

To: The Senate Education Committee  
From: John Pandolfo; Barre Supervisory Union Superintendent, East Montpelier citizen, VSA Member  
Date: March 14, 2019  
Re: Testimony on H39

Thank you for hearing my testimony, on behalf of the Barre Supervisory Union, as a resident of the Washington Central Supervisory Union, and as a member of the Vermont Superintendents Association.

I will begin by speaking as the Superintendent of the Barre Supervisory Union. In preparation for today, I reviewed the testimony I provided to the House Education Committee on January 23, 2019, on H39, as well as that which I provided in 2017 on Barre's progress on Act 46. I felt the information provided then is relevant for today, so I attached it to today's testimony.

As you are hopefully aware, Barre has been continuously engaged in efforts to implement Act 46 for more than three and a half years. While we did not succeed in achieving a voluntary merger, we have accepted the State Board of Education's Order to Merge and are actively and rapidly moving forward toward the July 1, 2019, date to begin operation as the Barre Unified Union School District (BUUSD).

We held one of the first Organization Meetings in the state for our new union district on January 10, just two days after our last failed voluntary merger reconsideration vote. We successfully voted to amend our Default Articles of Agreement on February 19, and have warned elections for our new district board on April 9. Both of these votes were warned by our Transitional Board, and that board continues to develop our unified budget. We plan to hold our unified budget vote on May 14. This work has been demanding on our boards and administration, but our understanding and belief is that this is what the law requires.

In Barre, we did NOT hold budget votes for our currently existing separate districts, because the law states that these districts will cease to operate after June 30, 2019, and we are following the law. Our three district boards did NOT vote to participate in any lawsuits. The five member Barre Town School District Board voted three "against" and two "for" joining the large 33-district lawsuit; with a different board makeup that might have turned out differently. The Barre City School District Board and Spaulding Union District Board did not entertain a motion to vote on joining the lawsuit.

Our focus is finally on moving forward, and any delay in going operational as a merged district on July 1, 2019 will be extremely problematic for Barre. We are not prepared to continue operating as single districts: we do not have separate district budgets developed, we do not have separate budget votes warned; several of our current district board members have committed to remain on those boards only for the short-term. This is all based on what we understand from the law.

The petition deadline for the April 9 new district board election was this past Monday, March 11. Petitions have been submitted for all nine seats, with two of the nine seats contested. Nine of the eleven candidates are current board members, and at least nine of the eleven candidates have stated they are in favor of moving forward with a merged district. However, any bill which contemplates a vote by this new board on a decision to delay operation of the new union district until July 2020 causes me great concern, and will impact our ability to govern this district in a culture of chaos and with single budgets not approved.

We have a very real history over the past few years of effective negative campaigning leading to negative vote outcomes. These campaigns have included signs, robo-calls, social media, and harassment of voters entering the polling place. It is not unforeseeable that a write-in campaign could be mounted with people solely running on a "delay" platform. Turnout for yet another random vote date will not be high. The members who submitted petitions are committed to running a newly merged school district. Those running on a "delay" platform would not be.

A delay has the potential for disaster, and is absolutely not in the best interest of the children of Barre. Please do not open the door to that possibility. Barre is finally starting to heal from the divisiveness of the past four years. We just celebrated our first positive vote of the merger process. We cannot afford to go backwards.

Next I will speak as a resident of East Montpelier, which is served by the Washington Central Supervisory Union. When I extend the thoughts above about Barre to Washington Central, as well as to the other systems under state board order to merge, I become even more concerned. These are systems that have struggled the most in the state when attempting to work together in making decisions towards merging. Why would you, at this point in time, put a decision like this back in their hands? The legislature has already made the decision in passing the law. The State Board of Education has already made the decision, following the law, in issuing orders to merge. A Superior Court judge has stated very strongly that he believes both of those decisions were justified and appropriate. There is no valid reason for you to thrust that decision back on these communities. It will continue to divide them.

I was at the Washington Central Organization Meeting that was “tabled” on February 19. I was witness to the acrimony. I am ashamed at the way members of my own Washington Central community have acted. I have little doubt that if you pass this bill and give the yet to be warned, yet to be petitioned, yet to be elected new district board the decision to delay, you will have an election of acrimony and divisiveness where children’s educational interests will take a back seat and a “delay” platform can likely take the day, and you will end up with the board of a newly unified district that has no interest in running a newly unified district as a unified district, doing a grave disservice to the children of my community and to the intent and goals of Act 46. And you will see this repeated across the state.

