

Memo to: Vermont House of Representatives and Senate Education Committees
From: Alison Lane Anand, Richmond, VT. March 30, 2015
Re: The relationship between education policies and inequality of opportunity

The purpose of this presentation is to show how certain government policies in education are actually causing inequality of opportunity in America. We Vermonters have always prospered by working together to improve our communities. Yet the prevailing atmosphere of fiscal fear is tempting us to import educational systems that have failed precious children in states around the country. In the spirit of maintaining the values we cherish and preserving the community spirit we Vermonters hold dear, I offer this discussion with suggestions for a more enlightened approach to education policy.

During my almost thirty years teaching in the public schools in Vermont, I noticed a gradual steady increase in the number of roles and responsibilities which the schools were being expected to assume. Many of these used to be considered parenting, a trend of concern in our society. Noticeably, this is largely the result of the growing gap between the rich and poor and the struggle of the middle class. In order to survive economically, most families need to have two income earning parents, resulting in more time at work and less time for family. Effects on our society are extensive.

Growing disparity in income defeats the goals of a peaceful democratic society. A few months ago, Janet Yellen, Chairman of the Federal Reserve, expressed her concern that the gap between the rich and poor in our country is the widest that it has been since the Great Depression. She said this is inconsistent with the values of this country. Pope Francis has made a mission of trying to solve this problem worldwide. French economist Thomas Piketty in his book "*Capital in the 21st Century*" admonishes that too much inequality in income has historically been followed by revolution. He makes the following connection to the importance of education: "Over a long period of time, the main force of greater equality has been the diffusion of knowledge and skills...It depends in large part on educational policies, access to training and to the acquisition of appropriate skills, and associated institutions." *1 An obvious conclusion is that our education system has a profound effect on equality of opportunity. Since that is one of the stated goals in Vermont, we need to approach our legislation very carefully.

Over the past few decades, a "perfect storm" of policies and legislation intended to improve education have actually made things worse.

Education historian Diane Ravitch explains in her recent book "*Reign of Error*" how the No Child Left Behind law of the George W. Bush administration set impossible standards for schools to meet, measured by testing of cognitive skills. If every child did not meet the standards, principals and teachers were fired and schools were closed and/or consolidated. This opened the door for a huge sector of for-profit charter schools which keep the more motivated children who are easier to teach and expel the ones with problems to the public schools.

The system of charter schools, which were originally created by Albert Shankar of the American Federation of Teachers as an alternative for some children with special needs, was usurped by corporations who saw the opportunity for mass profits from selling education programs. Since the charter schools also get some public funding, they have ended up in competition with rather than as enhancement to the public schools. This leaves less funding for public schools with the most needy children, while the benefits of smaller classes and better facilities are reserved for children of the wealthy. Seeing this unexpected result, Shankar has rejected the misuse of his system.*2

The privatization movement spread around the country, stating objectives of improving the quality of education and efficiency of governance structures. However, in reality some of the laws requiring consolidation actually had the result of keeping segregation by race and economic class. Daphne Penn of Harvard University writes: “In recent years, inner-city school districts have worked to balance budgets despite funding cuts and unpredictable enrollment due to demographic changes. While redistricting—the process of changing school boundaries, closing and/or consolidating schools—can effectively address budget and enrollment problems, it can disproportionately affect disadvantaged students and families. In a new study supported in part by the Center for Poverty Research, I have found that redistricting can increase educational inequality, increase segregation within schools and hurt already disadvantaged students and communities.” *3

Difference in educational opportunity has widened the gap between the rich and poor.

The desperate situation in Philadelphia public schools, with \$80 million deficit last year, is a good example. In his new book, *“Our Kids, the American Dream in Crisis,”* political scientist Robert Putnam uses the Philadelphia area as one of our country's most extreme examples of advantaged affluent private schools geographically near starving public schools.*4

Nobel Prize winning economist Joseph Stiglitz in his commentary *“Inequality and the American Child”* says: “Though an average American childhood may not be the worst in the world, the disparity between the country's wealth and the condition of its children is unparalleled...Some 15 million children live in poverty...Among developed countries, only Romania has a higher rate of child poverty. None of this is because Americans do not care about their children. It is because America has embraced a policy agenda in recent decades that has caused its economy to become wildly unequal, leaving the most vulnerable segments of society further and further behind. The growing concentration of wealth—and a significant reduction in taxes on it—has meant less money to spend on investments for the public good, like education and the protection of children.” *5

Consolidation in Vermont, with some schools closing, may well create an opening for private schools to compete with public schools for funds. Turning over the community public school building to a merger can take away an important local real estate asset and community gathering place of cultural importance. In 2013, the Maine legislature tried to reverse school consolidation but failed because the small towns had lost ownership of their schools. After years of consolidation, New York City has recently begun to reopen neighborhood schools with no more than 200 students in each one. **When a community school closes, it reduces the real estate values of people's homes because a community without a local school is less desirable as a place to live.** As we need the tourist industry and appreciate the charm of small Vermont towns, this unintended consequence must be considered.

