

A young boy with brown hair, wearing a grey and orange striped shirt, is shown in profile from the chest up. He is wearing a red backpack. An adult's hand is visible on the right side of the frame, resting on the boy's right shoulder. The background is a plain, light-colored wall.

# The State of Educational Equity in Rupert and Pawlet, VT

Testimony Before the Senate Education Committee,  
9 Feb 2017

Chuck Armentrout: **Briefer, Policy Researcher**  
Melanie Cole: **Head of Families for Education in VT**

Version Date: 8 Feb 2017

# Who We Represent

- o Families for Education in VT
  - o ~100 individuals (mostly parents)
  - o Rupert, Pawlet, (Wells\*)
- o Informally chartered early in Act 46 merger discourse
- o Concerned about decreased educational opportunity and other negative education trends in NY, as well as barriers to opportunity and options in Vermont
- o Advocates for ensuring realistic possibility of the Vermont public and private options to ensure equity
- o <https://m.facebook.com/familiesforeducationinvermont/>

# Background - Local School Landscape

- o Current Rupert/Pawlet Arrangement – Designation to NY Schools (FY16/17)
  - o Can take NY school tuition cost of \$7,700 (Rupert to Salem) or \$8,800 (Pawlet to Granville) elsewhere
  - o VT public tuition average is \$14,800; local independent schools cost ~\$17K
  - o Local options in VT are Dorset (public, 7-8 grade only), Manchester Elementary Middle School (public, 7-8 only), Burr and Burton Academy (independent), Long Trail (independent), and Poultney (public, however, realistic option for some Pawlet students only)
- o A look at school options and geography norms for other Vermont towns in the region ([Link/15](#))

# Why the Sudden Concern...?

- o These NY schools have served VT communities for many, many years...why these issues now?
- o Well, it's not sudden...
  - o NY vs VT School Population Trends ([Link/17-19](#))
  - o Parents with options or opportunity have been increasingly either:
    - o Selecting non-designated schools ([Link/20-21](#)) or...
    - o Moving out of the community ([Link/22-26](#))
    - o But many don't have these options because of economics ([Link/27](#))
- o Trends are alarmingly negative, and **socio-economic segregation of our students has been occurring**
- o Recent Act 46 merger study committee discussions just provided the opportunity for parents to organize and voice their concerns... ([Link/16](#))

*More on causes of trends later, but first more context...*

# Why Bring this to the State vs Grass-Roots Alternatives?

- o Unfortunately, we believe local resolution is near impossible
  - o Demographics, socio-economic characteristics, and local hegemony are all stacked against parents
    - o Parents vastly outnumbered...and losing ground
    - o Education often viewed and valued differently by older, non-parents locally
    - o Economically sensitive population defaults to safest course when facing conflicting/confusing cost info
    - o Influential local leaders impacting community view
- o Further, we increasingly believe the situation constitutes unequal educational opportunity under the “Education” and “Common Benefits” clauses of the Vermont Constitution—a state issue...

# *Brigham v. Vermont (1997)*

- o The court found that that the funding mechanism caused a breach of the "Education" and "Common Benefits" clauses of the Vermont Constitution that required equity in education
  - o The *Brigham* Court (1997) noted the importance of education and the “fundamental obligation” of the State to provide “*substantial equity*” (268; emphasis in original)
- o The court noted that local decisions or interests, or current statute, cannot over-ride the state’s responsibility wrt equity
  - o “The distribution of a resource as precious as educational opportunity may not have as its determining force the mere *fortuity* of a child's residence” (265; emphasis in the original)
  - o “...any statutory framework that infringes upon equal enjoyment of that right bears a commensurate heavy burden of justification” (256)
- o So, although the funding mechanism was causal in this case (and, therefore, the focus of much subsequent legislation), the fundamental principle involved was the requirement to provide educational equity—for which the state’s responsibility goes beyond just funding mechanisms:
  - o "Money is clearly not the only variable affecting educational opportunity, but it is one that the government can effectively equalize" (255-256)

# Our Case for Unequal Education

- o Large Disparity in Depth and Breadth of Curriculum ([Link/28-29](#))
  - o NY schools offer <1/3 the foreign language; <1/2 the AP and English Language Arts; & 1/2-2/3 the STEM options
  - o In *Brigham*, unequal curricular, technological, and human resources were accepted as proxies for educational opportunities (255-256)
- o Vermont Parents are Denied Normal Influence and Accountability with Educational Legislators who determine their child's education
  - o No influence or accountability with matters such as standards, goals and initiatives, accreditation, costing or funding mechanisms, district mergers, etc....and no opportunity to advocate for new policy/legislation if issues arise
- o Vermont Educational Quality Standards Not Supported by NY Schools (e.g. Act 77 initiatives, etc.) ([Link/30](#))
  - o Act 77 says all Vermont students should have these opportunities

# Our Case for Unequal Education (Con't)

- o A Fundamental Opportunity/Equity Safeguard Available to all other Parents in VT Under 16 VSA § 827(c) is Effectively Denied in Rupert, Pawlet, and Wells
  - o All other VT parents who are dissatisfied with instruction provided at the designated school may receive tuition cost calculated under 16 VSA § 827(d) and have a reasonable opportunity to attend other VT public or independent schools
  - o Subsidized NY per pupil tuition rates effectively deny this opportunity for a large number of Rupert and Pawlet parents because the difference between NY tuition rates and local VT public and indep options range from \$5.4K (7-8 grades only) to \$10K *per child per year*
- o Differences in Educational Outcomes between NY and Vermont School alternatives ([Link/31](#))



# Other Equities of Possible Interest to Vermont Taxpayers

- o Just over \$1M in Educational Funding Currently Leaves the State (from Rupert, Pawlet, Wells to Designated NY Schools)\*
  - o Vermont public and independent schools, as well as support services impacted
- o Overall Community Health Declining Alarming....as evidenced by previous slides...and [\(Link/32\)](#)

\*Source: Estimate of \$1.01M from contractor advising the RPWMS, Sept 2016

# Our Way Ahead

- o Overall, we are continuing three pronged approach
  - o Educate/Advocate Locally
  - o Explore and exhaust all policy/legislative avenues and options
  - o Explore legal options