I will acknowledge that this statement may sound overly dramatic, but I mean every word of it sincerely. I stepped in as a new superintendent right after Act 46 passed, and for almost four years I have watched two school systems, where I live and where I work, struggle as much as anywhere in the state. It is time to put this behind us and move on. More delay will only continue the acrimony and dysfunction, and will be bad for our children and for Vermont!

Lastly, I will speak on behalf of the Vermont Superintendents Association. In doing so, I simply want to say that superintendents, central office staff and building leaders too often are finding themselves contending with the political and operational challenges associated with the prolonged implementation of Act 46. VSA’s executive director Jeff Francis stays in very close communication with superintendents and does an effective job of representing the views of superintendents.

For example, Jeff hosted a meeting of a number of superintendents yesterday to gauge what we thought of the proposal to assign the decision for Act 46 delay back to newly constituted boards. I can say that the superintendents able to participate had significant concerns about that potential action. Like me, these colleagues are working to implement the law, following directives of the Agency of Education, and doing their absolute best to serve boards and communities that are often in conflict. In some cases, these leaders are being vilified for the role that they are playing in the Act 46 implementation process. And in some cases, they are reluctant to speak out because of concerns about acrimony and dissension in this process.

To a person, the superintendents participating in the meeting had serious concerns about dynamics that will result if the delay decision is placed on local boards. They also indicated that they are working toward being ready to have their newly unified district operational on July 1, 2019 and believe that their systems can be ready, barring any further delays in decision making here in the Legislature.

On an additional note, speaking again as the Barre Superintendent, members of my boards and communities have asked that consideration be given to providing Barre the tax incentives under Act 46, as in their final votes both of our communities voted by majority to approve a voluntary merger.

Thank you for the opportunity to testify.

Respectfully,  
John Pandolfo

# BARRE SUPERVISORY UNION DISTRICT #61

Barre City Elementary & Middle School / Barre Town Middle & Elementary School / Spaulding High School / Central Vermont Career Center

*Lisa Perreault*  
Business Manager

*Jacquelyn Ramsay-Tolman M.Ed., CAGS*  
Director of Curriculum, Instruction, and Assessment

*Carol Marold*  
Human Resource Coordinator

*Emmanuel Ajanma*  
Director of Technology

*Benjamin Merrill*  
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*Donald E. McMahon, M.Ed.*  
*Stacy Anderson, M.Ed.*  
Co-Directors of Special Services

*Sandra Cameron, M.Ed., MOT*  
Director of Early Education/Act 166  
Coordinator

*Lauren May*  
Interim Early Education Coordinator

*Jamie Evans*  
Director of Facilities

To: The House Education Committee  
From: John Pandolfo, Superintendent, Barre Supervisory Union  
Date: January 23, 2019  
Re: Act 46 Testimony

Thank you for hearing my testimony, on behalf of the Barre Supervisory Union. In preparing for today, I reviewed the testimony I provided to this committee two years ago, and felt the information provided then is relevant for today, so I attached it to today's update. As you are hopefully aware, Barre has been continuously engaged in efforts to implement Act 46 for three and a half years. While we have not succeeded in achieving a voluntary merger, we have accepted the State Board of Education's Order to Merge and are actively moving forward toward the July 1, 2019, date to begin operation as the Barre Unified Union School District (BUUSD). My January 26, 2017, testimony provides some background, demographics and history of our school system as well as a detailed chronology of our Act 46 steps up to that date. I will provide a brief update of what we have done since then, and then explain why any delay in going operational as a merged district is extremely problematic for Barre.

## Update:

- After several months of discussion at the district and supervisory union level, the boards decided to form a new 706 merger study committee late 2017. This committee included members who had voted against merging in 2016/2017 and were still undecided on whether Barre should merge or not.
- The committee met twice monthly throughout most of 2018, modifying the articles of agreement created by the previous study committee to address the issues Barre Town residents had raised against merging.
- Because Barre was in an active merger study process, the Draft Statewide Plan issued in June did not indicate the State Board of Education's intentions for merging Barre, so Barre did not know that a merger would be forced in November 2018.
- The committee voted by majority (but not unanimously) to bring the vote to the public again, and opted for a vote date of Election Day (November 6, 2018) in order to maximize voter turnout.
- The November 6 vote again passed overwhelmingly in Barre City and failed overwhelmingly in Barre Town. Voting results from November 2018 and November 2016 are in the table below, showing that the total majority of voters in Barre supported a merger each time, even though Barre Town's majority voted NO.