Some model laws governing school consolidation and redistricting around the country are based on objectives which are not consistent with American values of freedom and liberty.

In addition to exacerbating income and opportunity disparities, some further unexpected results were undermining voter rights, appropriate regulation of educational institutions, and unions.

These model education laws have some common characteristics.

1. Tax credits. Using public funds to further biased agendas, giving tax credits to voters who approve certain agendas at the expense of those who do not.
2. Consolidation of assets of small communities under the control of a board in which the small community has minority representation.

3. Limiting public participation, especially by elementary school boards. Creating very few, or even one state board which is vulnerable to being stacked with members favorable to any agenda.
4. Creating smoke screens through a baffling array of statistics but showing no stated amount or proof of monetary savings.
5. Creating virtual schools eliminating teacher-student interaction.
6. Creating private schools, special schools, many of which are unregulated, at public expense.
7. Consolidation creating long school bus rides which waste time and damage the environment. Children and families feel disenfranchised from their home communities.
8. Undermining unions.

Acts 153, 156 and the proposed H.361 need to be scrutinized for these characteristics. Unfortunately, the recent merger in Chittenden East School District contained some of these difficulties in process. I am enclosing a document which reflects the concerns of many local citizens about this recent merger process. (Please see letter to Vermont Secretary of State, Nov. 17, 2014.)

Understanding these experiences, we can work towards a governance system which promotes rather than destroys equality. Vermont can feel proud that we have so far championed the cause of equal opportunity in education, even at difficult expense. We have recognized that the central purpose of education is to prepare everyone to assume the rights and responsibilities of citizenship in a democracy. This extends beyond the STEM or even the STEAM (include the Arts) subjects. There are important goals of education which cannot be measured by testing cognitive skills. They are the non-cognitive skills: building character and ethical conduct; abilities of thinking, interpretation and understanding; and learning values and attitudes to help people succeed in the face of adversity.

A recent report on job creation revealed that most of the new jobs created in the last few years have been in new start-up companies, not in large corporations which have cut back. Creative ingenuity, characteristically American, has made this difference. We need to teach and foster creativity in our schools. Standardization like the Common Core is too inflexible, monotonous, and is being widely rejected. Vermont educated Fordham University law professor Zephyr Teachout captured 35% of the vote in last November's election for Governor of New York. Acknowledging the excellence of her childhood small Vermont school, part of her platform was to eliminate the Common Core.

There are a number of issues on which there seems to be wide agreement. I applaud the Legislature and executives for their efforts to work on some of these issues.

1. Preschool education is vitally important. A child's formative years before age 5 have a major effect on future success.
2. Poverty and survival struggles have a negative effect on learning. Ignoring the plight of poor children imposes a substantial economic and social burden on all of us.
3. The widening opportunity gap undermines political equality and thus democratic legitimacy, leading to unrest, corruption and potential violence.
4. Parents are the first teachers and need to be encouraged to participate in education.
5. The surrounding community is vital to cultural and social development, safety, and the growth of ethical and moral character.
6. We need to educate people to be active participants in a democratic society.

7. Health care is vital to children and needs to be improved. Premature births, poor nutrition, and lack of access to health care are major contributors to learning disabilities. We also need to help older teens and young adults to avoid having children before they are ready for commitment.
8. The community colleges and vocational training within high schools offer potential for less affluent and non-traditional students to improve their circumstances.

We need policies which will enable us to make progress in accomplishing these goals.

