

Public Funds Flowing to Private Schools, S-91

William J. Mathis

Chair, Legislative Committee

State Board of Education

February 12, 2014

The position of the State Board of Education is that public schools should not be privatized. Such actions diminish democracy and the public stewardship of education. The board is mindful that Vermont's greatest educational problem is the achievement gap and the effect of contemporary privatization initiatives is to further segregate our society (Miron; Ladd; Bifulco; Mickelson). At the same time, the Board respects Vermont's historical independent (private) schools and recognizes that certain private schools serving unique special needs are essential.

S-91 deals with a narrower range of issues and we urge the committee to explore privatization initiatives more broadly. Last year, the committee reviewed a bill which would prevent privatizing a public school but it did not make it through the legislative process.

Comments on the specific provisions of S-91:

- Enrollment in any independent school which receives public funds as a primary revenue source should not be determined or denied based on a protected class. Any other arrangement offends equality of opportunities.
- While recognizing the political necessity for a "Primary revenue source" threshold, it is recognized that any such cut-point will be somewhat arbitrary and care must be taken to discourage gaming of the system. Inevitably, this will require some fiscal monitoring mechanism employing GAAP procedures and be compatible with the federal chart of accounts.
- Students should be admitted in private schools and served regardless of the nature of their handicapping condition in the same manner that public schools must serve all children. Any other solution exposes the school and the state to charges of systemic inequality and potential legal challenge.
- Schools that receive public funds as a primary source of funding must adhere to the rules and laws in the same manner as public schools. If any rule or law is found to thwart high quality education, equality of opportunity, cost-efficiency or reasonable practice, it should be remedied for all schools. Otherwise, a protected class enjoying special privileges is created.