

Memo to the Press June 3, 2016 Richmond, VT.

From: Alison Anand, career educator, business owner, environmental planner

## MORATORIUM IS NEEDED ON SCHOOL CONSOLIDATION

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Since education has so much power over the future of our civilization, much care needs to be taken to design a system which encourages the public good. The philosophy of Vermont's education system is expressed in the goals of Act 46. However, the governance structure is inconsistent with its goals. Reacting to the prevailing atmosphere of fiscal fear, a system which puts money before children has been imported. The inception of Act 46 seems to be an attempt to find a simple solution for a complex problem without proper consideration of the democratic principles of our society.

A number of recent meetings including people in school districts in many parts of the state have revealed public dissatisfaction, anger, and dismay at the problems created by Act 46. In their efforts to comply with the law, specifically to meet the upcoming deadline for voting in a merger which will receive tax incentives, people are struggling with numerous issues.

1. **SUDDEN IMMERSION IN PROCESS** Communities who voted to establish a “study committee” have repeatedly found that the study committee turns into a “merger creating committee” without the study. Many citizens feel betrayed and have expressed anger over being denied the study process. When some have tried to pull out of the process, they have been told that they cannot withdraw. This seems outrageous. In fact, these committees are resting on a very shaky basis in law. The Vermont Constitution gives the Legislature the right and responsibility to establish school districts, but not the ability to pass that responsibility to another body. Public bodies also cannot combine with each other. In addition, the confusion over school choice has created a destructive upheaval causing chaos and desperation for families, children, teachers and school officials. This is a serious distraction from the important mission of education. It is wrong to rush this process which may actually wind up in the courts.
2. **MONEY SAVINGS AND ETHICS ARE QUESTIONABLE.** In reality, the mergers are costing more money to institute than they save. These costs are unfairly borne by communities who either choose to vote “no” or who cannot easily fit into the Legislature's “preferred model”, the Regional Education District. Taking money from the Education Fund to pay incentives is taking needed funds from children. Historically, this outmoded RED structure originated in the southern U.S., covertly designed to force the closing of public schools in order to privatize schools which were allowed to keep segregation. Its claims of efficiency were marketing tools. Ironically, most of the efficiencies which have been achieved were done without the mergers. The RED model is also discriminatory with the representation on the regional school board being by population. In effect, the large towns control the future of the small town schools and the small towns can be bullied out of their school. Since the school building and property is “sold” to the merger for \$1.00, this can amount to a taking. This is nothing less than a discriminatory attack on the small towns of Vermont.
3. **FORCING THE CLOSING OF SOME SCHOOLS WILL WIDEN THE OPPORTUNITY GAP.** The growing gap between the rich and poor deteriorates the goal of a peaceful society. Thomas Piketty in the book “Capital in the 21<sup>st</sup> Century” considers it to be the potential downfall of our society. Over a long period of time the main force of greater equality has been societies with knowledge and skills. Consolidating schools has disproportionately affected disadvantaged students and families. With public schools closed, the door is open for private, for profit schools to be established. These give greater opportunities to those who can afford it.

One needs only to look at the disparity in income and educational opportunity in cities such as Detroit, Philadelphia, Los Angeles, Chicago, as well as in New Jersey, New York, Georgia and Maine to see the disastrous effects of school consolidation. In New York City, the recent movement has been to reinstate neighborhood elementary schools with no more than 200 children in each school. The 2013 Legislature in Maine tried to reverse consolidation but failed in many cases because the small towns no longer owned their schools. The Vermont Constitution says that each town must provide for education of its children in that town. In many small towns, the school building is the most important building in town, not only a school but a community gathering place, a civic and cultural center used for events and meetings, perhaps also the library. When a town loses its school, people will not want to live there. This begins a downward spiral lowering property values, services, and opportunities in those towns. This is destruction of a traditional way of rural life in Vermont where neighbors help each other and volunteers help the school.

4. CONSOLIDATION OF POWER DISENFRANCHISES THE PUBLIC. Getting rid of school boards does not save money. Consolidating several school boards into one smaller board limits public participation. Local board members can provide better resolution of local issues and contribute their time and expertise to the community. Larger classes mean less needed attention for students. Fewer schools with more busing means time lost and resources wasted in transportation. We should do the opposite. With the current issues of society, children need more, not less personal attention in school. We can take advantage of the internet for consolidation of learning resources while giving more personal attention to students in small schools and/or small classes. We need the most public participation possible to gather interest, ideas, contributions of time, effort, and money to give the best that we can give to our children.
5. VOTER RIGHTS ARE AT RISK. Where are the voter rights in this scheme? The law dictates that voter choices must be clearly stated on ballots. Some ballots have been confusing. Voters have also not been adequately informed of the specific financial liabilities which they may be assuming from neighboring communities. The use of bribes, threats, and financial penalties, disguised as tax incentives, is actually coercion and intimidation in an effort to influence a public vote. I believe this is not only a violation of Article 8 of the Vermont State Constitution, but is even a violation of federal voting rights laws. A law which makes sense, solves real problems, and works for the common good would not need this kind of artificial support.

There are no “bandaids” which can be put on Act 46 which can correct its fundamental flaws:

1. Democratic representation is reduced by consolidation of power and public disenfranchisement.
2. Financial incentives are a form of bribery, undermining and devaluing voter rights.
3. The assumption of school buildings and property is akin to a taking.

This lack

of moral compass and violations of democratic principles creeping into our laws are an impending threat to our democracy. The worst aspect of this is that it is not about the welfare of children. It is a shortsighted attempt to save money which will have enormous social costs in the long run. Acts 153, 156, and 46 need to be replaced by a better new law which truly works for the public good.