Harvard University Professor of Public Policy and Government, Steven Kelman, proposed two standards for evaluating the public policy making process: "We should judge the policy-making process against the standards of whether it tends to produce good policy, using as an indicator whether the level of public spirit in the system is reasonably high, and whether it builds our dignity and character." *6

By Kelman's standards, our current Acts 153, 156 and the proposed H.361 fall short. For examples, using tax incentives (basically monetary bribes) does not build our dignity and character; and eliminating the majority of school boards and school board members is not resonating with the Vermont public as consistent with American values of decentralized power. The RED has not been popular in Vermont, even with the tax incentives, because disadvantages of the system seem to outweigh the advantages. A few years ago, Chittenden South Supervisory Union looked at doing a RED and rejected it mainly because the few savings that might be incurred could be accomplished in simpler ways without a merger. The town of Huntington voted not to join the Chittenden East District merger in November 2014. Already, people in Richmond are questioning the justifiability of closing their elementary school kitchen and consolidating custodial services as savings resulting from the merger. It seems to many of us that the idea of consolidation has been grasped as a quick fix without research showing meaningful benefits and savings. Act 156, passed in 2012, even contained a clause offering financial rewards for research favoring consolidation. This is not a valid approach.

Please consider these suggestions for a more enlightened approach to good policy than we currently have in laws Act 153 and 156, including the proposed H.361 as so far seen.

Eliminate the tax incentives to merge districts favoring the RED system. This amounts to monetary bribes for a biased agenda. Isn't this a violation of Article 8 of the Vermont State Constitution? Such practices creeping into our laws undermine the Constitution and voter rights. They cloud the real social and educational issues which need to be considered. A good idea can stand on its own merits. Financially, incentives are unfair and unsustainable in our climate of deficit. Here is an opportunity for some financial savings.

Keep the local school boards. Local independence is the bedrock of a strong, inclusive Vermont society, necessary for our schools and crucial to our children. "If we believe in democracy, and if we believe that public schools must act in concert with the principles of democracy, then we must reject authoritarianism from any quarter, be it the mayor, the state education department, or the federal government...The children belong to the parents, and the schools belong to the public... Public officials are elected to serve the public, not to control it." *7 School board volunteers donate much time and talent to the schools. They are the best able to deal with issues unique to a given community and should not be replaced by a more remote board overseeing a large number of schools. Decentralization is absolutely key to freedom and autonomy. Organizational structures that are largely consolidated lose their ability to be nimble and respond to specific needs of a local community.

Find ways to protect the financial and real estate assets of communities. Selling the community school to a merger for \$1.00 and assuming assets and liabilities of an entire district, especially when monetary details are not transparent to the public, is very suspect. The school building should be an important community center for town meetings, sports and cultural events, a library, a place for all citizens. Turning over the community school building to a merger can take away an important local real estate asset and essential gathering place. Residential real estate values decline in a town with no school, diminishing quality of the environment.

Stay away from mandating minimum class sizes or sizes of school districts. One size does not fit all. Today's classrooms are much less homogeneous than in the past. Accommodating special needs and different learning styles, immigrant children learning the language, and cultural, racial, and socioeconomic integration all take more time from teachers. "A study of 2,561 schools released by the U.S. Dept. of Education found that student achievement was closely linked to class size, even in the upper grades." *8 Affluent parents choose schools which offer smaller classes and will withdraw their children and their support from schools with mandated larger class sizes. Some parents in our newly merged district are already seeking alternatives. This will undermine the goal of equal opportunity.

Recognize that poverty has a negative effect on student learning. Almost one quarter of American children are growing up in poverty, a national scandal in the world's richest country. Our choice, quite frankly, is to finance good education now to insure the success of children in the future, or pay later to try to compensate for failures, crime, and violence.

Continue to pursue the inclusion of preschool education as well as more support for community colleges. "Nobel Laureate economist James Heckman has estimated that even expensive investments in early childhood education would yield real rates of return (6 to 10 %) that outstrip long-term stock market returns." *9 Vermont is one of only 4 states with a high school graduation rate of over 90%, but many of our students cannot afford college. Community colleges offer real possibilities for the less advantaged to come ahead in their circumstances. We also need to do a better job of rehabilitation of prisoners.

We need a flexible structure which would permit mergers if and where they make sense, which can be tailored to individual community situations, and which are acceptable to most people. The fact that there has been so much angst produced by merger discussions so far suggests that the present structure is inadequate for the purpose. Mergers should solve significant problems and remain optional and reversible. The question of being able to go back to a previous structure if the merger proves too problematic was often raised during recent public hearing debates in Chittenden County. The relative permanence of the RED is disturbing to many people. It has become evident that the RED cannot deliver what it promises to the public.

Remember that chaos and disruption are bad for children, schools, and communities. Realizing that all of this is a formidable task, it is important to move slowly in making changes, allowing for some pilot projects of those willing to experiment, and waiting for some definite results before making widespread legislation of a mandatory nature. We currently have proof of some severe consequences of consolidation. It is also obvious that some potential advantages can be achieved in simpler, less disruptive ways. Mandating mass consolidation in just a few years will create confusion, distraction from the real business of teaching, and destructive upheaval with a downward spiral.

