 1 year
- B. Unified District Director from Bethel for a term of 2 years
- C. Unified District Director from Bethel for a term of 3 years
- D. Unified District Director from Rochester for a term of 1 year
- E. Unified District Director from Rochester for a term of 2 years
- F. Unified District Director from Rochester for a term of 3 years
- G. Unified District Director from Royalton for a term of 1 year
- H. Unified District Director from Royalton for a term of 2 year
- I. Unified District Director from Royalton for a term of 3 years

The legal voters of _____ Town School District are further notified that voter qualification, registration and absentee voting relative to said annual meeting shall be as provided in Chapter 43, 51, and 55 of Title 17 Vermont Statutes Annotated.

Dated at _____, Vermont, March _____, 2017:

, Chair

, Clerk

Attachment E: Comparative High School Programs

Current high school course offerings are listed in catalogues as follows:

Rochester Course Catalog	South Royalton Course Catalog	Whitcomb Course Catalog
Arts Department:	Arts Department:	Arts Department:
Ceramics	Art I	Studio Art 2D
Sustainable Art	Advanced Studio Art	Studio Art 3D
AP Art History	Service Arts	Ceramics
Band	Band	Painting
Chorus	Chorus	Art Independent Study
Voice Lessons	Digital Music Composition I	Band
Rock/Jazz Band	Digital Music Composition II	Chorus
English Department:	Beginning Guitar	Beginning Electronic Piano
English 12	Independent Music Theory	English Department:
Writing 101	English Department:	Humanities English 9 th grade
History and Elements of Film	AP Language and Composition	Journalism
Cont. Young Adult Literature	AP Literature and Composition	Poetry
Classical Literature	English 9 Academic & Honors	Horror Fiction
Playwriting	English 10 Academic & Honors	Intensive Study of Film Lit.
Family Consumer Science:	English 10, 11, 12	Distorted Society
On Your Own	English 11/12 Academic	Shakespeare
Culinary Arts	Humanities	American Studies 1cr Eng/1 SS
Family Consumer Science	Social Issues through Literature	Family Consumer Science:
Language Department:	Creative Writing	On Your Own
Spanish I, II, III	Introduction to Composition	Earth Sense
Industrial & Tech Ed. Dept.:	Family Consumer Science:	Earth Arts
Metal Fabrication	Foods I, II	Farm to School
Construction Technology	Language Department:	Physical Education and Health
Math Department:	French I, II, III, IV	High School Health
Pre-Algebra	Spanish I, II, III, IV	Language Department:
Algebra	Industrial & Tech Ed Dep.:	French I, II, III
Geometry	Woodworking I, II	Spanish I, II, III
Algebra II	Computer Aided Design	Flexible Pathways:
Industrial Arts Math	Intro. To Const. Technologies	Student Internships
Pre-Calculus/Trigonometry	Intro to Mech. Technologies	Service Learning
Calculus	Math Department:	Math Department:
Physical Education Department:	Algebra I Academic and Honors	Algebra I
Physical Education	Algebra II Academic and Honors	Geometry
Science Department:	AP Calculus AB	Intermediate Algebra
Physical Science	Geometry Academic and Honors	Algebra II
Biology/Lab	AP Statistics	Pre-Calculus
Chemistry/Lab	Pre-Calculus	Math Support
Environmental Science	Personal Finance	Physical Education Department:
Physics/Lab	Pre-Algebra	Physical Education
Science, Tech. Eng., and Math	Physical Education Department:	Science Department:
Social Studies Department:	Fitness	Introduction to Physical Science
20 th /21 st century US History	Health and Wellness	Biology

Economics	Physical Education	Chemistry
Current Events	Science Department:	Physics
Rochester Prog. of Studies Cont.	Academic Biology	Whitcomb Prog. of stud. Cont.
Asian Studies	South Royalton Prog. Continued	Intro to Anatomy and Physiology
Southern Hemisphere	AP Biology	Botany
Introduction to Art History	Academic and Conc. Chemistry	Geology
Local History PLE	Conceptual Biology	Geographic Information Sys.
Capstone Project	Earth and Space	Structured Ind. Study
Drivers Education	Environmental Science	Social Studies Department:
VAST	Human Anatomy and Physiology	Humanities US History
VTVLC	Physics I	European History
Dual Enrollment	Social Studies Department:	American Studies
	AP Human Geography	Current Events
	AP US History	War History
	Comparative Government	Vermont Studies
	Comparative Religion	Street Law
	Cultural Anthropology	History of Film
	Media Analysis	Political Science
	US History Academic & Honors	Bethel Road Show
	World History	Drivers Education
	Psychology	VAST
	Vermont Studies	Dual Enrollment
	Drivers Education	VTVLC
	Community Based Learning	
	VAST	
	VTVLC	
	Dual Enrollment	

The possible high school scenario for a new, unified high school program could include the following:

A simple comingling of the courses of studies for the three schools offers some great insight into the increased course offerings for all students. These do not include any possible project-based opportunities, increased areas of offerings such as Computer Science, Biomedical Science, Engineering, or expanded AP and on site dual enrollment courses that could be offered and will be further discussed by a committee of staff, students and community members.