# Possibilities for Legislative Relief (Notional)

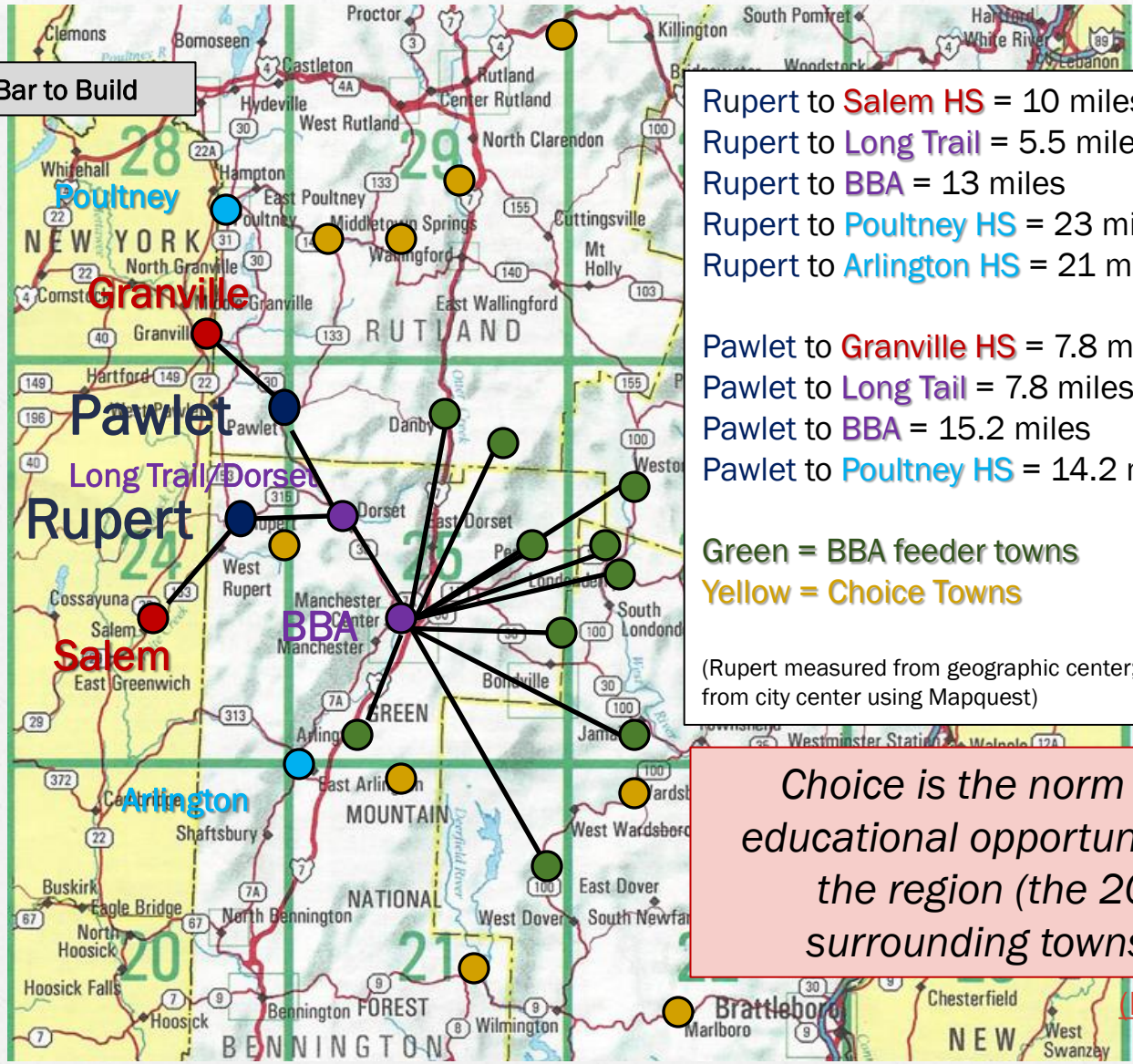
- o Option 1 (Preferred): Repeal 16 VSA § 827(e)(1) Cleanest method—removes exception from statute and aligns schools with rest of Vermont
  - o Prevents designation of NY schools by Rupert, Pawlet, and Wells; however, would still allow NY school attendance for those who chose them
- o Option 2: Supplement 16 VSA § 827(e)(1) with “...;however, 16 VSA § 827(d)(2) is not applicable under this provision”
  - o Removes ability to use NY subsidized tuition rates as the lowest payment option (therefore, would require paying the lowest of 1) the statewide average announced tuition of Vermont union high schools; or 2) the tuition charged by the approved non-designated school in the year in which the student is enrolled)
  - o Effectively the same outcome as first option; however, may be more politically feasible
- o Option 3: Alter 16 VSA § 827(d)(2) to stipulate the designated school must be in Vermont to be considered in the “lowest of the 3 options” calculation
  - o e.g. (2) The per-pupil tuition the district pays to the designated school, *as long as the designated school is a public or approved independent school in Vermont*, in the year in which the pupil is enrolled in the nondesignated school.
- o Others?

*Thank you for your time!*

*Questions?*

# Back-ups

Hit Space Bar to Build



- Rupert to **Salem HS** = 10 miles
- Rupert to **Long Trail** = 5.5 miles
- Rupert to **BBA** = 13 miles
- Rupert to **Poultney HS** = 23 miles
- Rupert to **Arlington HS** = 21 miles
  
- Pawlet to **Granville HS** = 7.8 miles
- Pawlet to **Long Tail** = 7.8 miles
- Pawlet to **BBA** = 15.2 miles
- Pawlet to **Poultney HS** = 14.2 miles
  
- Green = BBA feeder towns
- Yellow = Choice Towns
  
- (Rupert measured from geographic center; Pawlet from city center using Mapquest)

*Choice is the norm for educational opportunity in the region (the 20 surrounding towns)*

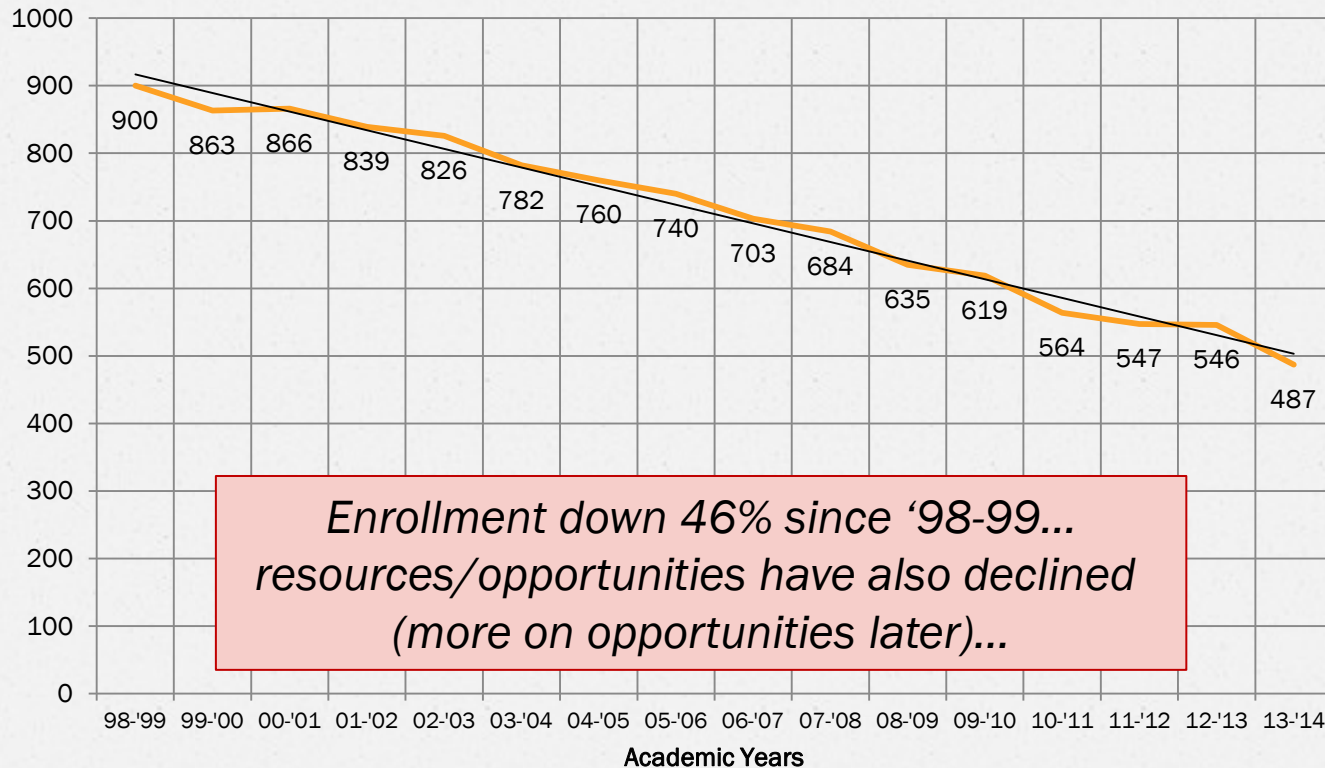
# Background - Act 46 to Date

(The Rupert, Pawlet, Wells Merger Study Committee (RPWMSC))

- o Choice vs designation debate dominated from start
  - o Very large, pro-choice audiences at meetings in Aug-Sept 16
- o On Sept 7, the RPWMSC voted to proceed with merger and choice based on overwhelming input
- o On Sept 19, stalemated on further action as choice vs designation debate continued
- o Disbanded without action and Wells went separate way to pursue RED option with choice
- o Intense period of community lobby ensued in Rupert and Pawlet, with considerable conflicting/inaccurate information
- o Non-binding referendum held in Nov 16; vote supported continuing NY school designation in both Rupert and Pawlet (vote % 60/40 in Rupert, and 58/42 in Pawlet)

(Return/4)

