

I. Executive Summary

Windham South East Supervisory Union (WSESU) has had a long and successful history of cooperation between its five town districts and its one unified high school district. The union's districts consist of Brattleboro, Guilford, Putney, Dummerston, Vernon, and District 6 (representing Brattleboro Union High School, Brattleboro Area Middle School, and the Career Center).

In the fall of 2015, at the urging of the SU's supervisory administration, all of the individual WSESU districts voted to form a joint Act 46 Study Committee to produce a proposal for a unified (merged) union. The merged union was originally envisioned to comprise all six WSESU districts and to conform to the "Preferred" option described in Act 46.

Many challenges arose, and the committee's work eventually extended over two years. Major challenges included the withdrawal of the town of Vernon from membership in District 6, and from its position on the Act 46 study committee.

After Vernon's withdrawal, the Study Committee drafted new articles of agreement for a "Preferred" merged structure for the four remaining town districts (Brattleboro, Guilford, Putney, and Dummerston) and District 6. After much work, these were submitted to, and approved by, the Board of Education. The approved articles of agreement were then scheduled for a ballot in the four affected towns, per requisite Act 46 procedures, on November 7, 2017.

When the referendum votes were counted, however, community members in all four town districts had voted against merger by wide margins. Overall, 71% of voters across the four town districts disapproved of the terms of the proposed merger articles of agreement.

Prior to the vote, the Dummerston and Brattleboro school boards had created alternative governance structure proposal sub-committees. The committees were devoted to formulating an Act 46-defined "Alternative" governance proposal.

Subsequent to the merger defeat, these two town committees combined efforts to form a single Alternative Governance Study (AGS) committee. In the weeks following the vote, Vernon's and Guilford's school boards also voted to form official subcommittees to participate in the AGS committee process, and two school board members from the one remaining town (Putney) began attending meetings unofficially.

By mid-December the two Putney board members also joined officially. Thus all WSESU town boards are officially represented on the AGS committee. In addition, interested community members from the five towns have joined in the open roundtable consideration process. Sixteen AGS committee meetings had been held by mid-December, 2017.

The alternative governance proposal presented here is the result of the present AGS committee's work. This proposal would continue the present WSESU union structure, including Vernon. That last is a distinction between continuing WSESU as a union including 5 town districts, and creating a merged district including only 4 towns.

Besides deciding to continue WSESU, discussions by the AGS committee investigated and formulated union-wide initiatives which will be proposed to school boards to further the Act 46 goals of educational equity, cost efficiency, and increased opportunities for children attending WSESU.

These initiatives do not require re-formulating the structure of WSESU, do not expend state resources in incentives or transition grants to implement, and in themselves do not constitute a different governance system than is already fully functioning. They can be immediately implemented, using normal S.U. processes of committee formation, procedure adoption, fund generation, and the establishment of inter-district contracts and agreements.

During these discussions, the AGS committee considered cost savings through staff reductions, with guidance by the Picus Odden analysis which could provide an approximate 1% reduction in costs, equal to the figures and methodology projected for a merged union. The committee found that the mechanism of attrition and teacher sharing across schools is already in active use across WSESU. Facilitation and acceleration of this process is possible, including possibly adoption of shared staff accounting methods developed by other SU's.

The initiatives are explained in more detail in later sections of this document.

In brief, these initiatives include proposals for the formation of a union-wide “Opportunity and Equity Committee” and formation of “Community Leadership Councils” in each school. They also include investigating establishment of a “Regional Education Assistance Fund” to assist with equity initiatives. Finally, they propose adopting a new WSESU policy of “Limited Student Transfer”, achieved through contracts between the participating districts, and modeled on the successful existing program employed by Two Rivers Supervisory Union (TRSU).

These initiatives will enable the present WSESU to achieve higher levels of efficiency, collaboration, and efficacy across the school boards of the union. They will provide opportunities to create comprehensive solutions to specific issues in all schools and across district lines.

We expect these initiatives to become a model for achieving equity and cost management, while maintaining our voters’ clearly stated desire at the polls to maintain the current governance structure, with its local accessibility, transparency, and the local budget oversight advantages of a union of districts.

WSESU's long history of continual improvement has demonstrated that this union, and our towns' close local connection to our schools, is the best way to foster our children. That education will be at a cost we can examine, discuss, and approve in the open processes of our school boards, and our town meetings. Our voters have overwhelmingly affirmed that *this* is the process they value, and expect.

II. Background

Act 46 Merger Proposal – Lessons Learned

The five towns that comprise the WSESU had formed an Act 46 study committee in the fall of 2015. Many districts were initially motivated by the tax incentives, later referred to as transition assistance funds, promised by the Act 46 “Accelerated” and “Preferred” model initiatives.

During its deliberations, the study committee met over 50 times² between 2015, and the November 2017 referendum to consider options to form a merged district appropriate to the WSESU member towns.

The districts' differing operating structures, levels of debt and surpluses were practical barriers to most Phase Two options³(RED's, Two by Two's etc), so the study committee concentrated on the Act 46 “Preferred” merger structure throughout the process.