Remember that you are there for the children. Please take the necessary time to study the results of education legislation in other places and to allow for a broad spectrum of public input. Thank you for taking the time to read this, and for your dedication to Vermont and our children.

Alison Lane Anand, educator, professional violinist, business owner, environmental planner

Footnotes and Bibliography

*1 Piketty, Thomas, *CAPITAL IN THE TWENTY-FIRST CENTURY*. published by President and Fellows of Harvard College, 2014. USA, first published by Editions du Seuil, France 2013. page 22.

*2 Ravitch, Diane, *REIGN OF ERROR*. published by Alfred A. Knopf, New York 2013. page 157 and page 250.

*3 Penn, Daphne, *School Closures and Redistricting Can Reproduce Educational Inequality*. published in *Policy Brief, Vol. 3 #5. poverty.ucdavis.edu*.

*4 Putnam, Robert D., *OUR KIDS, THE AMERICAN DREAM IN CRISIS*. published by Simon and Schuster, New York, 2015. pages 192-206.

*5 Stiglitz, Joseph E., *Inequality and the American Child*, December 30, 2014, *poverty.uc.edu*

*6 Kelman, Steven, *MAKING PUBLIC POLICY, A HOPEFUL VIEW OF AMERICAN GOVERNMENT*. published by Basic Books, Inc., New York, 1987, pages 207-212.

*7 Ravitch, Diane, *REIGN OF ERROR*, page 288.

*8 Ravitch, Diane, *REIGN OF ERROR*, page 246.

*9 Putnam, Robert D. *OUR KIDS, THE AMERICAN DREAM IN CRISIS*, page 233.

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A career educator, I am retired from the public schools and currently own and operate Alison's Aquatic School and Lane Music Studio in Richmond, VT. I have also been a member of the Mt. Mansfield Union School Board for the past seven years, was a partner in a civil engineering and planning business for ten years, and have served on town planning boards for 32 years. An eighth generation Vermonter born and raised in Montpelier, I graduated from Montpelier High School, University of Rochester, Eastman School of Music, and University of Vermont. (M.A., M.S.)

MEMO TO: Mr. Jim Condos, Secretary of State

FROM: Alison Lane Anand, concerned citizen and school board member, November 17, 2014

RE: School Merger Vote in Chittenden East School District, November 4, 2014

Dear Mr. Secretary,

Thank you for this opportunity to speak with you. I am very concerned that we have just had an election which may be illegal.

In 2012, The Vermont Legislature passed a law which permitted a variation of the RED, referring to consolidation of school districts. It is Sec. 17 of Act 156, the Modified Unified Union School District. At the time, I was troubled by several aspects of this law and wrote to the Chittenden East School District Executive Committee my concerns in June 2012 (letter enclosed). In 2013, the Executive Committee appointed a Voluntary Merger Committee to research the merits of implementing this law in our district. The Voluntary Merger Committee almost immediately began to compose the Articles of Agreement and set upon the task of bringing about the merger. Their stated goal was to bring it to a public vote on Nov. 4, 2014. This is the first time the Modified Union district has been implemented. Many citizens have felt confused about the merger and found the process of public input unsatisfactory, rushed, and unfair to say the very least.

Primarily, the voter has been treated unfairly. This is of great concern to me as it is an undermining of citizen voter rights. Please consider the following:

1. The ballot is so confusing that people had trouble understanding it. There is no clear consequence of a YES vote because of the default mechanism of the unknown result of how many towns would vote YES. Therefore, a voter who liked the idea of a complete merger but not the modified merger had no real choice, and vice versa. It is my understanding that a question on a voting ballot is legally required to have a clear "yes or no" choice.
2. The Voluntary Merger Committee's Modified Unified Union Report/Plan (which was the official document presented at all the public hearings and available in town offices) contains no specific information about the assets and liabilities which the voter would be asked to assume. This involves millions of dollars of public assets and is a central issue. A number of people have expressed dismay at question (c), Assumption of Debts and Ownership of School Property, not understanding what this really involves.
3. It is discriminatory to offer temporary tax breaks to voters of towns who vote YES. These are public funds, redistributed in a manipulative way. Some citizens consider this to be bribery. This appears to me to violate Article 8 of the Vermont State Constitution.

Please advise. Was this election legal? What can be done to rectify such improprieties from happening again? Thank you for your time and consideration of this matter.

Very truly yours,

Alison Lane Anand, career educator, business owner, environmental planner