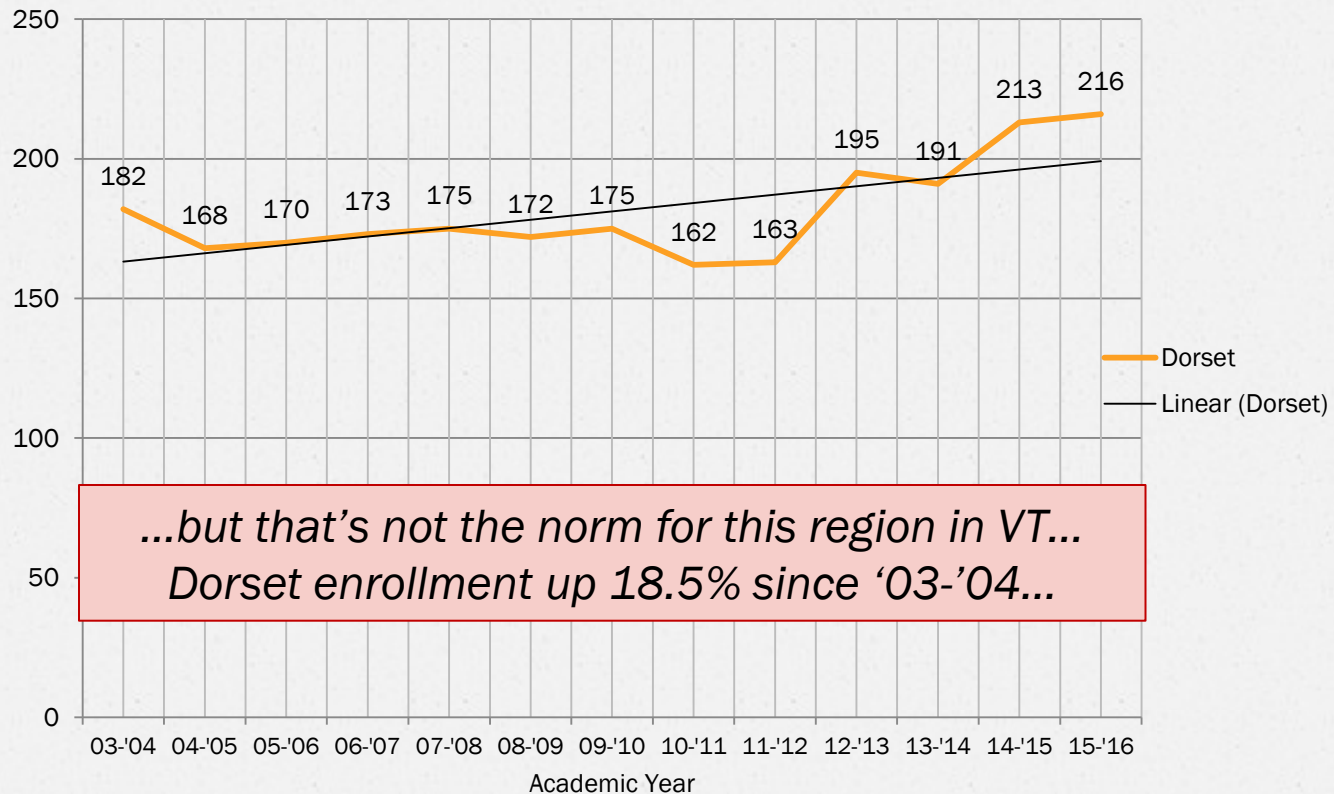
# Salem CSD Enrollment



Source: New York State Education Department (NYSED) Data Site

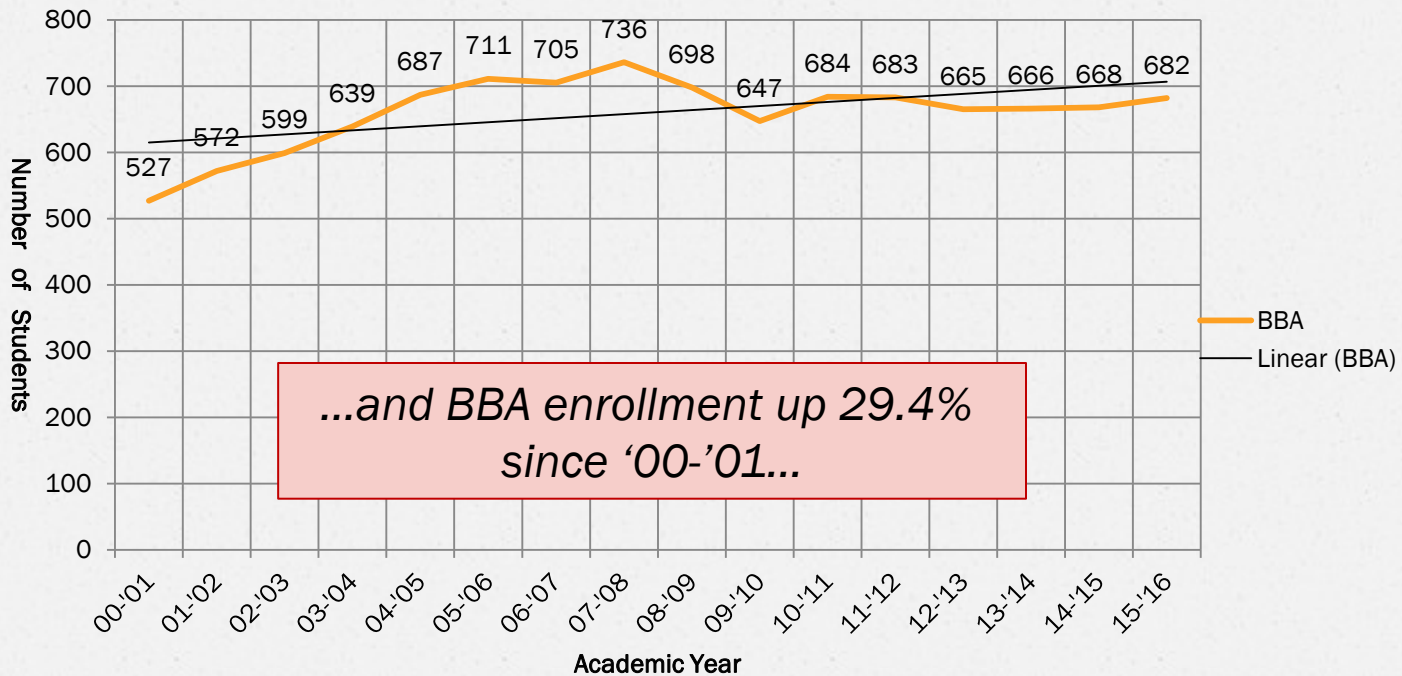


# Dorset Enrollment



*...but that's not the norm for this region in VT...  
Dorset enrollment up 18.5% since '03-'04...*