The study committee was initially assured Vernon's special status would allow the district to maintain its historic out-of-union school choice option, yet participate in a “Preferred” merger governance structure.⁴ However, in the Agency of Education advised the Vernon School District that they could not merge and continue to offer 7-12 grade school choice.

To preserve the school choice option, Vernon withdrew from membership in BUHS #6 and from the Act 46 study committee in late April of 2016. As a result of this separation, Vernon lost its ability to participate directly in high school governance after over 60 years of successful cooperation. Likewise, the remaining small towns lost a potential partner under a merger which might have more equitably balanced small towns' voting power with Brattleboro's voting power in the proposed single district union, and reduced the possible savings of that union available through efficiencies of scale.

Act 46 study committee meetings were held at all the schools in WSESU, which allowed the remaining member communities the opportunity to participate directly. Except for the initial meeting, all Act 46 study committee meetings were televised on Brattleboro Community Television, and accessible through online archives.

Voters were given ample time to understand the vote and comment on the process. Public forums were held in every district prior to the vote, numerous commentaries from the study committee chair were published in local newspapers^{5 6 7 8} a study committee informational video was available on the SU website⁹, and informational mailings were sent to every household in the supervisory union by the study committee prior to the November ballot.

During this process, public concerns began to be raised about loss of small town representation. Due to the tight time-frame required to set up an “Accelerated” merger proposal no groundwork had been performed to survey town community concerns and needs prior to forming the Act 46 study committee.

One town (Dummerston) did survey their voters nine months after the study committee had commenced work. These results indicated concerns over possible school closures, local middle school operation, teacher assignment and decision making over a small and local budget. The survey also indicated town interest in collaborating more closely with neighboring districts¹¹.

These and other citizen concerns, echoed by members of other towns, were not easily addressed by the proposed articles. Direct solutions were sometimes blocked by statute. For instance, though the study committee worked hard to try to mitigate the imbalance of voting power between Brattleboro and the outlying towns, statute dictated representation by population, creating a heavily weighted vote on a merged single Unified Union Board.

An admirable concept of volunteer “Leadership Councils” of citizens in each town was then envisioned by the Act 46 study committee, in order to reduce the loss of transparency and accountability inherent in a merger. That loss was widely acknowledged to be the result of disbanding empowered local school boards, and eliminating local consideration of school budgets at Town Meeting. However, statute again limited the proposed leadership councils preventing participants from having any decision-making power. They could only act in an advisory capacity to a single representative from the outlying towns, vs. four to six representatives from Brattleboro.

The likelihood that qualified WSESU administration representatives would attend and interact at all of these monthly volunteer meetings, as they had the district school boards, plus attend the Unified Union Board meetings was uncertain. Questions were also raised about maintaining sufficient volunteers and enthusiasm for only an advisory committee, communicating and advocating with only a board member, who in turn had only an 11% representative vote.

Concerns were also voiced about the impossibility of withdrawal from a merged district if the marriage was unhappy. This difficulty was also a result of statute, and the districts observed that difficulty first-hand during the challenges of the Vernon withdrawal.

The Vote:

Despite these and other publicly expressed concerns, the Act 46 committee's *Articles of Agreement* were put to vote by the four remaining towns on November 7, 2017. Turnout was high for a single-issue ballot.

The results showed a clear voter rejection of the merger articles.¹²

Town	Opposed to Articles	Supported Articles
Brattleboro	69%	31%
Dummerston	84%	16%
Guilford	62%	38%
Putney	68%	32%
All Voters, 4 Towns	71%	29%

AGS Committee: WSESU Initiatives:

Despite the defeat of the merger proposal, much was learned as a result of the study committee's work. Several ideas included in the proposal had widespread support throughout the districts. These included the possibility of limited school transfer options, and finding ways to work more efficiently and collaboratively.

Not only did the work of the Act 46 study committee inform AGS discussions, the original committee process did as well. Vermont statute had limited the "Preferred" merger study committee composition. The population imbalance of the communities which determined representation on the committee, paired with the requirement that every district include a school director meant that the smaller towns could not include non-board members of the community on the study committee. Though Brattleboro could have included other stakeholders beyond school directors, but did not. While decisions made by the study committee affected entire communities, only school directors sat at the table.

In addition, only one community school director at the table had a vote for each small town. Though an alternate board member was present, the majority of every small town's 5-member board was excluded. Excluded board members were allowed to participate in the audience, but on many occasions questions from the floor from both community members and board members were limited to a short period before or after the main meeting discussion. This was seen as a model for the likely relatively remote procedure for a merged Unified Union Board, as well.

The post-ballot AGS committee on the other hand was not limited by statute to a rigid composition, and so did not have membership barriers to collaboration across a variety of stakeholders. The committee's inclusion of varied community voices: teachers, students, taxpayers, a legislator, former merger study committee members, seated alongside school board subcommittee members, fostered community and regional ownership of the process. And when even a full district board wanted to participate, as did Vernon's in recent weeks, it was accommodated. The AGS process was a roundtable approach.

Likewise by proposing to continue the present union, with initiatives to facilitate collaborative examination and solutions to cross district issues, a merged Unified Union Board voting imbalance and necessary remoteness from constituencies are no longer required. The present union, with adopted enhancements, will continue to allow school representatives to participate in, and maintain an equal voice in cross-district decisions, while ensuring each community's ability to examine, discuss and determine its school budget. . . and its school's future.

