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I am writing the following in reference to H.853 and more specifically Section 7, "Transfer of Debt of Merged Districts". The proposal allows merger study committee reports to "provide terms for transferring, either in whole or part, the liability for any indebtedness held by a merging district, from the merging district to the town or towns within the merging district". This appears to be a well intentioned effort to reduce the obstacles involved in school district unification, but I believe it perpetuates a currently held misconception that is detrimental to district merger.

Section 7 presents us with the proposition that there is no distinction between school districts and the towns and cities that host them, and this concept has resulted in district unification discussions being held hostage to the needs of towns and not the schools. The idea that districts and towns are not separate entities is not true in fact or practice as these municipalities have separate jurisdictions, legal and regulatory oversight, missions and taxing authority.

Towns and cities, for example, are not obligated to provide their services outside of their political boundaries, but schools are not only obligated to do so but routinely do. The duties of towns and cities can be found in many areas of Vermont statutes such as Title 19 for highways and Title 24 for governance description, while the greatest part of the laws governing schools is a mix of Vermont's Title 16, Vermont State Board of Education promulgated rules, and federal law. Our towns and cities exist for the most part to provide local infrastructure without concern to social needs, but our schools as a matter of law and efficacy must deal with hunger, lack of housing and clothing, extra-ordinary assistance and more in order to meet the educational needs of the children and young adults in our state's primary and secondary school system.

It is the difference in taxing authority that is most germane to the specific issue raised in Section 7. Towns and cities set their tax rates based upon a local grand list, and what one town spends will not have a direct and measurable impact on any other town or city in Vermont. Education tax rates are set by the state based upon a statewide grand list, and school district decisions on school year spending has a direct impact on the tax rates of every other district.

The simple fact is that despite the localizing effects of the common level of appraisal our education taxes are not raised by the town or city that hosts the district. These taxes are raised by the state and distributed to the school district, not the hosting community, for the use of the school district.

Section 7 continues the blurring of this bright distinction between school and town in what I consider an unhelpful manner. Expenditures that have been voted on by a school district and raised by the state should not be considered a town's liability.

I fully understand the reality that in many instances in Vermont the political boundaries of school districts and towns are identical. However a town's responsibilities end at that line while the responsibilities of the school district continue well beyond. I understand too the concept of community identity, but we need to

discuss community identity as being that attached to a school. This is the way to move the discussion from that of towns to that of education.

I hope you will carefully examine H.853 Section 7. If I were in your position I would remove Section 7 from that piece of legislation.