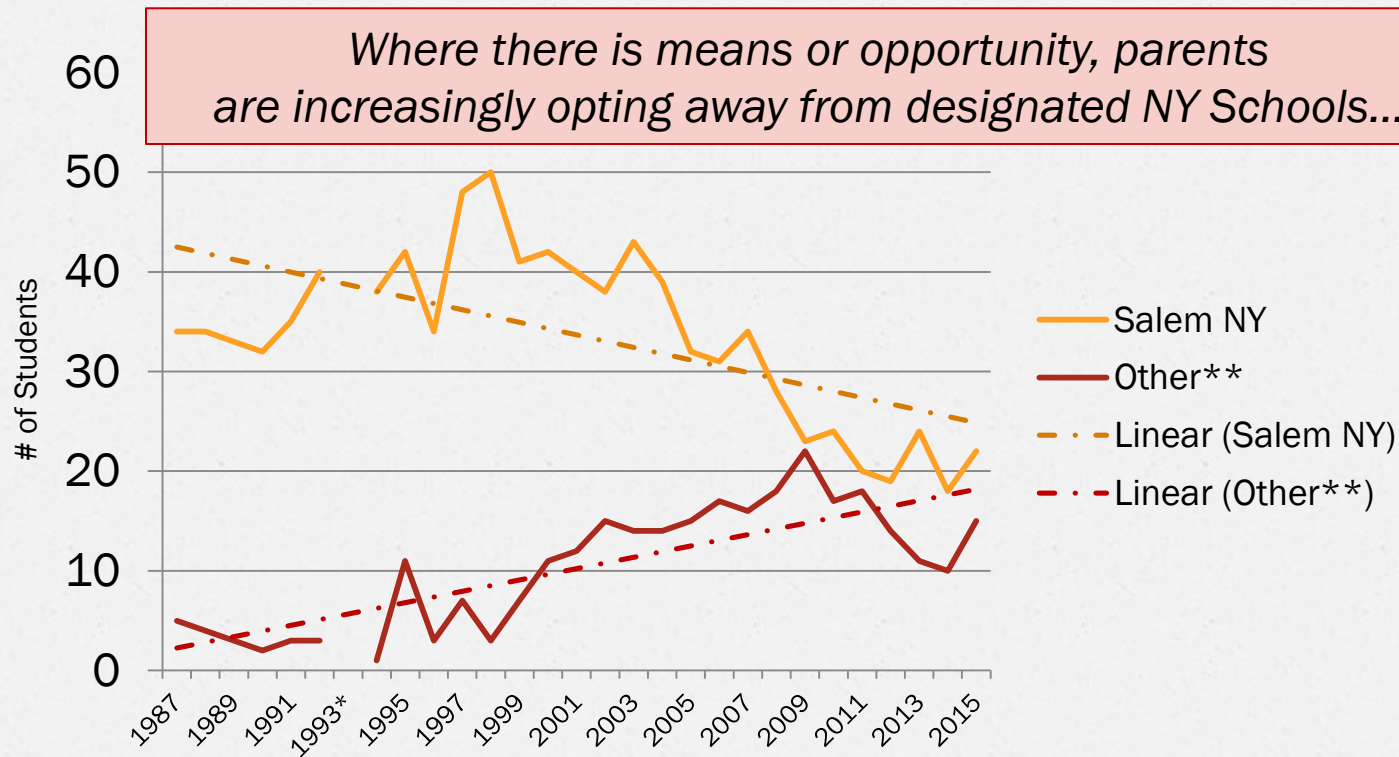
# BBA Enrollment



As reported by Kirk Knutson, Director of Admissions and Counseling  
 Burr and Burton Academy  
 57 Seminary Avenue  
 Manchester, VT 05254  
[\(802\) 362-1775](tel:8023621775)

[\(Return/4\)](#)

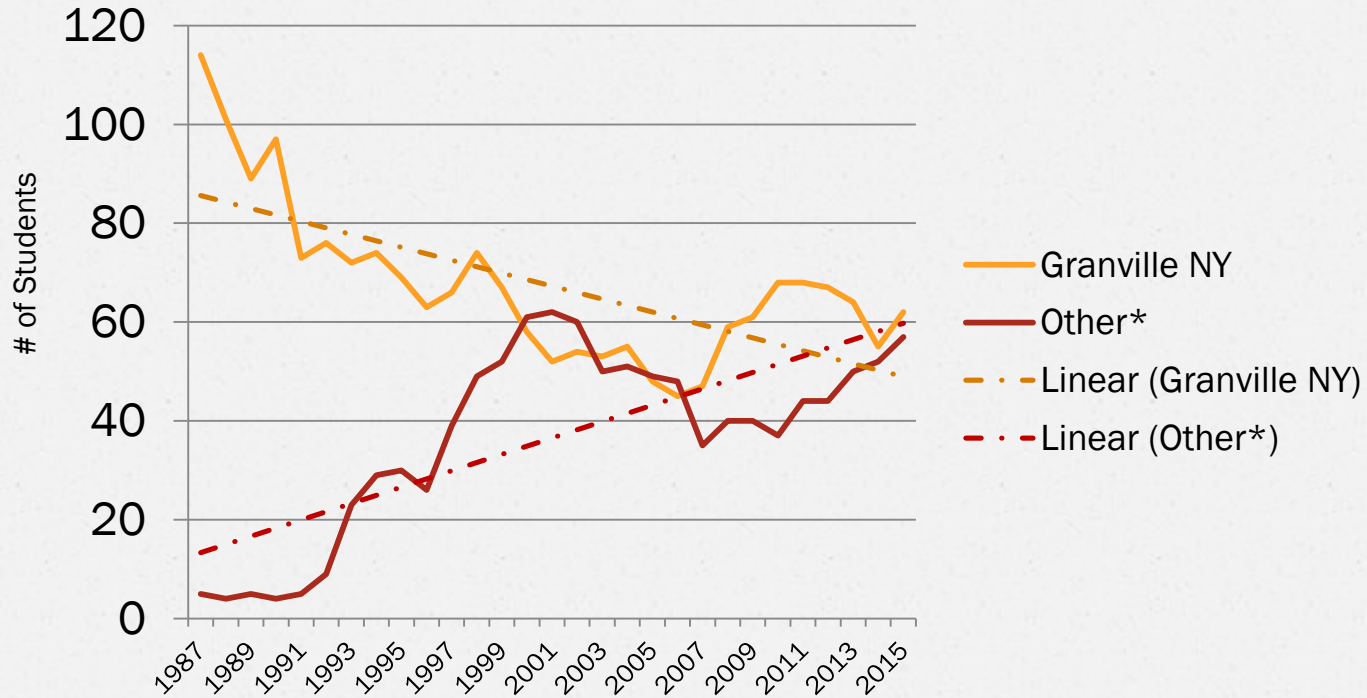
# Rupert Student Grade 7-12 Enrollment



\* No data was available for 1993

\*\* As an example, in 2015, 3 students attended Long Trail, 2 each attend BBA and Mill River, and there were single students at Granville, LiHigh, MEMS, Phillips Exeter (NH), and Poultney HS. Approximately 3 students home school per year.

# Pawlet Student Grade 7-12 Enrollment



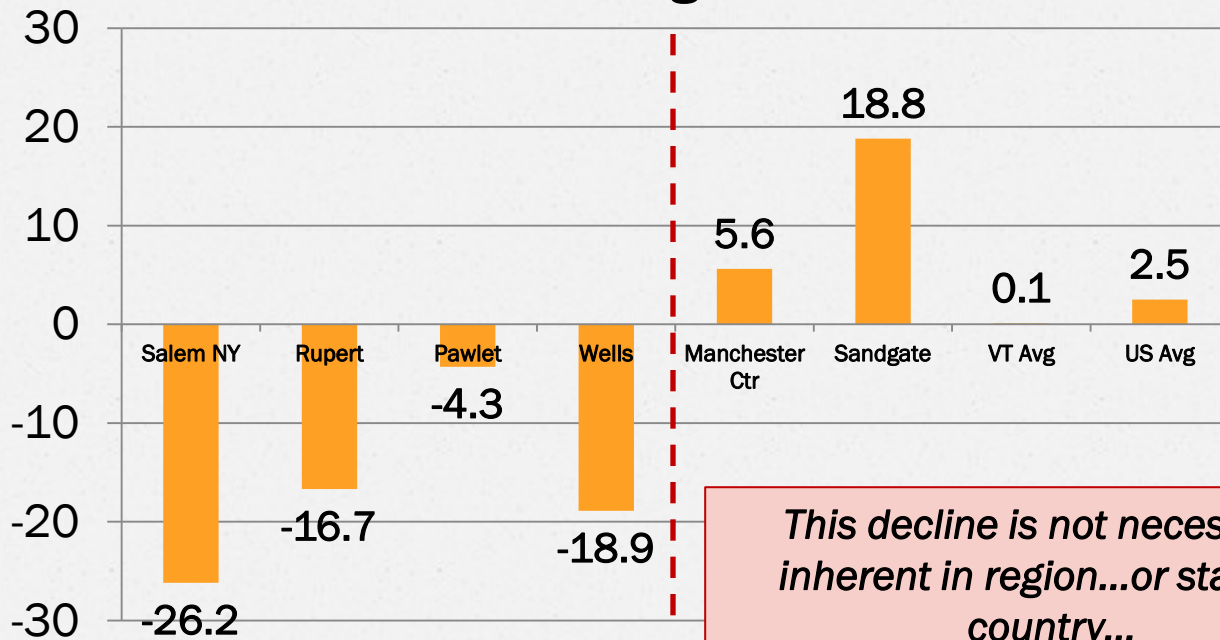
\* As an example, in 2014, approximately 20% of Pawlet students attended Long Trail School, and approximately 14% were divided between BBA, Poultney High School, and Dorset Middle School. The rest attended schools out of the area. An average of about 13 students per year home school in K-12.