The AGS committee, which included former Act 46 merger committee members, found that earlier focus on equalized tax rates, and tax incentives were replaced by AGS committee discussions aimed at producing supportable cooperative long-term operating efficiencies and *specific* means to address educational inequities. The proposals generated through this AGS process could, in fact, be implemented right now, in the existing union. They don't require a radical shift in governance structure. They also don't require state financial assistance in the form of tax incentives, and merger support grants to function. They were practical initiatives which would have real effects to enhance a fully-defined high functioning union.

IV. WSESU Current Performance Under Act 46 Goals

Educational Equity

The Act 46 study committee articles delineated differences between community schools in several areas, including availability of universal meals, institution of behavioral support programs, full-time pre-K programs, after-school and foreign language programs.¹⁴

However, In the year and a half following the identification of these differences, the schools of the WSESU had rapidly moved to equalize opportunities. For example, the town of Guilford's elementary school (GCS) and Brattleboro's Oak Grove elementary school instituted pre-K this year, and the Town of Dummerston is currently gathering data on community needs as the first step in implementing a pre-K program.

Of the other disparities mentioned above, behavioral support assistance is already consolidated at the SU level and is administered through a special education budget. All districts in WSESU are assessed for this budget based on their ADM (average daily membership), however the committee noted that behavior programs have not yet been implemented in all districts.

Consolidation is not a limiting factor in the behavioral support disparities, they can and should be directly remedied under our present union structure by assessing the specific needs of each school and identifying the appropriate programming.

While some schools in our union are eligible for a federal Universal Meals program because of higher local poverty rates, the most recent requested analysis by the AOE showed that merging the supervisory union would not have increased the number of schools qualifying for assistance this year¹⁵. Thus, funding would not have been extended to other towns, nor increased under consolidation, and re-distributing that existing funding would effectively reduce federal assistance to districts with the highest poverty percentages.

Generating additional local revenue is the only present way to increase meals availability, and for that a comprehensive assessment of needs and a determination of efficient models for delivery need to be developed on a per location basis. That kind of cross-district problem solving is possible to achieve within a cooperative union structure, and has in fact occurred in the past.

In addition to inequity in variety of programming, the Act 46 study committee found inequities in student outcomes. However, consolidation alone will not, in and of itself, remove these differences. Similar disparities exist among the consolidated three schools of our largest town district.¹⁶ Consolidation is not a simple solution. Focused remediation within the limits of available resources must occur across any governance system.

Financial Efficiency

WSESU is already realizing the efficiency benefits of consolidating many functions at the SU level. Union-wide we share fiscal services management, curriculum coordination, negotiation of union contracts for teachers and para-educators, teacher professional development funds, special education services, consolidated purchasing, and joint transportation contracts, where appropriate.

Where particular cost efficiencies can be established, the union structure is flexible enough to allow partial consolidations. In transportation, for example, Guilford School District found it was more cost effective to maintain buses and locally employed drivers than to outsource bus services to a franchise. The proximity to Vermont Yankee nuclear power plant was also a consideration in keeping buses on-site for emergency evacuation. For other districts, outsourcing was a better option. Both options are available in a union structure, and that flexibility can actually reduce overall costs.

The districts of the WSESU are committed to understanding appropriate staffing levels for the schools and have worked to assure that changes can be made over time to accommodate fluctuating student populations. Currently, staff is shared among several elementary schools. For example, the Dummerston school librarian, instrumental music teacher, vocal music teacher, physical education instructor staff are all shared with other area schools, and Brattleboro and Guilford share an art teacher. In some cases these positions happened by design, in other cases these shared positions happened by luck.

This cooperative staffing approach allows schools to offer full-time employment to highly qualified educators, while apportioning teaching time to the individual needs of a school. Boards do compare staffing levels to Picus Odden study recommendations and are taking advantage of opportunities to reduce staff when necessary, through attrition. For example, last year the Dummerston School did not rehire an academic coach position when one of their current coaches retired.

Educational Quality Standards

WSESU's current system of governance is well positioned to meet and exceed the educational quality standards. The WSESU District-Wide Action Plan aligns continuous improvement plans, administrative team goals and professional development supervisory union-wide to provide that our students will meet educational standards.

Student Outcomes:

As proficiency-based learning is implemented throughout our supervisory union, outcome requirements are being adopted throughout WSESU, allowing for improved coordination of curriculum, professional development and alignment to state and local assessments. Report cards are currently being vertically aligned to reflect proficiency-based learning standards. By 2020, all students graduating from our BUHS must demonstrate proficiency in all required content standards to graduate, as well as transferable skills. Students in the WSESU have multiple opportunities to learn through non-traditional learning experiences and flexible pathways.

Most of our elementary schools demonstrate proficiency above the state average on the SBAC assessments, and have made improvements over the past three years of SBAC testing. Some schools have even attained levels of proficiency for students receiving Free and Reduced Lunch (FRL) assistance or identified for special education assistance that exceed the state SBAC average for *all* students.¹⁷

Our supervisory and individual school leadership teams together analyze data and develop strategies based on district school successes. They identify schools in need of improvement, and share methodologies with a single collective goal to assist *all* students to meet or exceed the State standards. These data driven interventions have resulted in increased effective targeted Tier II instruction and successful responses to intervention (RTI).

