

Testimony of Cheryl Charles, Ph.D.
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To the Vermont Senate Education Committee
March 14, 2019

Honorable Chair Baruth and Members of the Senate Education Committee, I appreciate the opportunity to address you today about the proposed forced merger of the town school districts in Athens, Grafton and Westminster. I am an educator, having begun my career as a high school teacher of American government and history, and have now worked for decades nationally and internationally as the executive director of non-profit organizations focused on children, families, communities and the environment. I am in my fourth year as an elected member of the Town of Westminster's School Board, and also serve as a member of our Windham Northeast Supervisory Union (WNESU) school board. The Windham Northeast Supervisory Union Board is made up of representatives of Rockingham, Athens, Grafton and Westminster as well as our regional Bellows Falls High School board.

My grandson attends kindergarten in our public Westminster Community School, and my granddaughter will follow him there in a few years.

I will state clearly that I am opposed to this forced merger, as are the members of our Town School Board, and, demonstrably, most of our townspeople. At Westminster's Town Meeting on March 2, town members voted decisively and almost unanimously to approve the proposed school budget for the 2019 – 2020 academic year. As a group, they expressed strong support for our efforts to delay a possible merger until the courts have fully considered the merits and implications and had the necessary time to take thoughtful action. We believe that only a delay will allow time for the court to act and for our boards and communities to embrace the court's decision and work toward its successful implementation, whatever that decision ultimately turns out to be. We also believe that failure to provide a delay interferes with the legal suits that are currently underway. Forcing mergers is de-stabilizing and confusing while damaging the efforts of those suing to protect the constitutional rights of our constituents and depriving our constituents of the authority of the municipal corporation that is protecting those rights, our local towns.

I will briefly describe the process we followed to implement Act 46, because it demonstrates the hours, days, months and now years of our good-willed and responsible efforts in support of the law. In the spring of 2016, the four towns that comprise the Windham Northeast Supervisory Union (WNESU) formed an Act 46 Consolidation Committee. I became a member of that committee relatively early in the process. The committee met frequently over a six-month

period; we developed articles of agreement for the creation of a unified union school district; and, as requested, we presented those articles in the form of a unification plan that the Vermont State Board of Education endorsed in December, 2016. As the law required, this proposal for consolidation was submitted in each of our four towns for a vote of the electorate. On March 7, 2017, a strong majority of the voters in Athens, Grafton and Westminster rejected the plan. Rockingham was the only town to approve the plan, but, without a vote to merge by all four towns, the vote to merge therefore failed. 74% of Westminster's voters were against the merger. The combined total of all voters in the four towns showed 62% of all voters against the merger.

Following these votes, the towns' school boards subsequently agreed unanimously to submit a proposal for an alternative governance structure (AGS) and did so on December 21, 2017. We made a joint commitment to work together through an alternative governance structure that would meet the goals of Act 46 and would serve all the children and youth in our schools in beneficial ways.

We strongly support the goals of Act 46. I have been a member of the Westminster school board throughout the full process of our attempts to implement the guidance we have received. As I stated, I served as a member of the study committee that developed the articles of agreement to create a new unified school district, articles we took to the voters of the four towns in our supervisory union. I also served on the committee that developed and submitted our alternative governance proposal by the deadline of December 2017. We developed our proposal thoughtfully and collaboratively, with the strong support and assistance of our WNESU school superintendent and staff.

I cannot stress enough how many times we read the law and worked to implement it as written. We worked hard, long and in good faith that our efforts to follow the law would be respected. The law specified that an existing supervisory union could be used as the foundational structure for an alternative governance structure; that is, an alternative to what the law referred to as a preferred structure. The preferred structure, as you know, favored consolidation of school districts by dissolving local school boards to create what are essentially regional boards. Please know that we were not trying to protect the status quo. We were not digging in our heels to resist change that would improve the lives of children. Of course not. We sincerely worked together as representatives of the four towns to find new and effective ways to make improvements, and we continue to do so—with increased efficiencies, transparency, accountability and program changes that allow for even more cooperation to bring high quality services and equitable educational opportunities to children in all four towns. We developed what we think was an outstanding alternative governance proposal; submitted it in a timely manner; met with then Secretary of Education Rebecca Holcombe and staff to discuss its merits; were pleased that the acting secretary's report of findings did not recommend this proposed forced merger of Athens, Grafton and Westminster; presented to the state board of education on two occasions where we got no serious questions addressing the quality of our proposal and its rationale; and were then stunned to hear the news with the Board's actions in

November of 2018 that three of our four towns would be forced to merge, creating one much smaller school district rather than our current highly efficient and effective supervisory union of four towns and the regional high school.

