

COMMENTS/RECOMMENDATIONS ON COMMITTEE BILL 15-1034—DRAFT 3.1
Steve Dale, Executive Director, Vermont School Boards Association
February 18, 2015

Section 1 Purpose

We support the language in this section.

Sections 2 – 6 Yield; Dollar Equivalent

We are neutral. We all need to be able to explain this in very simple terms for the public not to be suspicious of the change.

Sections 7 – 8 Ballot Language

We support the informational language on the ballot. It is critical for all Vermonters to understand the importance of “cost per student” on the local tax rate.

Sections 9 – 11 Small School Support

The VSBA is divided on the phase out of small schools grants. Those not receiving the grants wonder why we are incentivizing smaller operations at a time when we are encouraging joining together. Many who receive the grants believe that they were part of the original Act 60 deal for passage and that they acknowledge the importance of small schools in Vermont and the fact that operating a small school can cost somewhat more per student than a larger school.

If the decision is to phase out the grants, the timetable is reasonable. The language for “merger support grants” should include the current RED language, but should be expanded to add in allowance for “Alternative PreK-12 Education Systems” approved by the State Board.

We urge adding language which allows for grants to continue if criteria for alternative “PreK-12 Education Systems” are accepted by the State Board by the deadline. There are many places in Vermont who will not be able to adopt a RED structure.

Sections 12— 13 Declining Enrollment

We support the idea of limiting the buffering for districts which are losing students to prevent long-term protection from the impact of declining student population.

We have some concerns about the specifics and would like to see modeled exactly what would happen to some affected districts. It is critical that we not create a crisis for particular communities and their children during the phase out.

Section 14 Special Education Funding Study

We support the study as written.

Sections 15 – 16 Publicly-Funded Tuition

We have serious concerns about this section, particularly as it relates to our many border towns where a neighboring community in another state is much closer than any other Vermont village. We don't need to be building artificial barriers. Some of our members (and the Governor) have expressed concern about retaliation—we have a number of New Hampshire students served in Vermont schools.

We are assuming that the key driver for this provision is our state paying toward the tuition of exclusive private schools located throughout New England, the Country, and the world. That issue may be best tackled by limiting public tuition payments, in state or out of state, to public schools and to private schools which meet key “public requirements” such as open admission and provision of special education services.

We suggest that the best alternative this year would be to study the costs and benefits of tuitioning Vermont students in all kinds of settings. The VSBA would like to be part of the advisory group for that process and has ideas for the types of questions to be considered as part of a study.

Sections 17-20 Governance

The VSBA believes that given the issues of inequity, quality, and cost, some kind of action is needed to encourage, incentivize and support districts in coming together to gain scale and flexibility. We greatly appreciate the responsiveness of the chair to feedback provided thus far and have some suggestions to make the bill stronger and more likely to receive support from boards.

(a) Integrated Education Systems

This is a reasonable description of what we have discussed.

(b) Self-evaluation and proposal

Central to the VSBA position has been the ability to pursue either a single board or a multiple-board strategy. This is important for a number of reasons, but it is critical given the protection of “choice” and “operating” patterns that are included in section 17 (g). We recommend the following language be added/modified:

Page 23, line 7

Stop subsection (2) after the words “before July 1, 2019.”

Insert a new subsection (3) which would read: “The report may include a plan which creates a PreK-12 integrated education system overseen by a single board or multiple boards within a supervisory union structure.”

A new section (4) would begin with the words “The Report . . .” and read as follows: “The Report, which if approved by the State Board of Education and subsequently by the electorate shall be the new integrated education system’s articles of agreement, and shall to the extent required by the plan:” keep (A) (B) (C) as drafted in version 3.1

(c) Evaluation by the State Board of Education

It is important in subsection (3) to be clear that an important reason for an ongoing multiple board structure may be the maintenance of choice in some districts. To that end, we suggest the following wording change on the top of page 25, line 1 following the words “particular region;” ***“and/or is necessary to protect historic choice and operating decisions as outlined in subsection (g)”***.

(d) Describes an expedited process which would be fine.

(e) Section (e) is problematic. One of the key problems with H883 last year was the element that had a “design team” realign the entire state after a period of voluntary activity. That became a point of substantial controversy and contributed to the lack of a successful bill. We do not think it is wise to go down that road. The rest of the bill would represent the first time that the law required Vermont to function as PreK-12 systems. There is no need to have a section outlining “or else”. We must assume most people act in good faith. Some lawmakers have expressed frustration with the limited movement under Act 153 and Act 156. These were “voluntary” bills. Policy makers should not be frustrated when local entities do not respond to something that is offered voluntarily. A strong, clear policy statement will be enough to move the state forward in a substantial way. We do support the Governor’s proposal for a results-oriented approach using the assessment system that will be implemented by the Agency of Education. If districts are very low in their educational performance or very high in their costs, an intervention can occur which could include structural realignment. Section 10 of the Senate bill includes language that may apply.

(g) Protection for operating and non-operating.

This is a very important section of the bill, given our complexity.

Section 21 **Data Quality Assurance**

We support the Agency developing such a system. We, again, would suggest consideration of the Governor's proposal which has been drafted in section 10 of the Senate bill.

Section 22 **Principals and Superintendents**

We support the need for further clarification of roles. If good language can be developed this year, the study may not be necessary. If that work will take more time and attention, we support the study.

Section 23 **Contract Imposition; Strikes; Binding Interest Arbitration**

The VSBA has taken a strong stand that binding interest arbitration is not the way to avoid much-hated teacher strikes. Binding interest arbitration virtually guarantees continuation of the status quo at a time when we are in a very dynamic environment, educationally and financially. We also disagree with giving ultimate control of such important decisions to an unaccountable third party. Many states in this country have adopted other approaches to addressing this important issue. We support a thorough study of this issue and are prepared to be involved with the Secretary and the Vermont NEA in exploring the range of models that exist in the United States and the development of an approach that would enjoy broad support.

Section 24 **Education Mandates; Moratorium**

We support this provision. It is much appreciated in this very difficult environment.

Additional Considerations:

The committee needs to give focused consideration to the resources needed to support the changes outlined in this bill. There must be adequate infrastructure in the Agency of Education and at the State Board to properly support and process all of this activity. Language around deadlines must include language that provides allowances for delays caused by the Agency of Education or State Board.