Teaching Support:

Our supervisory union team has a deep commitment to staff professional development to assure that they can assist *all* WSESU students to meet educational standards.¹⁸

The SU team holds district and full supervisory union meetings throughout the year to update school boards on our student outcome progress, reviewing assessment data with all stakeholders, and providing plans for remedial assistance, such as targeted professional development or review of curriculum.

WSESU provides an excellent support base to its faculty. District staff includes a literacy and math coaches, curriculum coordinators, and English language learning coordinators. In addition, staff are now developing a preK-12 proficiency-based learning system. This effort has enabled faculty to vertically align teaching practices, assessment procedures and develop common language and understanding around the proficiency-based model of education. Additional professional development support has also been provided for teachers spearheading this effort.

Student Non-traditional Learning Experiences:

Our elementary schools offer a variety of non-traditional learning experiences. Some of these are system-wide, such as Winter Activities Programs and field trips, while others reflect school specific interests, such as school gardening, farm to school activities, “Forest Fridays”, mountain biking, etc.

At our Union High School, students have multiple opportunities to experience learning through flexible pathways. In conjunction with the Windham Career Center, students have access to three content-based academies; STEM, Visual and Performing Art, and an International Studies Academy. School business partnerships include work-study in a Community-Based Learning Program, Intensive Services Work Study and independent study programs. Dual Enrollment and Early College programs are also available.

Career and Technical Education:

Beginning in Grade 9, students are assigned a Career Counselor as well as a Teacher Mentor who will assure students have access to these opportunities. BUHS employs the Naviance system to engage parents and students in college planning.

Personalized Learning Plans:

All students 7-12 have developed and implemented Personal Learning Plans in accordance with the Educational Quality Standards.

Curriculum Content and Curriculum Coordination:

Our Curriculum Coordinator assures that each school's curriculum is aligned with the state board of education standards as well as standards developed throughout the district.

School Leadership:

The WSESU superintendent oversees all principals in the WSESU and with the assistance of SU staff, assures that the Education Standards are met. Each school in the WSESU employs at least one full-time principal.

School Staff:

School staff and staffing levels within the Supervisory Union meet or exceed the Educational Quality Standards

Transparency and Accountability

The Act 46 study committee consistently heard public concerns over the potential loss of transparency and accountability for outlying towns if district school boards had been merged into a single Unified Union Board, as proposed.

In our present union, each outlying town school board has five community board members. This district school board structure allows for immediate local access by constituents, and these boards can take rapid responsive action. Regular board meetings are held in each individual town so that taxpayers and parents can easily access the board and have their concerns and questions answered by board members who are local townspeople.

Our larger consolidated school district, Brattleboro, does not provide quite the same level of simple local community access. This is a necessary result of the operation of three schools by a five-member board. The reduction in simple access holds true for town meeting budgetary detail discussion here, as well.

For all towns, school budgets are explained at town meetings and changes can be recommended from the floor. The modest size of each budget in the outlying towns makes it possible for citizens to follow the specific details of education funding. With a consolidated school system, like Brattleboro, that level of detail is necessarily reduced and the degree of discussion possible during town meeting is also more limited.

The full union budget is reviewed by the WSESU Finance Committee, which is made up of members of the district boards, and the budget is then recommended to the full WSESU board for final approval. This budget is not currently voted on directly by voters, but indirectly as part of each district's Supervisory Union assessment.

V. Proposed Alternative Governance Structure and Recommendations

Governance Structure

The Alternative Governance Committee proposes to continue the WSESU union structure under Section Nine of Act 46 as an “Alternative Governance Structure”.

Recommendations

In addition, this committee recommends that the five WSESU town school district boards; Brattleboro, Guilford, Dummerston, Putney and Vernon investigate initiatives to increase efficiencies and equity specifically, by creating an “Opportunity and Equity Committee” and fostering and participating in local school based “Community Leadership Councils.” These organizations are described below.

In addition, the committee proposes creation of a WSESU “Regional Education Assistance Fund”, and adding policies for limited student transfers (also called “enrollment flexibility”) within our SU schools.

These proposals are dedicated to further improving WSESU's performance and assuring the Act 46 goals are demonstrably met.

A. Community Leadership Council:

It is proposed that each elementary or K-8 school will solicit, and encourage, and participate in a volunteer **Community Leadership Council** comprised of at least one school board member, a teacher, a parent, an administrator, an interested citizen, and student representatives, where deemed appropriate, from that district, to discuss and work towards an understanding of needs (and strengths) of each school.

B. Opportunity and Equity Committee:

It is proposed that school board members who serve on Community Leadership Councils will meet as representatives on the **Opportunity and Equity Committee**. This official committee will meet regularly to investigate, propose and recommend equity and efficiency initiatives throughout the union.

It is recommended that the committee also participate at full board “carousel” meetings to update SU board members on the union’s compliance with Act 46 goals and to set collective goals for efficiency and equity. Carousel meetings consist of a gathering of all members of all districts to provide information and recommend goals, followed by break-out group meetings by districts for discussions of implementation details. This practice will encourage collaboration as well as greatly reduce the number of meetings SU staff must attend throughout the year.