	November 2018		November 2016	
	Yes	No	Yes	No
<b>Barre City</b>	<b>1887</b>	<b>567</b>	<b>2069</b>	<b>694</b>
<b>Barre Town</b>	<b>1262</b>	<b>2106</b>	<b>1611</b>	<b>2108</b>
<b>Total</b>	<b>3149</b>	<b>2673</b>	<b>3680</b>	<b>2802</b>

- A group from Barre Town, led by those who voted NO on November 6, submitted a petition for a reconsideration vote prior to the November 15 State Board of Education meeting.
- On November 15, the State Board of Education voted to order Barre to merge. At this meeting it was announced that if the reconsideration vote (scheduled for January 8, 2019) passed, then the merger would be considered voluntary and Barre would receive the tax incentives and transition grant associated with a voluntary merger, as well as utilize the articles of agreement developed by the Barre merger study committee, not the SBOE's Default Articles.
- The January 8 reconsideration vote results were 952 YES and 554 NO, but this was not considered "passing" because it did not meet the threshold for a reconsideration vote per 17 V.S.A. §2661, thus the SBOE's Order to Merge remained in effect.
- The BUUSD Transitional Board (as defined in the Default Articles) held its Organization Meeting and its Initial Meeting on January 10.
- Prior to January 10, an Amendment Committee formed by the boards in December had already prepared a proposal for amending the Default Articles, replacing some with articles from the Barre merger study committee.
- The Transitional Board has warned a public vote on the article amendments for February 19, 2019. Ballots are being prepared by our City and Town Clerks as we speak.

In summary, Barre has done everything possible to be prepared to merge, and is moving forward. While not everyone in our community and on our boards have agreed they want to merge, our boards understand the requirements of the law and we have worked hard to follow those requirements. In addition to merger studies and votes, we have prepared in the following ways:

- We have worked through the fall of 2018 on a single, consolidated budget for FY2020, abandoning our previous process of developing budgets for three separate districts and a supervisory union. In doing this, we have made every effort to work with the Agency of Education to transition to a new Uniform Chart of Accounts and a Statewide School District Data Management System, which has added significantly to the complexity of this transition. In realizing that the state's implementation has significant problems, we contracted with our current financial software vendor to create a new database in order to allow for a single merged budget, at considerable time and expense to our business office. Any decision to delay a go live date for single district operation at this point will be devastating, causing us to backtrack and prepare separate budgets, after five months of budget development. The high probability at this point of not being ready for operation as separate districts on July 1, 2019, never mind not being ready to accurately communicate information for separate budget votes, will put us at risk to lose credibility with our taxpayers, to not meet payroll and accounts payable warrants, and to fail to adequately fulfill many of the other tasks the business office of a \$40 million, 600 employee organization must fulfill to operate successfully. A delay in single district operation will put a tremendous strain on our business office, possibly to the breaking point.
- In an effort to centralize the separate policy manuals of three districts, our Supervisory Union Board created a Policy Committee which has worked extensively to create a single set of policies. We now

have approximately fifty common policies with another ten on the way which will be ready by July 1, 2019. We struggled through this work, making it a priority, because we knew we would need a single set of policies to operate as a single district. This is not something we just started, but work we have been doing for over three years because we knew it was necessary.

- Similarly, we have centralized our board oversight committees for facilities, curriculum, communication, negotiations and finance over the past three years.
- Board members on our current boards have agreed to run for “short-term” seats on the understanding they would be “short-term”. Any decision to delay operation as a single district at this point will risk losing the experience base we need to keep our districts operating successfully.
- As stated above, we already have a Transitional Board organized, a public vote warned for amending default articles, as well as dates set for an initial board election and a budget vote. Any decision to delay operation as a single district at this point will disrupt that momentum and de-legitimize the hard work that has been done to date.
- We have board members serving on as many as three different boards and three different committees through this transition. Board members are getting worn out; continuing to run a merged district board in parallel with our current boards for an additional year is unrealistic, while not running that board is as unrealistic.
- We have a community which, in spite of the emotional sentiment and challenges of the past three and a half years, are looking now to the future. Any decision to delay implementation at this point will disrupt that momentum and risk what fragile cohesion we currently have. Our community needs to put this behind us and begin healing. Throughout this entire process we have done our best to put our children first, we do not want to lose that.

In closing, I will say that the Act 46 experience in Barre has been challenging. I will even say it has been as challenging as anywhere in Vermont. We have struggled through two merger studies, four votes and a divided community. We did not know prior to November 15 that the SBOE would merge us. In spite of all that, we are still ready to merge on July 1, 2019, and we need to merge on July 1, 2019. It will be detrimental if any decision is made to delay this date. You have heard testimony from one of the Barre board chairs, and you have received communication from other board chairs in Barre. We ask that you please honor our request not to postpone the operational date for forced mergers.

