

1 H.605

2 Introduced by Representative Grad of Moretown

3 Referred to Committee on

4 Date:

5 Subject: Education; education spending; equalized pupils; Tropical Storm

6 Irene

7 Statement of purpose: This bill proposes to provide that, for purposes of
8 determining a school district's education property tax rate for FY2014,
9 FY2015, and FY2016, a district's equalized pupil count shall not reflect the
10 loss of students who have moved from the district as a direct result of loss or
11 damage caused by Tropical Storm Irene.

12 An act relating to a decrease in a school district's equalized pupil count
13 because of Tropical Storm Irene

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. EQUALIZED PUPILS; TROPICAL STORM IRENE; HOLD

16 HARMLESS PROVISION

17 (a) For purposes of this section:

18 (1) "Displaced pupil" means a former resident pupil of a school district
19 who has emigrated from the district as a direct result of loss or damage caused
20 by Tropical Storm Irene.

1 (2) Emigration from the district is the “direct result” of the loss or
2 damage if the parent or guardian of the pupil affirms by affidavit that the pupil
3 would not have emigrated but for the loss or damage caused by Tropical Storm
4 Irene. If the district cannot locate the parent or guardian, then “direct result” is
5 demonstrated by the affidavit of the superintendent of the supervisory union in
6 which the district is located affirming this connection.

7 (b) For purposes of determining the education property tax rate for
8 FY2014, FY2015, and FY2016, a district’s equalized pupils under 16 V.S.A.
9 § 4010 may include former resident pupils whom it identifies as displaced
10 pupils.

11 (c) A district that wishes to include displaced pupils in its equalized pupil
12 count pursuant to this section shall provide additional documentation requested
13 by the department of education. The department’s determination of whether
14 the district has demonstrated that a pupil is a displaced pupil shall be final.

15 (d) Notwithstanding subsection (b) of this section, the department shall also
16 determine the district’s actual equalized pupil count in FY2014, FY2015, and
17 FY2016 and shall use the actual FY2016 number when making calculations
18 under 16 VSA § 4010(f) for the FY2017 equalized pupil count.

19 Sec. 2. EFFECTIVE DATE

20 This act shall take effect on passage.