The Opportunity and Equity (O&E) committee is intended to engage districts in collaborative efforts and resource sharing to accomplish cross-district equity instead of the current community practice of only focusing on local budgets at Town Meetings.

While our supervisory union administration presently does an excellent job of coordinating resources, a dedicated multi-district committee will assist, inform, and amplify this effort.

C. Regional Education Assistance Funding:

Act 46 requires that all districts be responsible for the education of all the students in any alternative governance structure. To assist the Opportunity and Equity Committee, it is proposed that WSESU investigate initiating **Regional Education Assistance Funding**. It is proposed that all districts will help fund improved equity and efficiency, transparency and accountability supervisory union-wide. Funding methods could be either through an actual a fund paid into by all districts, or through the apportionment of Supervisory Union expenses. By slightly lowering a district's assessment, a district could increase their spending to cover one-time start up costs for new programming. Disproportionate assessments would be approved by the Supervisory Union board as required by statute.

16 V.S.A § 301 Apportionment of Expenses

Unless otherwise agreed upon, each school district shall pay a proportionate share of the salary and expenses of the superintendent and the expenses of the supervisory union based on the number of enrolled student in each member school district. (emphasis added)

Under this proposal, the Regional Education Assistance funding amount would be determined after a thorough determination of needs and options is available. Funding apportionment should be sensitive to factors agreed by the O&E committee and proposed to the SU as appropriate. The Opportunity and Equity Committee would determine the best use for REA funding and make recommendations to the full Supervisory Union board.

Where possible, this funding might be supplemented through private fund-raising efforts, and these external contributions will be applied, as permissible by law, to appropriate use in support of educational equity and opportunity goals. This type of funding, which foster an equitable education for all children in the five-town region, may be particularly attractive to private grant sponsors and donors.

Cost-savings found through increased staff sharing identified by the Opportunity and Equity committee might effectively offset REA contribution costs. Depending on the REA funding amount, the reduction of a single teaching and paraprofessional position union-wide might provide enough savings to equal a year's collective contributions toward this funded support for equity.

The Opportunity and Equity Committee would examine equity in programming quality and variety with SU staff and make recommendations to school boards. Where inequities exist, the committee would work to find ways to increase equity and, if necessary, determine whether to use the REA Funding to assist schools in achieving equity. For instance, district boards could apply for funding start-up costs for needed programming.

Example: Assuming provision of pre-K across the supervisory union schools is determined to be a priority by the Equity and Opportunity Committee. It considers this and other factors before recommending funding allocation in support of that goal, and determines the amount of assistance it can provide.

Current pre-K start-up issues include the fact that long term costs are reduced by the additional ADM from students not enrolled in partnership pre-K programs. However, the ADM number lags actual ADM counts, so the first year includes all costs, without an ADM benefit. State mandated spending thresholds penalize the district for exceeding the cost increase generated by an artificially and temporarily low ADM. Financial assistance during the first year may be crucial to beginning such a program.

The Opportunity and Equity Committee could consider that, because quality pre-K programs allow for early intervention for students with learning disabilities, which can reduce future special education and behavior intervention costs, it would be prudent and more efficient in the long run to provide some assistance for the first year of pre-K to a single district.

Though all districts would be contributing toward a single district benefit, all districts will share in the future reduced special education expenditures. And under its Act 46 goal to promote equity across districts the expenditure is justified. This furthers the goal of achieving equity for all students and reducing costs overall. It also helps establish an additional site for teacher collaboration and improvement.

Example 2. Smaller elementary schools in our Supervisory Union have wanted to offer foreign language instruction. Because of the cost of adding staff, some schools have addressed this need with online language courses. Initial costs for these can be substantial. The Opportunity and Equity Committee might find that use of the Regional Assistance Funding could help implement an initial trial program to determine suitability. The lessons learned would be shared to inform other schools of the efficacy of the program.

Schools can work together using technology to increase equity. Classroom networking and interactive course broadcasting with a single teacher changing school locations over the week is possible today. Costs to the schools offering foreign language can be reduced by sharing the teacher with another school. Existing paraprofessionals can proctor classes. New methodologies like these will be encouraged by the exchanging of ideas through Opportunity and Equity committee meetings, and lead to collaborative solutions that do not require use of REA funds.

REA funding will also help create resiliency in our schools, as we all may face unexpected temporary setbacks and need the help of our neighbors. Recognizing the reality that declining enrollment may someday require school closure, these funds would *not* be used long-term to keep a school in operation that cannot sustain itself. But emergency distribution of funding assistance in cases of special need do represent the Vermonter spirit of helping our neighbors. And those funds may, in some circumstances allow a community to continue providing programmatic equity through a crisis period.

Districts that request short term assistance from the REA funding would need to demonstrate their long-term viability in providing an equitable education for their students.

Maximizing Operational Efficiencies:

The Opportunity and Equity Committee will help identify operational efficiencies and facilitate SU wide sharing of resources. While our supervisory union has done an excellent job of promoting staff sharing between districts, increasing collaboration between districts will create additional opportunities for sharing of staff.