Source: Various Pawlet Town Reports up to 2016

[\(Return/4\)](#)

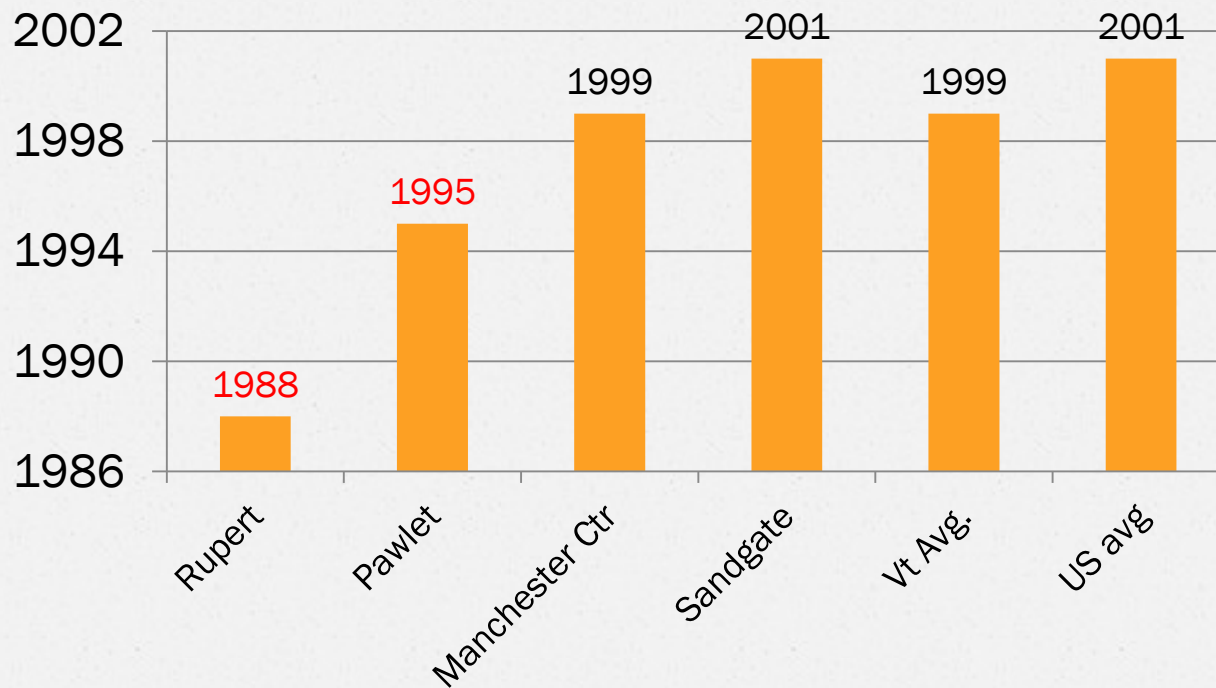
# Local Population Change 2010-2015

% Change



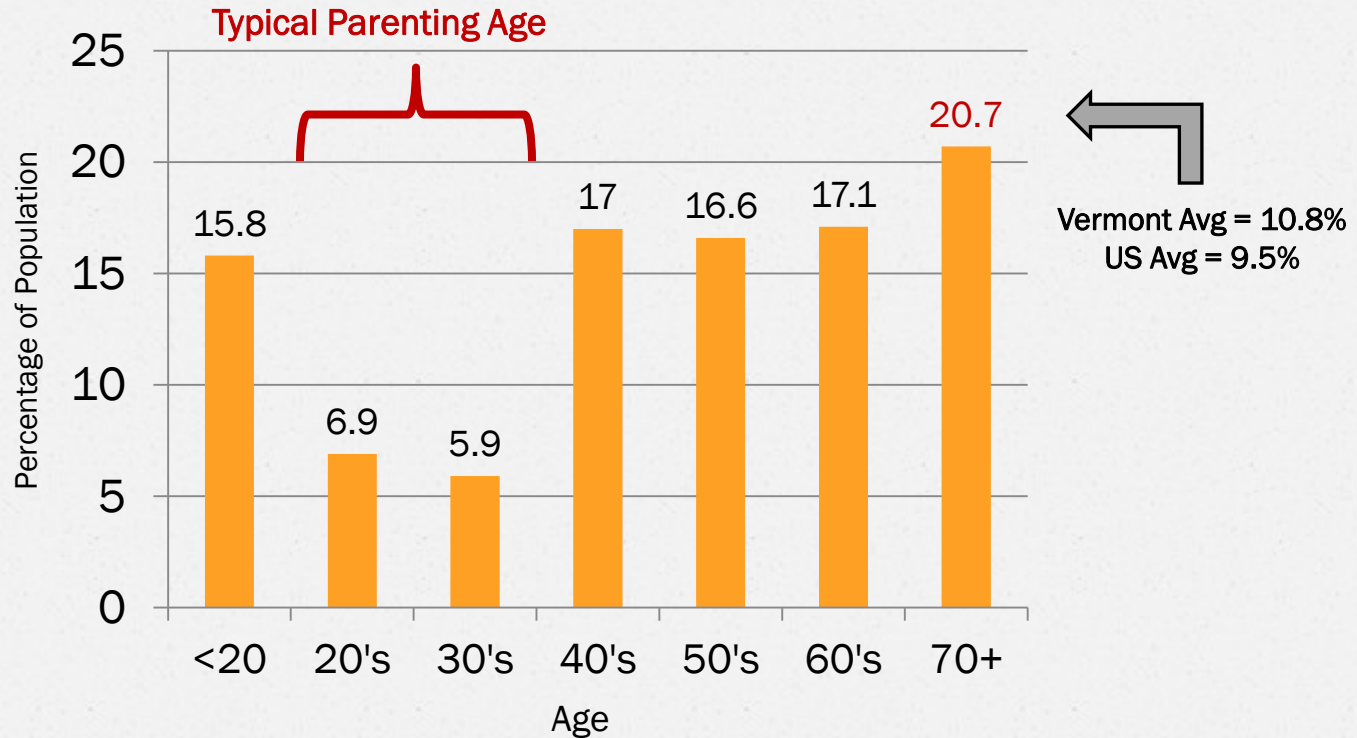
# New People Not Moving In...

Average move-in year of homeowners....



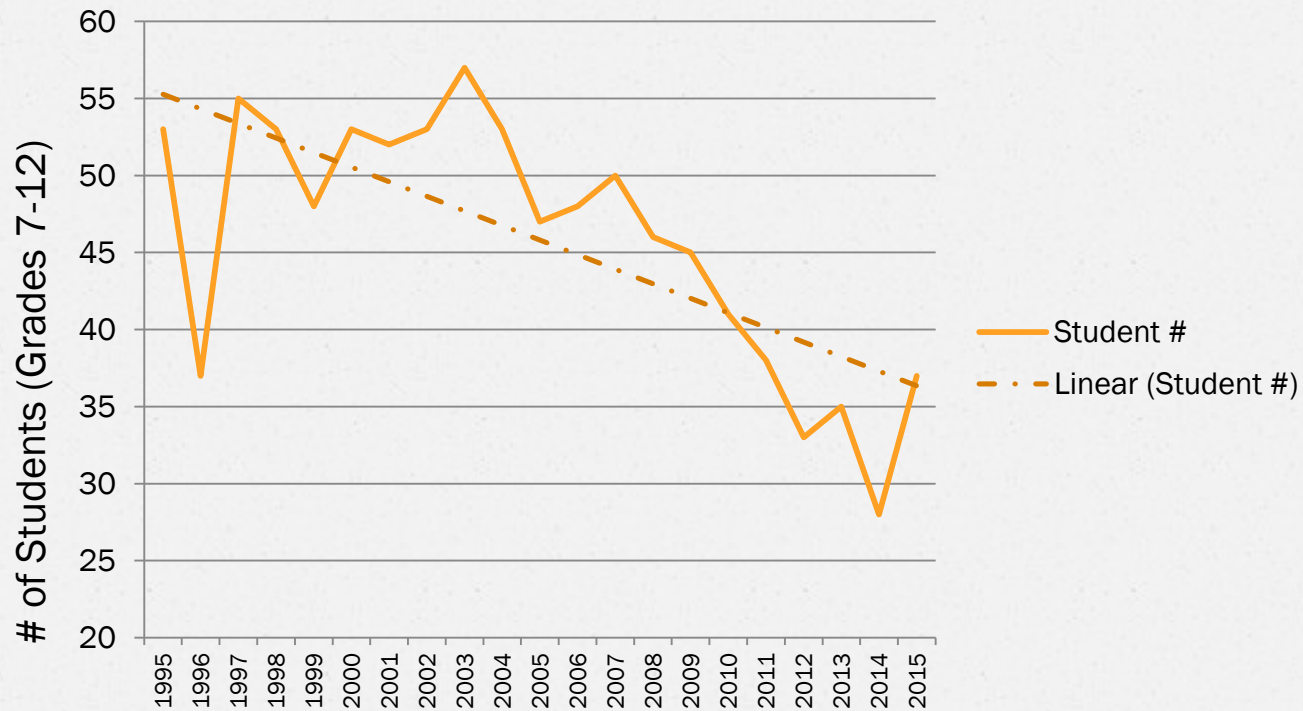
*But these trends are concentrated in a particular demographic—parents/students...*

