

MEMORANDUM

TO: House Education Committee

FROM: Joel D. Cook, Executive Director, Vermont-NEA

DATE: March 13, 2014

SUBJECT: Thoughts on school governance for House Education Committee

I am hesitating, as I start, because, as surely as I am sitting here, I know that some of you will understand what I am about to say as opposing your efforts. I want you to know that is not the case, but it may very well appear that way to you. I do believe this effort is flawed, and I believe the bill needs significant modifications as you proceed. I'm going to make about eight or so points and will appreciate your reactions as I go through them. I will address the current draft, but will also discuss some matters not in the current draft.

1. Mandate v. incentives

We've been heavily involved in state level governance discussions for decades, and I have testified on the subject probably 30 times. In 1992, Vermont-NEA participated in the production of that year's proposal, which looked in major respects like this one.

Over the past 15 years, there have been next to none in which the issue hasn't been front and center, either through a council, a study, incentives or some mandates.

The many studies and proposals over the past half-century lead largely in the direction you've set here. Importantly, every one of them failed.

The essential learning from experience is that to the extent those of us with a statewide perspective fail to take local community interests sufficiently into account, governance change plans fail. They may fail anyway because of local community interests.

A notable example to the good is Rivendell. That interstate district was formed from 5 small districts in the late 90s, not out of any state-driven concern but purely from the local interests of the several communities involved, and the nurtured support of the variety of local interests involved, with support from state capitals and employee unions on both sides of the river. It worked because the local communities each and all wanted it to.

A different example is the Act 153 approach. My distinct memory of the origins of the RED concept is this. There was concern in this room that, unless we all came up

with some voluntary approach to governance change, along with the incentives and protections accompanying it, then someone was going to come along and impose it.

Some view the fact that only a few communities – or groups of communities – ultimately decided to produce REDs or variations on REDs that the law was or is a failure.

I've never understood that. The overt purpose of that law was to provide incentives to communities that they were free to use or not. Every community was free to determine if they were sufficiently interested in governance change to take advantage of the incentives. Some were; most apparently were, and are, not.

I think that is very instructive here. It escapes me how we can expect our communities to embrace the sort of mandate this bill contemplates when they rejected an approach with benefits.

This is where we may be misunderstood as opposed to this proposal. It is not its substance so much as its similarity to failed efforts over the past half-century to accomplish much the same thing. In the process, we have failed, time and again, to enact "lesser" measures that most people would agree would help our schools.

So, while we at Vermont-NEA do not oppose governance change for a variety of reasons, we fail to see how attempting to mandate it in 2014 differs from the many failed attempts to mandate it over the past half-century. Yes, even because of the press of costs. The press of costs in education has virtually always been there, and some who embrace district consolidation plans believe there are huge numbers of dollars to be saved by doing that.

2. Clarity of purpose: learning opportunities for all students

You have been plain: the purpose of this proposal is not to save money, at least not a lot of money, and certainly not immediately. The purpose, rather, is to provide greater access to learning opportunities, by whatever name.

The concern we have is the absence of evidence that governance change translates, without a whole lot more, into expanded opportunities to learn. I certainly understand the logic, but I believe the experience in other locales would lead to the conclusion that learning opportunities generally decline for kids from outlying communities, small communities, low wealth communities.

That is not to say that no governance change could lead to expanded opportunities. It is to say that this proposal provides, as yet, nothing convincing that it will lead to expanded opportunities. The scope of the change all over our state required here, it seems to me, should, before it is invoked, hold more than a promise and theory that governance structure leads to expanded opportunities for our children. More on this in a few minutes.

3. Boards v. councils

One more basic criticism before offering what I hope is actually helpful. The idea that eliminating community school boards is somehow going to improve the delivery of education to a community's children is one we have never understood. Of course, it appears quaint to us that we have more than 1000 locally elected officials to oversee fewer than 100,000 schoolchildren. And, concern about that is fed by all the discussion about the other adult/student ratios in our schools. Whenever, in gatherings in other states, I mention our governance structure, people invariably say, "I wish we had something like that." **They envy us for the institutionalized community involvement we have.**

So, when the suggestion is made that we can just replace school boards, with actual decision-making authority delegated to them by their communities, with advisory school-based councils appointed by the principal, we end up saying, well, that's better than nothing, but it is certainly not better than what we have.