The committee will compare each school's staff to student ratios and programs to identify benchmarks and opportunities for reducing ratios. Expenses for every district will be reviewed annually, with costs broken down on a per-student basis in detailed expenditure categories. This benchmarking process will allow the Opportunity and Equity committee to find the best practices for efficiency. Not only will the committee consider the best practices of our own districts, but extend this work with the WSESU staff to review the best practices of districts outside the supervisory union.

In a merged district, tax incentives are savings to our local taxpayers, however they are not savings to the Statewide Education Fund. To move towards long-term sustainability state-wide, real savings must be found.

Under a projected merger, the real savings projected by the WSESU business office in the *Articles* amounted to \$500,000¹⁹, primarily in staff reductions to be realized through staff attrition and “greater flexibility to move staff around.” This represented slightly less than a 1% reduction in total expenditures for the proposed merged union.

However, this same 1% savings opportunity by staff configuration exists for individual districts in the present union structure by working collaboratively. And in fact, it may be more acceptable to voters. Using the Picus Odden report to compare staffing levels, boards and taxpayers may be more supportive of replacing a retiring teacher with a .5 teacher shared between two schools when those cost reductions would return to taxpayers directly, or be used to fund new equitable programming in their local school instead of being diluted throughout the tax base of a merged union. A direct connection to efficiency cost reductions is a means of producing results taxpayers value.

Increasing SU Transparency, Accountability, and Accessibility:

SU wide, our current system does not formalize direct collaboration between school governance and other stakeholders such as teachers, parents and students. By law, local teachers cannot serve as school board members in the school in which they teach. Community leadership councils on the other hand do not operate under that restriction. They are collaborative structures which equalize roles across a variety of shareholders, and increase community involvement, assuring more access to decision makers in school governance. They directly promote transparency and accountability to their communities.

Community leadership councils would add an additional layer of access to the unique Vermont open budget consideration process provided by our school boards and our town meetings. They add a new informed budgetary advisory opportunity for *all* stakeholders, working to improve each school.

This is an especially important enhancement for Brattleboro, where five board members are responsible for three elementary schools, resulting in reduced opportunities for stakeholders to connect with school board members. Leadership councils for each of the three individual Brattleboro schools will provide more direct community input to that school board.

Transparency and Accountability Issues in the Voter Rejected *Articles*

A merged system appeared to create a marginally more cost-efficient superintendent's office. However, throughout the Act 46 study committee process, citizens voiced concern about the loss of accountability and elimination of the prior system of school board checks and balances, for modest financial gains in administrative efficiency. A merged system would reduce local meetings, audits, budgets, and oversight of a dedicated citizenry directly involved in educational governance. Concerns were raised about the large size and complexity of a merged multi-town budget and the necessary reduced attention to detail for the number of schools that only nine board members would be required to oversee.

Even though implementing leadership councils in a merged union would help advise these representatives about local needs and issues, the volume of full union budgetary work that the voting board representatives could

practically consider, along with other governance chores, would occur at a greatly reduced level of detail. By definition important particulars of operations would be less accessible and less transparent.

With regard to these leadership councils, there is a clear difference between the AGS proposal's leadership councils and the merger proposal leadership councils. The first includes an Opportunity and Equity committee member and advocates ideas and funding for cross community improvements and efficiencies. The second attempts to advocate through a single voting district board representative *all* of a town's school needs and concerns, to then be considered indirectly by other members of an all-powerful consolidated board.

Further diminishing the effectiveness of a merger's leadership councils, their effective representation is compromised by the board's makeup. Had the merger articles passed the ballot, the three smaller towns would have been guaranteed only a single direct voting representative each, out of a total of nine on the consolidated board. Brattleboro would have four representatives, and there would be two at-large representatives elected across the combined union.

Since at-large voting would also likely follow population, Brattleboro representatives would likely have a five-member majority vote most of the time, and might even count six of the nine votes. This was felt to be disproportionate. While population-based representation occurs in the houses of representatives at state and federal levels, legislation is modified by needing to pass approval through corresponding senates, which serve a district equalizing function in our system of checks and balances. This would not be the case for merged school governance in this region.

As a practical matter, also, a newly elected freshman representative for an outlying town would not have an adequate opportunity to learn our state's and region's complex education financing formulas, or have developed relationships with the school community, the community at large, and the merged board.

Our current school board system with five local members from each town has overlapping terms, which allows new members to come up to speed. It also serves an important stabilizing and equalizing function. Town decisions are well considered through this process, dissension becomes useful, while the system of plurality discourages extremes.

A single new representative member on a merged Unified Union Board might more easily misrepresent the interests of the town, either through inexperience or personal agenda. The effects of such a situation, where *all* school operational decisions are made based solely on only one member's presentations to directors from other communities could be extremely problematic for a town. Many important decisions at this level are effectively intractable.

The AGS committee also recommends that districts add an advisory vote on the Supervisory Union budget alongside the district budget votes. This will increase transparency and accountability as well as increase the opportunities for taxpayers to understand the Supervisory Union costs and allocation.

D. Enrollment Flexibility

Cooperative enrollment flexibility, allows limited transfers of students across participating district schools in a union. This initiative proposal seeks to add enrollment flexibility to K-6 grades for WSESU district schools.