20 Social Studies Courses	2 Full Year, 18 Semester Courses
10 Science Courses	10 full year courses, 3 semester equivalent Labs
9 Math Courses	8 Full Year Courses (2 sections of Algebra 1, 2, & Geometry, 1 of Calculus, Statistics, Pre-Calculus, 2 sections of remedial
21 English Courses	6 full year courses, 15 semester courses
8 Language Courses	8 Full Year Courses-2 sections level 1 and 2, 1 section 3 & 4
3 PE Courses	3 Semester courses offered each semester
10 FACS courses	10 Semester Courses
18 Arts/Music Courses	2 Full Year Courses, 16 Semester courses
6 Tech Ed	6 semester Courses
98 Total Courses	34 Full Year Courses, 64 semester courses

Current athletic offerings include:

Rochester Athletics	South Royalton Athletics	Whitcomb Athletics
Fall Offerings		
Cross Country	Cross Country	Boys JV Soccer w/Northfield
Boys Varsity Soccer w/WHS	Boys Varsity Soccer	Boys Varsity Soccer/RHS
Girls Varsity Soccer w/WHS	Girls Varsity Soccer	Girls Varsity Soccer w/RHS
Winter Offerings		
Boys Varsity Basketball	Boys Varsity Basketball	Boys Varsity Basketball
Boys JV Basketball	Boys JV Basketball	Boys JV Basketball
Girls V Basketball w/WHS	Girls V Basketball	Girls V Basketball w/RHS
	Girls JV Basketball	
	V Bowling	
	JV Bowling	
	Nordic Skiing	
Spring Offerings		
Boys V Baseball w/WHS	Boys V Baseball	Boys V Baseball w/RHS
Girls V Softball w/WHS	Girls V Softball	Girls V Softball w/RHS
Track	Track	Track

Expanded opportunity through unified school:

Using just these established sports will increase the playing time and development of younger players by adding either JV teams where only Varsity exist, or freshmen teams where both JV and Varsity currently exist. As an example, Full JV teams for boys and girls soccer, freshmen teams for boys and girls basketball, and JV teams for baseball and softball.

Possible expansion areas:

Additions: Boys and girls Lacrosse, ultimate Frisbee, Volleyball.

Reintroduction of: field hockey, golf, gymnastics, and cheerleading,

These are being identified by the Athletic directors and will be worked through with student, parent, and community input.

Middle School athletics:

Rochester Athletics	South Royalton Athletics	Whitcomb Athletics
Fall Offerings		
MS Cross Country	MS Cross Country	
Coed MS Soccer	Coed MS Soccer	Coed MS Soccer
Winter Offerings		
Boys MS Basketball	Boys MS Basketball	Boys MS Basketball
Girls MS Basketball	Girls MS Basketball	Girls MS Basketball
	MS Bowling	
	MS Nordic Skiing	
Spring Offerings		
MS Baseball	Boys MS Baseball w/Chelsea	MS Baseball
MS Softball	Girls MS Softball	MS Softball
MS Track	MS Track	MS Track

Middle Level increases will be having age appropriate teams, no more co-ed teams, and the possibility of expansion of all of the potential additions and reintroductions at the high school level.

Attachment F

FULL DESCRIPTION OF OUTDOOR EXPERIENTIAL LEARNING PROGRAM

"The White River Valley Union High/Middle Schools will offer an Outdoor Experiential Learning Program at its Rochester, VT campus that will prepare students for careers in technical and professional fields. The Program is designed to provide students with rigorous, place-based learning opportunities by accessing the unique resources within the White River Valley, the current Rochester School Forest and the Green Mountain National Forest. The program is envisioned as a semester or multi-semester long program that could be formatted in a variety of ways to serve a broad segment of both the high school and middle school student population. Curricula offered by this program will enhance the skills and knowledge gained in traditional education settings by allowing those concepts and theories to be put into practice through the use of an interdisciplinary, hands-on approach and collaborative partnerships. This will expose students to the practical application of knowledge and skills to potential career paths.

The Outdoor and Experiential Learning Program is conceptualized to be delivered via three educational tracks which can be followed singly or blended to provide the greatest flexibility to a student's particular interests. The three tracks are briefly described here:

The *Field Science Track* would pursue environmental sciences with classroom instruction followed by hands-on field based learning. Coursework may include studies in fisheries biology and management, wildlife biology and management, forestry, botany, entomology, ecology, hydrology, climate sciences, and geographic information services (GIS). This track would incorporate chemistry, physics, mathematics and engineering principles in its curriculum design.