4. Several issues that should be addressed in this legislation

In short, we do not think mandating this sort of thing will gain the traction necessary to sustain it. We believe it is more worth our collective efforts to address matters of shared concern and limited lack of appeal.

a. Number of administrative units. For example, we do think the number of administrative units could readily be reduced.

b. School and school system leadership. We must address the school leadership gap: we will never consistently induce high caliber educators to leave the classroom for the ranks of administration unless we make the work of administration attractive enough.

It is not attractive to become a principal unless we compensate the position well enough, and provide it with at least a modicum of job security beyond what exists, and provide our principals with the time and other resources they need to spend more of their expertise as actual instructional leaders.

It is not attractive to become a superintendent, unless we compensate the position well enough and insulate it, at long last, from being at the beck and call of multiple bosses. There are ways to accomplish that well short of eliminating community school boards.

It is not attractive to become a business manager (not typically filled from the teaching ranks), unless we compensate the position well enough and structure financial management in ways that avoid redundant exercises

and redundant costs. These are matters that can be addressed far short of changing the entire system.

c. Administrative change generally. We can definitely support changes at the administrative unit level – what we call SUs. It makes sense to do that, and it can be mandated in ways that do not intrude into our communities' values.

d. Learning opportunities. We can definitely support any of a number of ways to expand learning opportunities for our children, whatever the size or socioeconomic status of their community.

Require offerings. In particular, we do not shrink from the imposition of mandated school offerings (although we generally do shrink from state-specified curricula). That is, there is no reason the state should refrain from ensuring that communities meet whatever education quality standards the state sets. We've had standards of various sorts over the decades. We can and should continue to make good or better use of that mechanism.

More seamless system-wide approaches. For example, we can require more seamless approaches to student learning across districts within pre-K – 12 systems. That can be done through global and mandated governance change, but it may be possible to get there in less dramatic ways. It is also not clear in the proposal just how the larger district board will interact with a local school council or local community that disagrees with it, about anything.

For example, a global district budget will obviously be the composite of multiple building budgets. Will local councils have a say in budget development? To what extent? If the school board determines a community should shut its school, how will that happen? To what extent will students in that community be ensured expanded learning opportunities? It's possible, but there's nothing we see in the current proposal that seems to address it. Without it, the distinct possibility is that what has happened in consolidation efforts elsewhere will happen here: low income kids from small communities will end up on buses and be deprived of the individual attention that we know allows them to thrive. That can be addressed, but it isn't addressed.

Another example is, of course, special education. The cost has been an issue, well, forever. When we simply institutionalized people with disabilities, the fiscal and social costs were well-hidden until outed by the efforts of public interest journalists and law firms. When the federal law first passed in the early 1970's, it was accompanied, of course, by less money than promised. Vermont, because it is the wonderful community it is, embraced our special needs children and their rights, leading to the most inclusive education system – by far – in the nation. We celebrate that until, of course, we see the cost.

e. Small schools. On the issue of school closure, whatever your intent, under the proposal, it is virtually inevitable that schools in our smaller communities face elimination. I understand that can appear to be addressed on paper by limiting who decides to close a school, but leaving resource allocation in the hands of one central board could lead to outlying schools being deprived of needed resources. I see nothing in the proposal that addresses this. The state should identify those schools it believes should, in fact, close, and proceed to provide their communities with assistance.

f. References to school spending. In Finding 7, we disagree with the assertion that school expenditures are unsustainable. That doesn't mean we should spend whatever. It means that growth in expenditures, notwithstanding the decline in enrollment, is commensurate with inflation and demands placed on public education by the federal government and the state.

g. Voting. We are concerned about the implications of "1 person 1 vote" here, as it relates to our small communities. In short, they stand to lose all identity, or at least authority, over what happens to their own schools, and we think everyone should consider the implications. I well know the flip side: SU budgets now escape voter approval. We pointed that out when Act 153 was considered. There are ways to address that without changing the entire structure of school systems. It is demonstrable that voter interest in school budgets declines with distance.

h. Transition provisions for employees and their representatives. I continue to appreciate the continuing retention of these in the sections that otherwise repeal 153 and 156. For Vermont-NEA to have any capacity to support this effort, we would want to see comparable provisions directly in the body of the bill and not leave to one or more of the working groups to develop them. We'd have to spend too much of our time on those issues and less, as a result, on helping make this work. Those provisions needed would address at least employee transitions, required recognition of their union in the transition, and the protection of employees covered by the Municipal Employees Retirement System.

If you have questions, I'll be pleased to try responding to them. Thank you very much.