

House Education Committee Testimony Act 46

Judith DeNova

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Dear Committee Members,

By way of introductions, I am the Superintendent of Chittenden Central Supervisory Union (CCSU) and a resident of Westford. I would like to thank you for the opportunity to provide testimony on the effect of Act 46 legislation on CCSU. My colleague, Mark Andrews, Superintendent of Essex Town is also here to provide testimony. I've structured my testimony in terms of your request to understand the effect of Act 46 on CCSU through the lens of both the benefits, as well as the challenges associated with the successful outcome of the Essex Westford Educational Community Unified Union School District vote on November 3, 2015. My comments are guided by the successful work of an engaged community and dedicated study committee as well as my perception of the great deal of work that lies ahead.

In our situation, the work of the study committee began even before Act 46 was signed into law, as our school boards were hearing concerns from taxpayers regarding increased costs to education and affordability. Acts 153/156 provided the initial incentives which were of great interests to all of our districts. For example, the Westford community, a CCSU member district, defeated their school budget for the past two years and requested the school board charge a sustainability committee to study these concerns including looking at the viability of operating Westford as a private school. As the legislature was grappling with the same concerns statewide, it was helpful for Secretary Holcombe to also bring forward the inequities our students experience within the current governance structures. With the lack of a universal school governance structure in the state, and the costs associated with that, the Westford, Essex Town, and Essex Junction communities were motivated to form a study committee to explore two central questions:

- Will a unified school district lead to more opportunities, better outcomes, and an enhanced experience for kids?
- Can a unified school district make education more affordable today and into the future for the communities it serves?

Through the transparent work of a balanced and representative study committee, the benefits of unification became quickly apparent. After four months of discussion and analysis, a committee made up of 20 citizens from Essex Junction, Essex Town, and Westford, agreed to submit a proposal to voters this November to create a unified school district. ([Red Study website](#)).

Here are some of the benefits revealed by the Red Study Committee:

Educational Benefits of a Unified Union - Opportunities & Excellence

- One school board creating and sharing one vision, one mission and one strategic plan for continuous improvement.
- An educational design providing a continuum of programs, curriculum and experiences for all students and a seamless transition for students across the PreK-12/Tech system of schools.
- Opportunities for enhanced, expanded and specialized educational experiences for all students within growing diversified communities.
- Collaborative professional development opportunities and career advancement for teachers and support staff.
- Leveraging the talents and expertise of our teachers and support staff.
- Sharing best practices from each school.

Streamlined Governance - Transparency and Accountability

- Transitioning from five school boards to one.
 - Retention of board member service.
 - Proportional board representation.
- Transitioning from five budgets (and the costs associated w/ building them) to one.
- One budget and tax rate that will be easier to understand by voters, in which resources can be allocated across a PreK-12/Tech continuum for all students.
- Less complexity, increasing the potential for greater voter engagement.
- Time and resource savings to deploy resources back to schools.
- More predictable and stable property taxes in the future.
- Five years of tax incentives.
- Predicted annual cost savings of at least \$1 million after the third year.
- Efficiencies of scale in contracting, personnel, budgeting, and operations.

Eliminate Redundancy to Actualize Cost Savings

- Superintendent offices - staffing/physical location
- Human Resources
- Curriculum/Assessments and Personal Learning Plans
- School calendars
- Policies and handbooks
- Teacher Negotiated Agreement & Support Staff Agreement
- Electronic Systems: Student management data systems, financial systems, website and communications
- Annual meetings and voting
- Board and committee meetings
- Reporting requirements
- Communications (annual reports, websites, newsletters, calendars)
- Child Nutrition Services and Property Services

- Professional development planning, technology plans
- Budget development and audits
- Contracts: transportation, fuel, copiers/printers, plowing, recycling/trash
- Legal services/statutory compliance
- Finance and Accounting

Challenges:

The Challenge of High School Choice

As we worked our way through the unification conversation, one challenge for Westford was recognizing the (eventual) loss of high school choice that would come by unification from it's existing PreK-8 structure to a PreK-12 District. We partially addressed the concern in the articles of agreement by grandfathering any student who had already started high school at the time the new district begins operation. However, some parents who had been expecting to send their children somewhere other than Essex High School, as well as community members that felt high school choice was a valuable asset to the community, were left feeling they were losing something important to them.

Since Westford has a relatively small number of high school students (currently less than 100; as there are projected to be 91 during the first year of operation of the new school district), and those that exercise choice to high schools other than Essex High are traditionally less than 20, we thought those who may want to attend Mount Mansfield UHS, BFA Fairfax or another public high school could be accommodated under Act 129 after the grandfathering period. As we did our research, we became very aware of a significant challenge in the way existing public high school choice is structured under Act 129. We were surprised to learn, especially in this time of declining high school enrollment, that these two high schools define their capacity for receiving high school students at six-to-seven total in a given year.

There seems to be two issues at play. The most important issue is that schools have no incentive to define their capacity other than very narrowly, and limiting the amount of students that will be "accepted" under Act 129 simply because no money changes hands and the receiving school is not allowed to count the student. The second is that there is no oversight, (and perhaps there isn't intended to be?), in whether the schools are calculating their capacity in a consistent and equitable manner. Given that school choice is mandated and an inevitable issue statewide in pending unification/merger conversations, we would urge you to consider amending Act 129 to allow the receiving school to either count the student or charge a statewide average tuition amount. Alternatively I suggest the use of a standard metric such as 1-2% of a school's Oct. 1 student count to determine capacity. High schools would be in a better position to begin to define their capacity more broadly and limit financial consequences associated with receiving students if either approach were chosen.