# Who is in Decline? (Rupert)



*There are now almost 3 people over age 70 for every 7-12 grade student...*

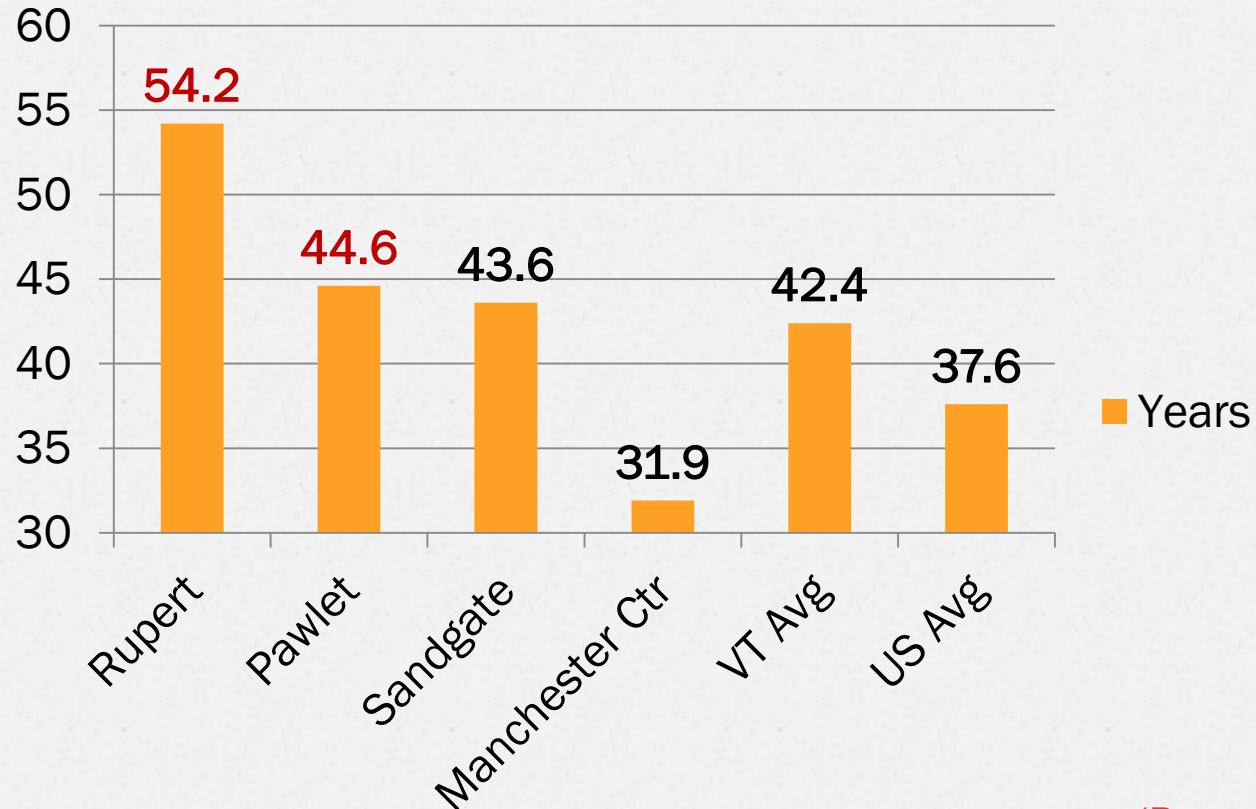
# Student Population Change (Rupert)



Source: Rupert Annual Town Reports Accessed at the Town Offices

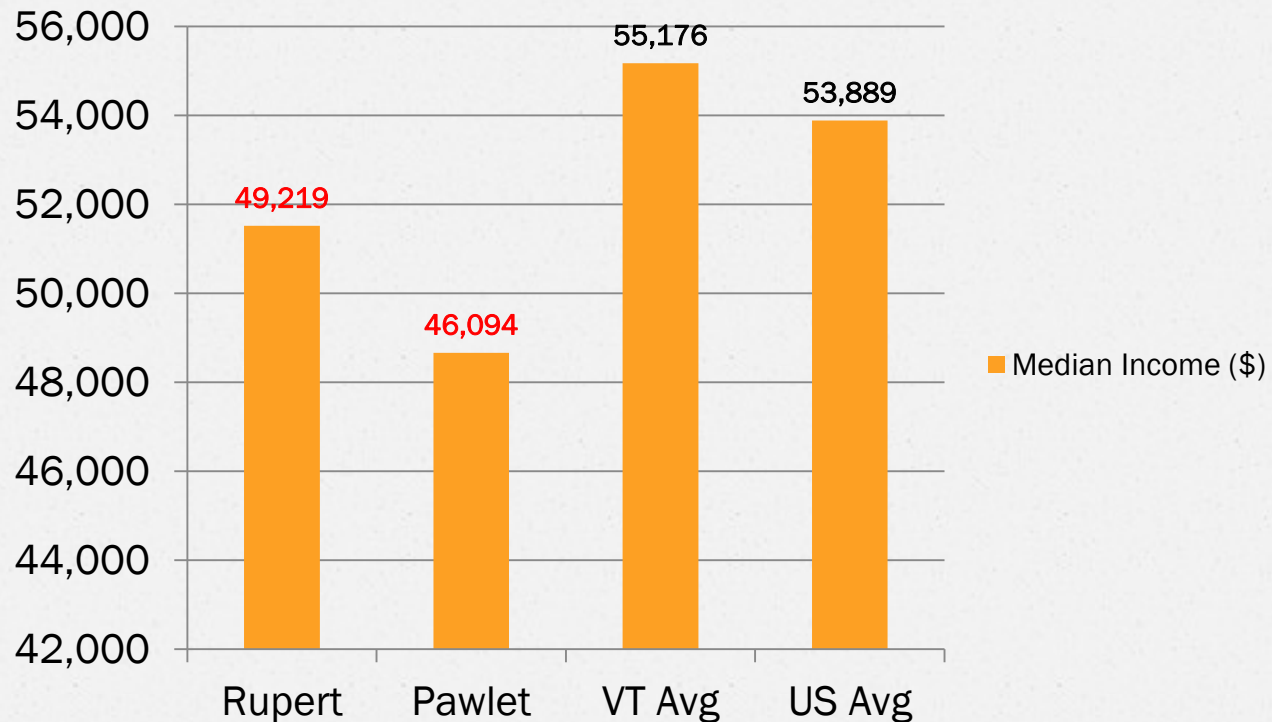


# Result: Median Town Age



(Return/4)