Voters in Athens, Grafton and Westminster who overwhelmingly voted against a merger of the school districts are still reeling from the state board of education's willful override of the voters' wishes. The law asked for votes. The law made no mention that "No" votes were unacceptable. It makes no sense to ignore the will of the voters, and subsequently erodes trust in our elected officials and the governance system overall. Part of the rationale offered to us by the State Board's action in November was that we had gone through all of the steps—a study committee, a vote of the people, and the development of an alternative governance proposal—thereby suggesting we were ready for a merger of three of the four towns. The voters never voted on a possible merger of Athens, Grafton and Westminster. We voted on a possible merger of the four towns and high school district.

For the record, while I am speaking as a member of the Westminster Town School Board, our friends and colleagues on the school boards in Athens and Grafton are also strongly opposed to this forced merger. They already operate a school jointly. They are geographically isolated, including from Westminster. They have no school debt; Westminster still has significant school debt based on the voters agreeing to build a new gymnasium several years ago. Their tax rates are substantially lower than ours in Westminster. All of us are worried about the potential financial, educational, social and community costs from a forced merger. The forced merger of our three small towns' schools will result in a new school district of only about 250 students, while our alternative governance proposal from the four towns, because of Rockingham's size including the villages of Saxtons River and Bellows Falls, has a student population of more than 900. We don't see how the forced merger benefits children or taxpayers. Because of the different levels of indebtedness in the three towns being forced to merge, and because of the different tax rates and different population numbers, the result of the forced merger will likely raise taxes in some communities and cut programming in others, neither of which would be necessary within the structure of the supervisory union, bringing no discernible benefits, while doing harm to children, their families, and whole communities.

Part of the State Board's decision suggested that we would be well prepared to develop a consolidated budget for the three towns. Not so. I would like to address the budgeting process for a moment as well, because of its interconnectedness with the state's accounting and data analysis systems. The Westminster School Board serves as a committee of the whole to do our annual budget development. We start early, and work on it for months before it is presented to the voters at town meeting in March. All of the school systems in Vermont were asked last year to adopt a new accounting software program. The Windham Northeast Supervisory Union was one of the few districts that participated in the initial pilot and were one of three that "went live" on January 1, 2019. It has not gone smoothly at all, resulting in our very experienced business manager and her team literally having to keep double sets of books for all of the

towns' schools and the supervisory union. They are being asked to create and use a new chart of accounts, so really must keep the old system intact while the changes are being made.

In a separate but related situation, the state is using a new system to establish the numbers of equalized pupils in the towns. Errors and inaccuracies are turning up, undermining our confidence in the numbers we are receiving from the state. It was particularly difficult this year, as the numbers of equalized pupils we received from the state varied throughout the process. Literally the afternoon before Town Meeting this year, on Friday, March 1, our business manager got yet again a new set of numbers resulting in a reduced number of equalized pupils and a higher projected tax rate for our citizens. If for no other reason than to verify the numbers and make improvements to the accounting and data analysis systems, a delay of any forced merger should be pushed out to 2020. We believe this is symptomatic of the haste surrounding these most recent actions to force mergers, and that the unintended and damaging consequences will continue to multiply if we and others are forced to merge as quickly as July of 2019. The harms to students, to families, and whole communities are consequential and deeply troubling. A delay will help us all because, surely, should we be implementing merger, it is in everyone's interest to do so smoothly rather than chaotically, which is our experience to date, and even more so in these recent months.

In a related damaging consequence, if the vote to approve the town's school budget is taken away from the town, we believe that civic participation will be negatively impacted. Historically, the vote on the school budget has involved thoughtful participation and active, respectful discussions and votes at Westminster's annual Town Meeting. Taking the school budget vote to a distant Australian ballot, without the informed and energetic discussion characteristic of Town Meeting, will predictably reduce the numbers of people who participate in Town Meeting, a damaging blow to the effective participatory democracy that has thrived in Vermont for so long. We understand many larger towns in Vermont use Australian ballot effectively, but a Town meeting where the issues of the schools are integral is how we operate in Westminster and it has proven an effective way to do so.

I respectfully ask you to provide a clean, straightforward and unencumbered delay of the forced merger of school districts until July 2020 to allow the courts time to act, unless town school districts decide they can and want to proceed on a July 2019 timeline.