Respectfully,  
John Pandolfo

## BARRE SUPERVISORY UNION DISTRICT #61

Barre City Elementary and  
Middle School

Barre Town Middle and  
Elementary School

Central Vermont Career Center

Spaulding High School

*John Pandolfo*  
Superintendent of Schools

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*Sandra Cameron, M.Ed., MOT*  
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*Jamie Evans*  
Director of Facilities

To: The House Education Committee

From: John Pandolfo, Superintendent, Barre Supervisory Union

Date: January 26, 2017

Re: Act 46 Testimony

Thank you for hearing my testimony, on behalf of the Barre Supervisory Union. As you may be aware, we have been actively engaged in efforts to implement Act 46, and have experienced successes and challenges since the inception of the law. Our November 8, 2016 vote passed overwhelmingly in Barre City and failed to pass in Barre Town. A revote in Barre Town is scheduled for next Tuesday, January 31, 2017.

### Background:

- The Barre Supervisory Union is made up of two communities and three school districts:
  - The Barre City School District oversees Barre City Elementary & Middle School. The school has an enrollment of approximately 950 students (875 Equalized Pupils for FY17) serving grades PreK-8. The school's FY17 budgeted Total Elementary Expenses for FY17 are \$14,039,665 and Elementary Educational Spending per Equalized Pupil spending is \$11,862, one of the lowest in Vermont. The district is currently governed by a nine member board, transitioning to a seven member board this March due to a change in city charter. Barre City School has a reported Free/Reduced Lunch population of 60% and is a Community Eligibility Provision school, which means all students receive free meals.
  - The Barre Town School District oversees Barre Town Middle & Elementary School. The school has an enrollment of approximately 890 students (796 Equalized Pupils for FY17) serving grades PreK-8. The school's FY17 budgeted Total Elementary Expenses for FY17 are \$11,489,139 and Elementary Educational Spending per Equalized Pupil spending is \$11,860, also one of the lowest in Vermont. The district is currently governed by a five member board. Barre Town School has a reported Free/Reduced Lunch population of 24%.
  - The Spaulding Union High School District oversees Spaulding High School and the Central Vermont Career Center. The high school has an enrollment of approximately 750 students (789 Equalized Pupils for FY17) serving grades 9-12. The school's FY17 budgeted Total Union High School Expenses for FY17 are \$12,744,370 and UHS Educational Spending per Equalized Pupil spending is \$12,873, which I believe is the lowest in Vermont. The district is currently governed by a seven member board, with four members from Barre City and

three members from Barre Town by proportional representation. The Central Vermont Career Center serves approximately 160 students from about 20 different towns and has an annual expense budget of approximately \$2.9 million. Because Spaulding High School is made up roughly equally of students from Barre City and Barre Town, its Free/Reduced Lunch population is approximately the average of those of the sending schools (around 40% reported and likely higher in reality).

- We are the largest school system in Central Vermont, made up of large schools. Through sound fiscal management and economies of scale, we have been able to operate efficiently and still provide our students with a quality education.

#### Merger History:

- In the mid-1980s, and after much discussion and debate, the Barre City and Barre Town communities formed the Spaulding Union High School District. Prior to that Barre Town paid tuition for students to attend Spaulding High School.
- In 1994 the City of Barre signed over ownership of Spaulding High School to the Union High School District, in effect giving half ownership of the high school and property to Barre Town for the sum of \$10.
- In 1996/1997 the Barre Supervisory Union was created, encompassing the Barre Town School District, Barre City School District, and Spaulding Union High School District.

#### Act 46 Activity prior to the November 8, 2016 vote:

- In the summer of 2015, after the passing of Act 46, the boards of the Barre City and Barre Town school districts voted to begin an Exploratory Study:
  - A study committee of ten members was appointed under 16 V.S.A.706, with five members from Barre City and five members from Barre Town.
  - A budget was set per 16 V.S.A. 706
  - A \$5,000 study grant was secured under Act 156.
  - A consultant was hired through the Act 46 Implementation Project.
  - The committee met monthly from September through January.
  - An informational web page was created and maintained on the Barre Supervisory Union website (<http://bsuvt.org/joomla/index.php/act-46>).
  - A public forum was held in January, 2016; this forum was moderately attended.
  - An Exploratory Report was published recommending a formal Merger Study for the communities and districts within the Barre Supervisory Union.
- In February 2016 the formal Merger Study began:
  - Seven of the ten members of the Exploratory Committee stayed on for the Merger Study, and three stepped down and were replaced.
  - A new \$20,000 study grant was secured under Act 156.
  - The same consultant was retained through the Act 46 Implementation Project.
  - The committee continued to meet monthly.
  - The informational web page was kept up to date over this period.
  - The committee decided to recommend a vote to the communities, and set a vote date of November 8, 2016.
  - Articles of Agreement were drawn up, and board configuration was set at nine members, four directly from each community and one at-large voted by overall majority from both communities.
  - Two more public forums were held in May and October; very few people attended either forum. Surveys were sent out in May/June and August/September. The second survey

