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Testimony for the Vermont legislature

**March 14, 2019**

# Notes On The End of Democracy In Small Towns

It isn't going away without a fight;

This, and other reasons we ask for a one year delay

**An (re)introduction to who we are, before we disappear**

I live in Grafton, Vermont. Grafton is one of those towns the rest of the country thinks of when they think of Vermont. Currier & Ives made prints referencing the place. Budweiser made beer commercials using the town as a backdrop. It has been featured in Hollywood films, The New York Times, the Boston Globe and numerous lifestyle and travel magazines. It looks cute as hell.

But like many small towns in Vermont, little Grafton is in deep trouble. Its original economic reason for being, a good dirt road crossing the mountains and a good place to stay on the trip along the way, has been wiped out by modern interstates. And, to be honest, it has been held back by chronic state underinvestment in basic infrastructure such as roads and communications. Today, we say Grafton is “equally inconvenient to everywhere,” a small joke about a community and a uniquely Vermont way of life that is in danger of disappearing forever. In recent years, Grafton’s population has aged and rapidly declined in numbers. It is a community that has created several food and consulting companies only to watch them disappear, moving to places with better roads closer to major markets. Our twin community of Athens is struggling even more, and has one of the highest poverty rates in the state.

**Small communities are like family when it comes to taking care of kids and the institutions that govern their lives**

Among the few things that Grafton and Athens have going for them is a powerful sense of community. We are a place where you see a majority of your neighbors at town meeting, it is a place where many, if not most of the adult population, have spent at least one night sitting on the floor of our little school's gym reading to six and eight year olds on our annual story telling overnight.

You see, and this is something doubtless you have been told countless times, education matters to little towns. Educating our children is more than just a public obligation. Educating and **controlling that education** is, in a visceral way that it may be hard for many of you to appreciate, the mission of our community and the definition of who we are.

Our local school and the children attend it are the center of our community and our principle hope for a future.

**Educating our children is the one thing we do together.** In Grafton our road crew held a "field trip" where little kindergarteners got sit in the laps of the workmen and pull the levers to operate the backhoes and dump trucks. Our library has reading days where kids sit and are read to by senior citizens to their mutual delight. Our historical society takes kids to one of our local cemeteries where children learn about the young men of their community, some their direct ancestors who gave their lives at Gettysburg and Antietam.

Today, this thing we care about most, worry about the most, and spend the bulk of our public money on, is being ripped from our control. No one has ever made a compelling case for doing this to us. No one has ever shown that consolidated governance saves money or improves educational outcomes. If it did we would be having an entirely different conversation with you today. We live for our kids. Like any extended family we want to make sure they are being taught and cared for. When a small community loses control over their schools it is like a parent being told they are no longer fit to teach or care for his or her children.

How can you think the reaction we have to the prospect of losing such control would be any less than what you have seen and what you have read about? This is the fundamental reason why so many of our small town towns now find themselves in unwilling rebellion against our own state's educational bureaucracy.

**Rebellion against arrogant authorities: This is what democracy looks like**

That bureaucracy is largely responsible for exacerbating the problem to the point that we need a “time out” to avoid a complete breakdown of school governance that threatens the basic functionality of many of our local schools.

You may not be aware of this in Montpelier, but in small towns across the state we have been told that we are too stupid, too insignificant, and most infuriatingly, too intellectually dishonest to run our own institutions after more than two hundred years. We have been told, quite directly, that local, democratically governed educational boards are incapable of supporting education. State Education Secretary Dan French told me last October that many small town boards were unqualified, that opposition to consolidation was limited to a few Board malcontents that were too wedded to their own importance, and who didn’t represent their communities and that communities would accept state direction. He told me this at a regional meeting of the Vermont School Board Association!

He also told me that he didn’t think most alternative governance proposals were “realistic or sincere” This after our own district had been working under our own alternative governance for the last several months.

I am aware I am saying this under rules that govern any testimony before a governmental body. I am referring to notes I took and a memo I wrote down the next morning about my encounter. I spoke to a school board colleague about it on the ride home.

However, this remark wasn’t the most insulting encounter many of us have experienced, not by a long shot.

Virtually all of us were challenged to create alternative governance proposals, to take a hard look at what functions we should own, what we should cede to our SUs, and what tasks we might share with nearby towns and work on together. Many of us spent a good part of a year on these efforts. We involved members of our town, had frequent meetings with all sorts of stakeholders, and created a variety of truly creative proposals ...

... which were all shot down by either the AOE or the state Board with only the most minimal explanations. Again, the proposals supposedly weren’t sincere. They weren’t realistic, they were either too creative or not creative enough. No Board would implement them, even Board communities already working under the new rules. None of the plans was sufficient. Or well thought out. Or something., The explanations were nonsensical as they were insulting.

Apparently the lawyers, the PhD.s, the former superintendents that participated in the alternative governance process across the state just weren't capable of creating governance structures that were more "Practical" than forced consolidation without any plan or any structure.

How is that even possible?

We went before the State Board to look for guidelines and to understand the rules to guide us in our appeals going forward. Instead, the Board said that consolidation was on the advice of the AOE to be the default, that the term "practical" was now being redefined to ignore all sorts of basic objections like the lack of roads directly connecting parts of consolidated districts, and that we could "discover the rules" to guide any further appeal "through the minutes of the discussions" of the Board.

Are you kidding me?

Is it any wonder many of the affected communities are in open rebellion? Is it a surprise that town meetings resolutions opposing consolidation that were once at least considered debatable were now passing unanimously? Should anyone be surprised that Board members have felt compelled to pledge they would not willingly serve on any consolidated board, that meetings to convene new districts have been shut down by unanimous consent almost immediately?

### **Needed: A time out and a cooling off period**

Now, a problem that could have been solved with compromise and mutual respect has grown completely out of hand. We aren't facing opposition to consolidation any more, we are facing fury.

We could easily come into this summer with many communities having no district with a charter authorized by voters, with no functional boards, and with no consolidated budgets in legacy districts that have been effectively dissolved with no possibility of their being merged and reconstituted with any level of popular support.

We are facing a disaster.

We can argue later as to who is at fault for the situation. We can debate whether or how Act 46 should be amended.

We can debate a quick and basic solution that I would propose, stating the obvious, which is that per the language of Act 46, “It is **always** impractical to force a consolidation and create credible democratic institutions that lack a shred of popular support!”

But whatever you the legislature might consider as long term fixes to the Act, no reorganization can take place and no community in rebellion can be calmed down over the next month or so. That is all the time we have left. If meetings aren’t planned this month, and attended by willing district members next month, and if budgets aren’t approved the following month, we will have run out of time.

Whatever you may think of these little communities and their local town boards, whether you praise them for standing up for democracy or condemn them for their obstreperous refusal to bow to the judgement of their betters, it no longer matters.

What matters is educational continuity.

If there is no functional district, there may well be no one to create a budget, no budget for voters to approve, and no means to even institute even an interim budget, because there will be no institution at all.

What happens to teacher contracts, to debt obligations?

Ultimately the state owns responsibility for education. Does the state pay for the education of thousands of children out of state funds? What is their budget? Do they treat large swathes of the state like they are unorganized gores? Does 16 V.S.A. § 4031 become the law governing the education of thousands of kids?

Such stuff is too outrageous to contemplate. We would all wish that everyone comes to their senses and work things out.

But unless the legislature grants a one year delay we won’t have the time to make any of that happen.

We have a crisis on our hands.

Please solve it.