# Median Family Income

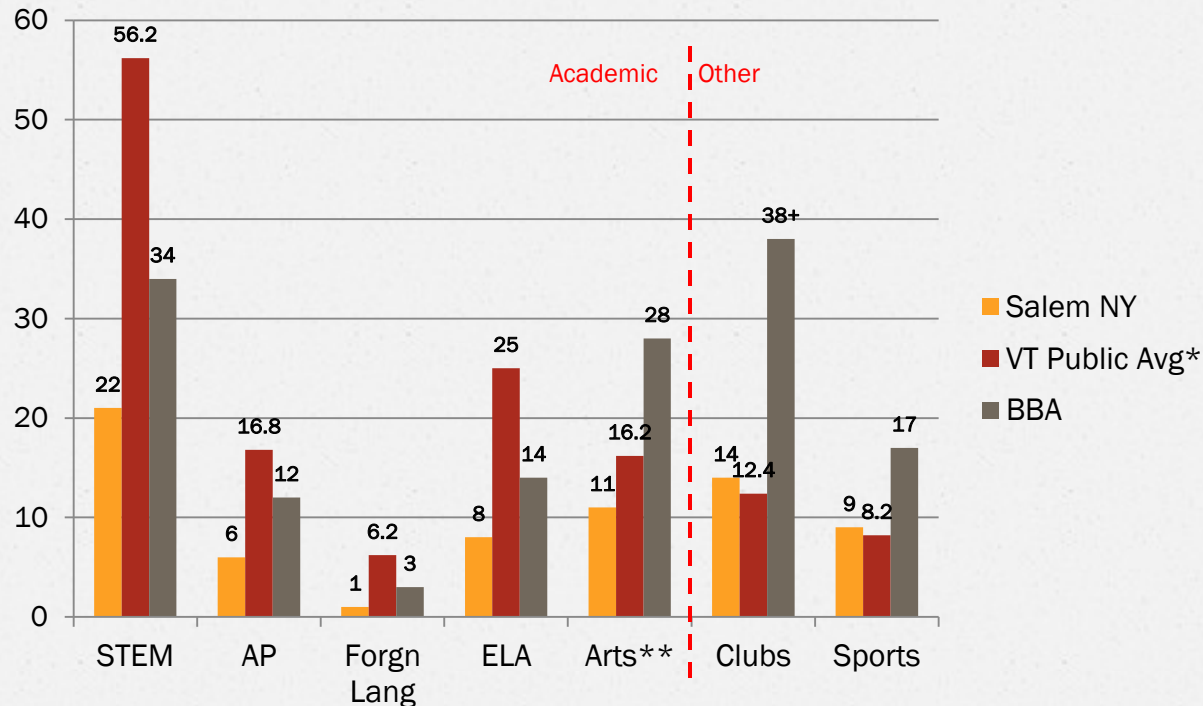


(Return/4)

# Salem HS vs VT Curriculum Comparison

Number of High School Subject Offerings (Grades 9-12) , Plus Clubs/Sports

*VT public average represents opportunity in VT at similar sized public HS; as shown previously, BBA is the typical opportunity for students in small towns in surrounding region of VT*



\* The "VT Public Avg" is the average of the VT public high schools closest in size (+/- 25%) to Salem (244) : Northfield (295), Twin Valley (233), Arlington (213), Poultney (196), and Richford (190).

\*\* "Arts" includes performing arts, design arts, and art history

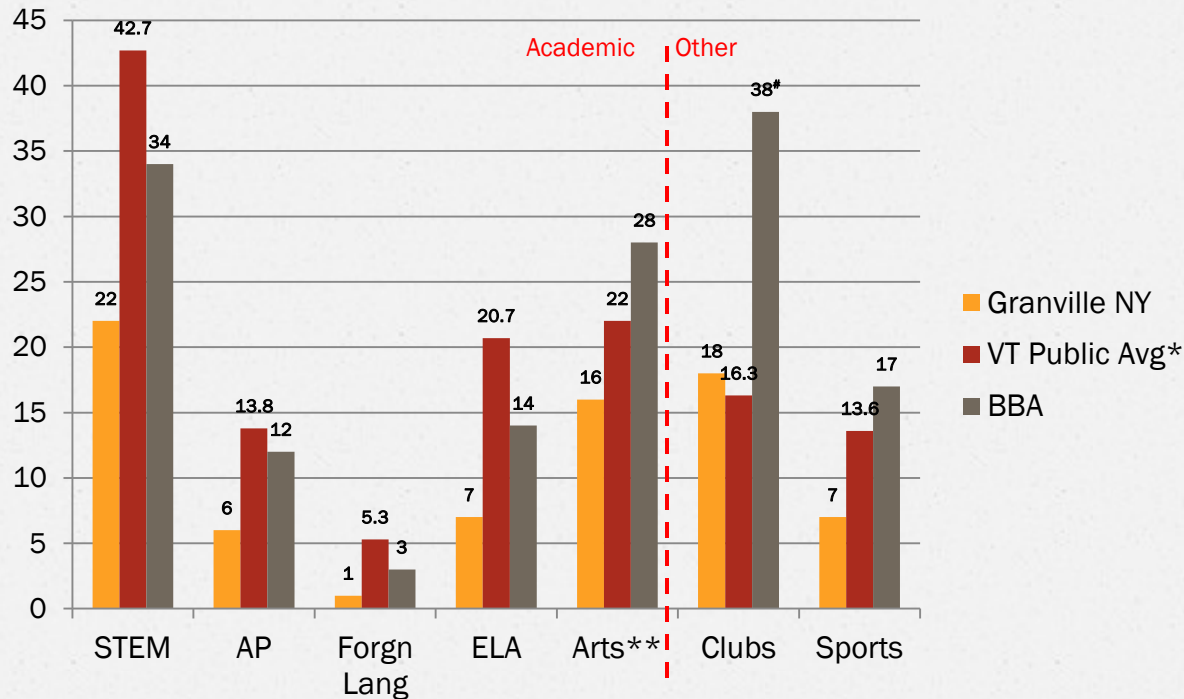
+ BBA literature is unclear on clubs, sometimes listing 47 and sometimes listing 38. The lower of the two is shown.

Note: Off-site career center offerings such those at BOCES (NY), Stafford (VT), or other similar centers were not included

# Granville HS vs VT Curriculum Comparison

Number of High School Subject Offerings (Grades 9-12), Plus Clubs/Sports

*The difference in breadth and depth of curriculum (accepted by Brigham Court and State of Vermont as a proxy for equity of educational opportunity) is clear...*



\* The "VT Public Avg" is the average of the VT public high schools closest in size (+/- 20%) to Granville (561): Harwood (651), Mt Abraham (649), Otter Valley (547), Vergennes (466), Woodstock (449), Mill River (462), and Enosberg (458).

\*\* "Arts" includes performing arts, design arts, and art history

# BBA literature is unclear on clubs, sometimes listing 47 and sometimes listing 38. The lower of the two is shown

Note: Off-site career center offerings such those at BOCES (NY), Stafford (VT), or other similar centers were not included

# Compliance with VT Educational Standards

	NY Schools	VT Public	BBA
o Flexible Pathways (Act 77)			
o Free Early College*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
o Free Dual Enrollment**	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
o Path to Regular HS Diploma***	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
o Virtual and Blended learning#	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
o Work-based Learning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
o Career Technical Education	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
o VT State Compliance/Oversight (IAW 16 V.S.A. §165 and §166 for both public and independent schools)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

• Salem and Granville have some limited opportunities to earn college credit towards industry credentials through BOCES and SUNY Adirondack

\*\* Granville has opportunities through SUPA, but with tuition cost. Salem has no opportunity.

\*\*\* This is typically is an issue with special education/special needs children.

# BBA has blended, but no virtual learning. Most, but not all VT schools have achieved the goal of providing virtual learning and blended opportunities.

(Return/7)

29

Sources: Salem and Granville Guidance Counsellors, BBA Headmaster

# Educational Outcome Comparison

- o Don't want to over-emphasize this one because...
  - o Constitution requires equity in *opportunity*, not outcomes
  - o Outcomes are usually narrowly measured and, for example, don't usually capture emotional and social learning
  - o Many other explanatory variables between opportunity and outcomes (e.g. family)
  - o Hard to make apples-to-apples comparisons between the two states, and between public and independent schools
- o But many parents do seek and consider outcomes...and there are some considerable differences
  - o Salem's matriculation to 4 year colleges 2012-2015 is 28-45%; Granville's is 24-30%; BBA is 80-85% & Long Trail is 96% <sup>1,3</sup>
  - o Graduation rates: Granville – 82%; Salem – 84.5%; BBA – 100% (2015) <sup>2,3</sup>
  - o Standard test results mixed for Salem; almost all negative for Granville
    - o One recent rating put both designated schools in the bottom 10 percent of schools in NY based on student performance on state reading and math exams reported to the DOE <sup>2</sup>

# Educational Opportunity Impacts Community Health

Aug 30, 2016

Dear Pawlet/Wells/Rupert merger study committee

My Name is Scott McChesney. My family moved to Pawlet full time when I was 5 and I have essentially lived here, and in Rupert for 5 years, since then. I am a Real Estate broker and own a Pawlet based RE office with my father. I have 4 children, 2 of which have attended MCS and 2 that are currently attending. My wife, Phoebe, is currently attending MCS. I attended the Pawlet/West Pawlet school.