- received several hundred responses, and indicated overall (combined Barre City and Barre Town) support of 66% yes to 34% no in favor of a merger.
- The committee presented a Final Report to the State Board of Education on October 18, 2016, which was enthusiastically approved. The State Board asked why Barre chose not to pursue an accelerated merger. We answered that we wanted to be thorough in our work and not rush the process. The Final Report and Secretary of Education's letter to the State Board are provided here as handouts.
  - Committee members wrote letters to the editor and posted in Front Porch Forum in both communities advocating for a "YES" vote.
  - Twelve total people ran for the nine seats. Two Barre City seats were contested. The at-large seat was contested, with one candidate running from each community.

#### The November 8, 2016 vote:

- Shortly before the vote date a "NO" contingent emerged in Barre Town:
  - Signs were posted to vote "NO" by one individual in yards and at street intersections in the last week before the vote.
  - A candidate for a House Representative position made robo-calls in the last week before the vote advocating voters to vote "NO".
  - The same candidate stood outside the polls yelling for people to vote "NO" as they entered the polls.
- Barre City passed Article 1, the merger article, by 75% "YES" to 25% "NO"
- Barre Town failed to pass Article 1 by 57% "NO" to 43% "YES"
- Because there are only two communities involved, both communities needed a positive vote for a successful merger.
- For Article 2, the Barre Town candidate won the at-large seat, so the elected board is comprised of five Barre Town and four Barre City residents. Unless Article 1 passes the elected board has no standing.

#### The Revote:

- A group of Barre Town citizens submitted a petition for a revote, signed by >5% of the registered voters, per 17 V.S.A. 2661, within 30 days of the original vote date.
- The Barre Town School Board, as the legal authority per statute, set a vote date of January 31, 2016, within 60 days of the petition submittal date.

#### Challenges:

- For the revote to be legally successful it must pass with a "YES" count of 2/3 of the number of "NO" votes in the original vote, plus the "YES" vote must be the majority. This means at least 1406 "YES" votes plus a majority. This is a challenge since many less voters turn out for revotes or any votes outside of a November election. The high turnout on November 8 is not working in favor of a successful revote.
- There has been a history of contention between the two communities that dates back over a century. The formation of the Spaulding Union High School District was very contentious. There have been defeated efforts to combine some of the municipal aspects of government in recent years, such as emergency services. Barre Town residents believe they would be required to share in Barre City's high municipal tax rate as a result of a merger.
- There is a belief, fueled by information being disseminated, that Act 46 will either be repealed or that the state will never force communities to merge against their will.



- There is a belief, fueled by information being disseminated, that Barre already meets the requirements of Act 46 because of the size of our districts and our low Educational Spending per Equalized Pupil. Information is also being disseminated that we will be allowed to operate as an Alternative structure because of this and because the community wants to.
- “NO” constituents have raised concerns that Barre Town will contribute significantly more in the way of fund balances and other assets, and that their taxpayers money will be spent in Barre City. In actuality the projected fund balances on June 30, 2017 differ by \$200,000 in a collective \$40 million budget, or 0.5%.
- “NO” constituents have raised concerns that Barre Town will pay for Barre City’s excess spending, based on assumptions that Barre Town is more fiscally responsible than Barre City.
- It is not said as directly, but “NO” constituents have raised concerns that Barre Town students will be forced to mix with Barre City students, either by changing school structure, changing school attendance boundary lines, or setting up policies for elementary school choice.
- “NO” constituents have raised concerns that educational quality will decrease at Barre Town School as a result of a merger.
- “NO” constituents have raised concerns that Barre Town property values will decrease.
- I am providing copies of several informational postcards and flyers, as well as FaceBook and Front Porch Forum posts on both sides of the issue, so the committee can understand how the challenges look at ground level.

I can state honestly that I believe all parties are operating with best intentions, but this is a challenging issue representing change for two communities that have significant history and emotions around collaborating.

Thank You!

John Pandolfo