The *Education/Philosophy Track* would pursue the study of the art, history and outdoor education in the local and global environment through instruction, self and group reflection and place based learning. Coursework may include creative and nature writing, selected readings on local history, Vermont and conservation themes, the science and art of environmental interpretation, the study of VT culture, the land use history, reading the land patterns, grant writing and topics in environmental law.

The *Recreation/Tourism/Business Track* would provide hands on experiences and education preparing students for careers in the rapidly growing and changing field of recreation and tourism management. Studies may include recreation site planning, trails planning and management, tourism management, hotel operations and management, land use and transportation planning (roads), ski area management, rock climbing and ropes courses, and summer camp and trek planning and management."



STITZEL PAGE & FLETCHER PC

ATTORNEYS AT LAW

Steven F. Stitzel – sstitzel@firmspf.com – (802)660-2555

February 14, 2017

Stephan Morse, Chairman
VT Board of Education
219 North Main Street, Suite 402
Barre, VT 05641

Rebecca Holcombe, Secretary
VT Agency of Education
219 North Main Street, Suite 402
Barre, VT 05641

Re: *White River Unified School District (Alternative Proposal)*

Dear Board Chair Morse and Secretary Holcombe:

This office represents the White River Valley Supervisory Union and its member districts. I am writing to address the constitutionality of board member allocation among the three (3) towns that will be members of the proposed White River Unified School District. The Articles of Agreement provide, as an alternative to election of board members on an “at-large” basis, formation of a nine (9) member governing board with members having equal (non-weighted) votes. Using the most recent census data board members will be allocated among the three (3) member towns on the basis of population using the “highest remainder” methodology. This will ensure that each member town will have at least one member on the board and all nine (9) seats will be allocated. The initial allocation will be as follows:

Bethel	3
Rochester	2
Royalton	4

The Equal Protection Clause of the U.S. Constitution has been interpreted to require that elected governmental boards be composed of members who, ideally, represent similar numbers of constituents (based on population). The degree of “similarity” is measured by calculating deviations from what is “ideal”. For example, a five (5) member board elected to represent five (5) districts, each with a population of one thousand (1000), would be “ideal”. On the other hand, if the same five (5) member board represented districts with populations of 1000, 1000, 1000, 750 and 1250, respectively, one district would be 25% below the “ideal” and one would be 25% above. This results in an average population deviation of 10% and a maximum population deviation between two districts of 50%.

The combined population of the three (3) member towns is 5,942. Ideally, then, each member of the nine (9) member board would represent a population of 660. The proposed allocation results in the following deviations:

		Pop. per member	Deviation from 660
Bethel	3	677	2.5%
Rochester	2	570	-13.7%
Royalton	4	693	5.0%

This results in an average population deviation of 7.06% and a maximum deviation of 18.7%.

The U.S. Supreme Court has recognized that significant deviations from what is ideal may be permissible where allocations are made to preserve representation along historic political boundaries such as, cities, towns, counties and similar entities. Brown v. Thomson, 462 U.S.835 (1983) addressed the constitutionality of Wyoming's legislative reapportionment in 1981. Under the plan, each county was allocated at least one representative. The "ideal" population per representative was 7,337. Niobrara County with a population of only 2,924 was 60% below the ideal population. The average deviation for the reapportionment was 16% with a maximum deviation of 89%. Despite these deviations, the Court found the apportionment constitutional noting "... Wyoming's longstanding and legitimate policy of preserving county boundaries." Id. at 847.

The role of Vermont towns in the organization and governance of public schools finds its roots in Chapter II, Section 68 of the Vermont Constitution which provides that "... a competent number of schools ought to be maintained in each town....." Over the past two centuries and countless statutory changes, public schools have emerged and survived in most towns, forming strong ties with their host communities. The board member allocation proposed in this case preserves Vermont's "longstanding and legitimate policy" of respecting the political boundaries of the towns that have established and long supported their public schools.

That the proposed board member allocation meets the constitutional standards of Brown v. Thomas is obvious. First, the population deviations of 7.06% (average) and 18.7% (maximum) are far smaller than those involved in Brown. Also, the preservation of political boundaries for purposes of representation are no less significant.

Board Chair Morse and Secretary Holcombe

February 14, 2017

Page 3

To conclude, it is our opinion that the method for allocating the nine (9) members of the proposed board satisfies requirements of the Equal Protection Clause of the U.S. Constitution, as such have been articulated by the U.S. Supreme Court.

Sincerely,



Steven F. Stitzel

SFS/gc

cc: Bruce C. Labs, WRVSU Superintendent

