

Testimony Submitted by Rep. Toleno Amendment to H. Ways and Means
Re: Amendment to H.887

I have served in the legislature for 12 years. The biennium before I arrived, the legislature chose to change the governance and leadership of the state's education system. My recollection is that at the time these changes were expected to help bring alignment and accountability to a system that a majority felt was too independent and was not accountable enough to the voters; that the structure of an independent board with a Commissioner who they hired and supervised gave too much power to an unelected board.

It was a plausible theory of change to give the Governor more of a leadership role in selecting and managing the newly reclassified Secretary position and more direct oversight over the professional staff at the new Agency. However, from my perspective, across administrations from two major parties, the experiment has failed to yield the results expected of it.

The agency is severally degraded in its capacity to provide timely and accurate data, let alone meaningful assessments of pending legislation, or even basic compliance with federal law as we saw with the Title 1 fiasco this winter. Vermont's schools and school leadership need a strong agency partner to meet the needs of a system facing a substantial rethinking.

To those who might wonder whether the purpose of this amendment is to critique the current Governor, I want to make clear that from my perspective the issue here is more about the nature of Governors and our system of two year terms than it is about this Governor. Two year terms create an inherent instability of strategic leadership for a system which changes slowly, often in cycles of 4-6 years or longer. An independent board provides more strategic stability over time.

Almost nothing in the political realm is more consequential than our public education system. It puts enormous pressure on all of us in our roles as political leaders; for Governors, it is natural to use the power we granted them 13 years ago to shape the Agency's communications and activities in the direction they wish to go. I personally feel that I have seen evidence of this and it was not about the party holding the office. We politicized the board and the Secretary role when what was needed was the highest quality, depoliticized, strategic support to address the educational ramifications of declining enrollment and the fiscal impacts of the system's design that we all are grappling with in this bill.

In the years ahead, as this bill's mechanisms work their way into law, we will desperately need a board and agency with the trust and confidence of the field,

which cannot happen without changes now. My amendment sets that process in motion - so that by the time we are ready with the information in hand from the Commission on the Future of Public education, and from all of the other steps directed by this bill, we have a chance of having a board which is more representative of the public school system and an independent Commissioner who can advocate and explain without limit what it will actually take to ensure the department can meet the times.

In the last 12 years the issues of declining enrollment, increased money going to tuition outside of the public system, service delivery of special education, the lack of viable governance and viability of CTE business models, and ever increasing costs have all pointed consistently at the need for structural change, but it has always felt like a base closure problem to me. As someone who came of age in the 1980's, base closure is shorthand for how I remember the extreme political difficulty of downsizing a military base infrastructure that had been built out in hundreds of congressional districts. Everyone knew we needed fewer bases to lower costs and to address the emergent operational needs of a rapidly changing security landscape - but no one wanted to close *their* base. It took a bipartisan (that is, depoliticized) process led by two RETIRED leaders - one Republican and one Democrat - who were therefore unafraid of the political risks and were able to be independent in their judgement and break the stalemate.

This is our moment.

Thank you for your consideration,

Rep. Toleno