Essex Junction Recreation & Parks (EJRP)

One of the anomalies within CCSU is that EJRP is managed and operated by the Prudential Committee (Essex Junction), which is a CCSU member district school board operating as an Incorporated School District for PreK-8. Other complicating factors are that the land is owned by the municipality and an outstanding bond is held by the school district. The communities of Essex Town and Essex Village are in the process of formulating a proposal to begin a study process in which they will consider alternative governance structures such as a shared Village & Town parks and recreation district now that the unification vote was successful. Assisting the Prudential Committee as they collaborate with the Village Trustees and Town Selectboard with this necessary analysis will be a near term human resource challenge.

Center for Technology, Essex (CTE)

As CCSU Superintendent, I have the distinct pleasure of having a regional technical center sharing the same campus with Essex High School. At this point in time, research needs to be done to transfer the Center for Technology, Essex (CTE) to the new Essex Westford Educational Community Unified Union School District. Recently, a request was filed with Secretary Holcombe by the Franklin West Supervisory Union (FWSU), pursuant to SBR 2374(2)(A), to formally request a change from CTE's current technical education service region to a new technical ed region. Below is an excerpt from the request to the Secretary:

“Our reason for requesting this change is largely due to Act 46. As with many districts in Vermont, we are looking for cost savings in order to comply with our allowable growth limit. Currently our students attend Center for Technology Essex (CTE). By moving our region to Northwest Technical Center (NWTC) in St. Albans, we have determined that our districts would save money...”

I suggest while districts across the state consider unification options that requests to change service regions be suspended.

Transitional Leadership: Pursuant to 16 VSA 706j the new unified union board will

Early in the calendar year, after the necessary steps have been taken by the Secretary of Education and Secretary of State to certify the new unified district, an organizational meeting of the district will be held. While this newly elected board will have nearly a year and a half before this new district becomes operational, several challenges lie ahead. The new unified board will require immediate administrative leadership and support as they:

- Develop a vision and mission
- Develop new district policies
- Adopt curriculum and educational programs
- Develop assessment measures and reporting procedures
- Negotiate contractual agreements
- Prepare and present the budget for fiscal year 2018

- Set up financial and accounting systems and accounts
- Hire a superintendent

· **Develop new district policies** – CCSU has a more traditional policy development model, while the ETSD uses a Policy Governance Model. The new unified board will need to understand these models and others that exist to determine how best to proceed. Regardless of the model selected for policy governance, there are state required policies that must continue to be developed and adopted. For example, the U-46 School Board is required to set new Proficiency Based Graduation Requirements (PBGR) for students graduating in 2020. This requires proficiency based learning environments shifting the culture of our high school from seat time to students demonstrating attainment of required learning proficiencies through multiple pathways identified within their personal learning plans (PLPs).

· **Adopt Curriculum and Educational Programs** – We will have the opportunity to align curriculum PreK-12 across both systems. This will also include developing a common assessment plan and identifying common instructional materials. For example, each system has different elementary math programs. We'll also need to explore coordinating student support services, English Language Learner programs, preschool programming, dual enrollment, internships and early college opportunities.

· **Develop Assessment Measures and Reporting Procedures** - We must also align our data system and the reporting procedures between the SU and SD. Currently, the two different school systems use different electronic student information and student achievement systems. *As other systems across our state unify, there is a dire need for one statewide student data system for all Vermont students. AOE needs the resources to provide this system at the state level.*

· **Negotiate Labor Agreements** - Unification will require that we unify two teacher and two support staff contracts with different language, salary schedules and benefits poses enough challenges without the added complexity of changing health care plans. Any relief from bargaining health care plans would greatly assist with our efforts towards success with unifying contracts. *I recommend statewide negotiations of health care plans and benefits in lieu of each school board having to tackle this difficult challenge independently.* This would relieve a new unified board to focus on other pressing educational matters and would lead to more equity among employees and eventually reduced amount of time and legal fees dedicated to this task.

· **Prepare and Present the budget for fiscal year 2018** – Currently, two different financial electronic systems exist between the CCSU and the ETSD. Decisions need to be made rather soon in selecting one system. This is another area where a statewide system could benefit the field. However, further support would be needed to extend the capacity of AOE with this endeavor which would benefit all districts not just those involved in the unification process.

Over the next three years there will be a myriad of opportunities and challenges in creating the new Essex Westford Unified School District. I firmly believe unification is the right thing for our students. It enables us to ensure consistency of curriculum along a continuum of equitable learning opportunities, and provides the opportunity to closely

monitor student progress and growth over time. I think an unintended outcome of Act 46 is the opportunity our communities now have to begin conversations, in which they advance some shared ideas regarding municipal unification strategies and work together to create transformative change. Act 46 positions both schools and communities to engage in big picture thinking, alter the ways systems currently work, and focus on outcomes and access to resources that will best meet the needs of those we serve.

I applaud the Legislature for pushing this discussion forward

In closing, thank you for the opportunity to inform you of the effects of Act 46 on CCSU and the some of the upcoming focus areas for the new unified school district. I'd be happy to answer any questions that I can.

Respectfully submitted,
Judith DeNova