Enrollment flexibility for elementary school students is presently practiced by the four town districts of Two Rivers Supervisory Union (TRSU). It has been a successful operating there for four years. Limited student transfer can help provide substantive educational opportunities and promote equity in the quality and variety of educational experience, as well as cost efficiencies and enrollment stability.

Examples of educational benefits could include permitting a student the stability of remaining in a school even though family circumstances require a move to a different district. Students who require a different school setting to thrive could have the opportunity to transfer to a school that better serves their needs. Likewise, a teacher or parent who works in a particular elementary school district or town might seek to enroll their children in that district. Other possibilities include students who prefer rural or town educational settings, or sports specialty or team offerings could be accommodated.

Enrollment flexibility can also provide incentives for parents to enrolling students in the public school system, rather than private schools, as studies have shown that availability of only a single desirable school feature can often make or break a placement decision.

Financial efficiencies are also a potential benefit. Enrollment flexibility will help WSESU maximize operational efficiencies through increased flexibility to manage, share, and transfer resources, and optimize all districts' ratio of students to full-time equivalent staff. If class sizes in any district are mismatched to staffing, enrollment flexibility is an opportunity to optimize student-to-staff ratios.

Enrollment flexibility does require limiting parameters to ensure that the program does not undermine any school's financial viability or staffing ratios.

The successful Two Rivers agreement can serve as a model for implementation. In that program, transfers are limited to six students per school. Receiving schools are not required to accept students if it would require an increase in staffing levels. If more students apply than can be accommodated, they are chosen by lottery, without discrimination.

The sending school retains the student's resident ADM, while receiving schools receive 50% of the base education property yield. This provides income for unused seats in the receiving school, while not penalizing the sending school's actual residency costs and cost offsets.

Full details of the Two Rivers "Cooperative Public Transfer Program" are provided in the "TRSU Articles of Agreement" appended to this proposal.

V. Cost Implications and Taxpayer Value

The merger study committee's proposal was expected to result in "immediate annual cost reductions in excess of \$100,000." This was to be realized through: "consolidated audit, \$40,000, board member stipends, \$32,000, professional technical services \$28,000."

While audits and accounting would not be performed by district in a merger, they still must be accounted on a school by school basis. Also, token school board member stipends in our region mean that the 25 board members in five potentially merged districts provide SU district and communities with approximately 3000 hours of service at near volunteer pay levels. Accepting the above figures as listed for a total savings of about \$100,000, resulting from simplified accounting, and eliminating school boards, it would represent *less than 0.2 percent savings* on the total \$52.7 million (FY16) WSESU budget.

In addition to this small overall savings, merger tax incentives were projected in the *Articles* to yield a \$793,014 reduction in local taxes during the first year (the "8 cent" incentive). Projected over 4 years, it was reported to total a \$1.9 million local tax reduction. Incentives would then expire.

During public consideration, statements by the Secretary of Education had indicated that the "tax incentives" should actually be considered assistance to pay the costs of a merger transition beyond the specific merger assistance grant. That understanding may have been shared by voters in making their decision at the polls. The subsequent ballot results showed that taxpayers in the four voting towns *did not value* these local tax incentives as justification to dismantle a fully functioning union in favor of a radically altered single merged district.

Paradoxically by maintaining their union without accepting tax incentives, the taxpayers of WSESU *effectively saved* the statewide education fund \$800,000 this year, and likewise, the \$1.9 million over the projected 4 year period quoted.

In addition, by allowing Vernon to stay in WSESU, greater economies of scale are maintained within the union, and reduction in accounting and complex financial relationships between "side by side" entities is eliminated. This financially overshadows the reduced 4 town merger's small projected cost advantage with regard to the "immediate annual cost reductions," in the *Articles*.

The merger *Articles of Agreement* also attributed additional cost savings to "...sharing staff among schools, an increased student to teacher ratio, reduced auditing and other operational expenses from fewer district budgets."

Though "audit and operational expenses" had already been expressed once, and therefore shouldn't have been treated as additional, the report also quoted three different figures for proposed staff reduction and sharing savings, depending on which report section is referenced.

The first figure was ambiguous: "Increase Student-Teacher Ratios and Flexible Staffing (within a 3-5 year period) -\$1 million savings" – which could mean either \$1 million per year, or between \$200,000 and \$333,000/year. No clarification or backup for these various amounts was presented in the *Articles*.

The second figure appeared in Appendix B. There, a table layout of the most recent Picus Odden Associates study analysis was presented showing a fully implemented Picus staff reduction projection of \$1.8 million/yr.

This would cut 23 full time staff positions, mainly from the consolidated high school district (BUHS District 6) and the consolidated three schools of the Brattleboro Town School District.

The impact of such a drastic staff reduction on educational equity, behavioral intervention, outcome for students in poverty, availability of funds for implementation of new mandates like pre-K programs, career pathways/personalized learning for all high school students, and other state initiatives, and its effect on WSESU's standardized testing results, was not discussed in the *Articles*.

The Picus study also included some unfortunate and impractical concepts, including half-positions for nurses at area schools, which did not appeal, for obvious child safety reasons, to taxpayers attempting to assess the proposal's value.