There are many points I could make in support of school choice, but I would like to concentrate this letter on an area that I have specific knowledge of due to my almost 3 decades of selling RE locally in Rupert, Pawlet & Wells as well as in New York state in Granville, Salem, Hebron etc. Based on my experience, the points with regard to school choice are that I have seen an increase in the number of buyers looking for an increase in buyers research and concern with what towns their children go to and what the options are. I think this has much to do with the ability to gather so much information regarding schools etc and this is clearly a crucial part of the buyers "due diligence" process. I have seen a desire to attend BBA or the Tri State area. In New York State, there is often a resistance due to the schools. For the record, and as a graduate of Granville, this is not a personal attack on the New York schools - this is just what I have observed. Perspective buyers, in response to their research, are seeking out these schools and resisting those others and following this information and understanding the families to assist in their choice for their communities. Although this is a downside, what better reason to spend a little more than to invest in the best education/broadest educational opportunities for our future generations. The alternative is that you will have a decline in the marketability of our properties as well as lead to a decline of our school population at MCS and the youth of our communities.

Based on my decades of experience and observation in selling real estate, and my love of these communities, I strongly urge the committee to support school choice.

Thank you,

Sincerely,  
Scott F. McChesney

*Robert H. Johnson*

\* I also agree with the points addressed in this letter. I was raised in West Pawlet and live in Pawlet, attended Granville HS, and am a licensed REAL ESTATE Broker. I believe in school choice. Rebecca Cramer

I believe in Vermont and I believe in school choice.  
*Robbi Ryan* . agent @ Four Seasons Sotheby's International Realty

(Return/10)

- o Volumes of Research...
- o Four local realtors who signed letter to the merger study committee...
- o Families are opting for other surrounding towns with better educational opportunities
- o Common sense...

# Commonly Heard: “I won’t be able to afford living in my own town”

- o Truth: This is NOT true. Highly misleading and inflammatory information has been spread...here’s the real story
  - o ~40 % of Rupert & 24% of Pawlet taxpayers don’t have a mailing address in any surrounding towns (~3/4 appear to be 2d homeowners...rest mostly landowners)
    - o These will carry significant portion of tax burden
  - o Of those remaining—those who are home-owning residents here—72% of Rupert and 67% in Pawlet taxpayers are income sensitive and will see very little change to their taxes ([Link/30](#))
  - o Bottom line is second home-owners and the wealthiest <1/3 will carry the majority of tax load, but lower income households (those currently without options) benefit
  - o Even among the <1/3 whose taxes will go up, it will not be as significant as the misleading information provided prior to the recent referendum ([Link/31](#))
    - o FYI, the numbers provided prior to the referendum were represented as Agency of Education (AOE) approved; however, the email from AOE (dtd 17 Oc 16) was obtained through an information request, and it contained a number of caveats and deferred to other differing calculations. The AOE author of that email has subsequently stated the calculations that were presented to you were an inaccurate representation and we should “push back” on them. The Sec of Ed has also disavowed the calculations as AOE approved.



# Income Sensitive Tax Comparison Example

*A homeowner with a household value of \$250,000 and a household income of \$50,000 would pay the following homestead exemption taxes after applicable credit...(using 2018 data/rates)*

Alternatives based on numbers who chose to go to other than NY schools	Taxes	
Current designation to NY schools	\$1,125	
Assuming all students choose to attend their current school but non-NY receive \$14,800	\$1,210	(capped at 2.42% of income)
Assuming 25% of current NY students choose to attend elsewhere and receive \$14,800	\$1,245	(Capped at 2.49% of income)
Assuming 50% of current NY students choose to attend elsewhere and receive \$14,800	\$1,280	(Capped at 2.56% of income)
Assuming 100% of current NY students choose to attend elsewhere/receive \$14,800	\$1,350	(Capped at 2.70% of income)

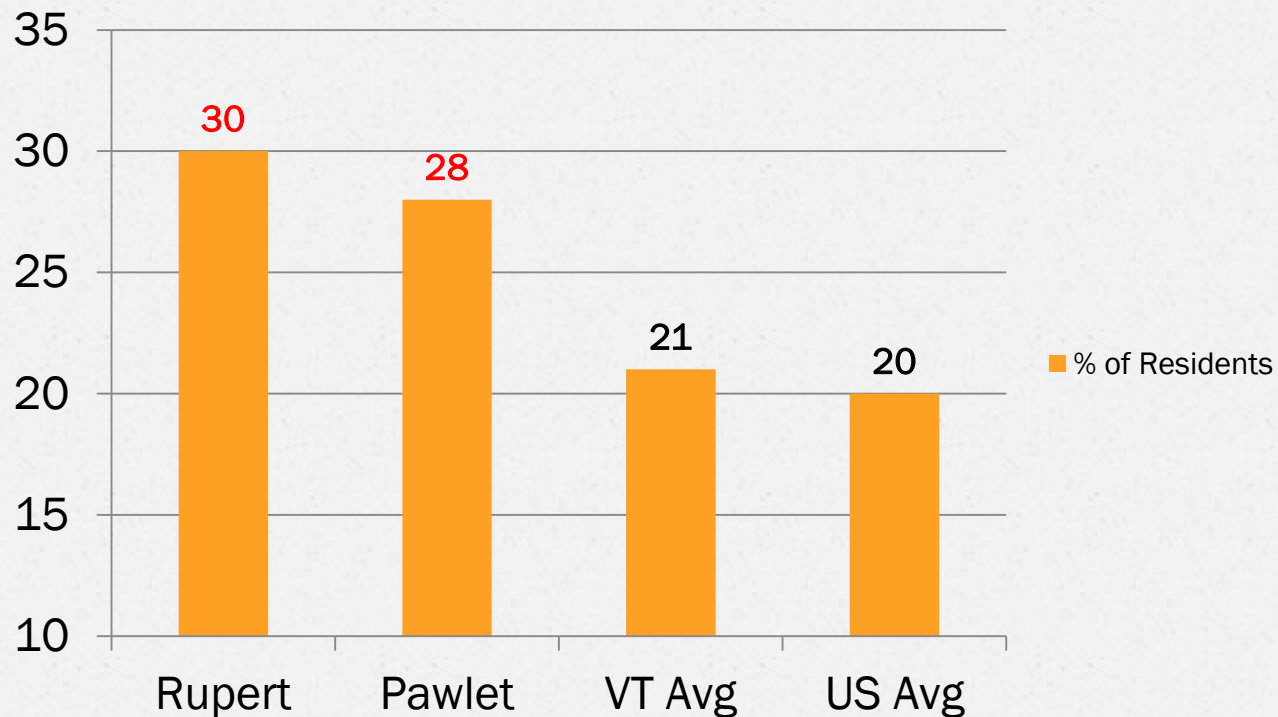
*For 72% of Rupert and 67% of Pawlet households, the **worst case** is a \$225 increase per year...**likely case** is a less than \$155 increase per year...*

# Tax Rate Comparison for Non-Income Sensitive Taxpayers (FY18 Data/Rates)

	Mettawee	Pawlet	Rupert	Merged
FY18 Equalized Tax Rate including Mettawee (pre-CLA)		\$1.310	\$1.372	\$1.325
Assuming all students choose to attend their current school but non-NY receive \$14,800				\$1.428
Assuming 25% of current NY students choose to attend elsewhere and receive \$14,800				\$1.468
Assuming 50% of current NY students choose to attend elsewhere and receive \$14,800				\$1.508
Assuming 100% of current NY students choose to attend elsewhere/receive \$14,800				\$1.589

*For less than the top 1/3 of incomes and second home owners, the **worst case** extreme is a **\$0.27** increase...**likely case** is a **less than \$0.18** increase...*

# Residents Whose Primary Income is Retirement or Social Security



# These Opportunities are Traded For...

- o Exceptionally low education tax rates\*
  - o The VT state average is just over \$1.53
  - o Rupert's rate is \$1.22 – *the lowest in VT and \$0.31 below the state average*
  - o Pawlet's rate is \$1.40 - *\$0.13 below the state average*
- o Also, Rupert has accumulated a tax stabilization account of over \$400K with education funds\*\*

\* Source: Vermont Department of Taxes website - FY2017 rates reported

\*\*Source: Rupert Annual Town Report as reported during the RPWMS Sept 16