Ironically, if somehow full Picus staff cuts were implemented in a consolidated union, they would hit hardest at the already consolidated district schools in WSESU. And yet again, total savings for even full Picus staff cuts amounted to only 3.5% of budget. Voters apparently viewed WSESU staffing levels as an already reasonably efficient operation at the polls. And again, that can be assumed to express *taxpayer values*.

The *Articles* also included in Appendix B a third savings figure for projected staff reduction benefits. This appears in a FY16 estimated merged district tax rate calculation by the SU business office. That calculation listed a more reasonable \$500,000 Picus-oriented staff reduction figure. That seems achievable through attrition and sharing.

Taking this \$500,000 figure as the proffered and middle-range assumption out of the three different figures in the *Articles*, that staff reduction would yield slightly less than 1 % savings on a \$52.7 million FY16 merged four town budget.

But also taking this as a working assumption, that same \$500,000 figure for staff cuts and staff sharing across districts is available to the present union. Staff reductions are in fact currently being implemented and pursued by WSESU as mentioned earlier in this document.

There have been some recent questions considered by the AGS committee about employment allocation for expanded sharing in the union. As a possibility, WSESU may choose to explore further simplifying or centralizing shared staff employment by adopting new mechanisms for common personnel systems.

For example: the "Agency Fund" currently used in Windham Central Supervisory Union to hire shared staff under an SU umbrella and allocate the costs to the districts based on use. Mechanisms like these may ease concerns that full time staff divided between districts would necessarily have multiple employers, and therefore represent less preferable job opportunities to highly qualified staff.

In conclusion, the AGS committee finds no cost advantage to the State, or the local electorate, in merging according to the *Articles of Agreement*. Merging only results in reductions that are countered by redistricting losses, restructuring costs, or already available through methods in practice by the union.

Continuation of the present union with efficiency initiatives is a far simpler and more effective cost containment process than proceeding with a radical and expensive alteration in governance structure. That restructuring plan as laid out in the *Articles* was duly rejected by an overwhelming 71% of the region's voters.

VI. Act 46 Criteria for the Proposed Alternative Governance Structure

The Alternative Governance Committee proposes to retain the current structure of the Windham Southeast Supervisory Union under Section Nine of Act 46.

The five WSESU towns; Brattleboro, Guilford, Dummerston, Putney and Vernon will examine and, where feasible and desirable, adopt the following proposed initiatives to increase overall union cost efficiency and equity: formation of an **Opportunity and Equity Committee**, solicitation encouragement and participation in local school based **Community Leadership Councils**, investigate formation of a **Regional Education Assistance Fund**, and establishment of **limited school transfer** agreements between participating districts.

The continuation of WSESU as a union of these 6 school districts will conform to the governance preference clearly expressed by the electorate of these towns by their respective, and overall, votes in the merger Articles of Agreement ballot issue.

This union structure meets the criteria as outlined in Act 46:

(1) the member districts consider themselves to be collectively responsible for the education of all pre-kindergarten through grade 12 students residing in the supervisory union;

(2) the supervisory union operates in a manner that complies with its obligations under 16 V.S.A. § 261a and that maximizes efficiencies through economies of scale and the flexible management, transfer, and sharing of resources among the member districts, which may include a common personnel system, with the goal of increasing the ratio of students to full-time equivalent staff;

(3) the supervisory union has the smallest number of member school districts practicable, achieved wherever possible by the merger of districts with similar operating and tuitioning patterns;

(4) the supervisory union has the smallest number of member school districts practicable after consideration of greatly differing levels of indebtedness among the member districts; and

(5) the combined average daily membership of all member districts is not less than 900.

Criteria:

Per *Criterion One*, the supervisory union will be collectively responsible for all the PK-12 students in the WSESU. Current practice already provides comprehensive administrative assessments of educational need, and responsive focused delivery in all our districts for all of our students. In addition, the proposed Opportunity and Equity Committee will identify specific equity and efficiency issues and promote collaborative district responses to fulfill the goals of Act 46 and the mission of the WSESU; to provide a safe and inclusive environment where *all* students grow academically, socially and emotionally, and are challenged to reach their potential as local and global community members.

Per *Criterion Two*, The WSESU has many ongoing examples of district staff sharing. The proposed Opportunity and Equity committee will examine available study data, work with districts, and bring focus to the process of increasing our efficiencies through staff reduction through attrition, and staff sharing. New accounting and

employment mechanisms to assist staff sharing can be explored to facilitate this process, including common personnel systems where determined advantageous.

Criterion 3 and 4 ask districts to consider merging like structures, after consideration of indebtedness. District operating/tuition structures within the WSESU would allow for one possible merger between Putney and Dummerston. There may be public support for this merger in the future, however Putney has over \$1,000,000 in outstanding debt, while Dummerston has none. Other districts may choose to change their operating structures in the future to consolidate, but at this time there is no other pair of districts with the same operating structure.

Criterion 5 requires the combined average daily membership to be at least 900 students. WSESU presently has over 2400 students, more than two and half times the requirement, fulfilling the final requirement. Maintaining the present school union is also the best way to keep the largest possible size of our supervisory union, as it is the structure able to keep Vernon's elementary school within our SU. Merging under the proposed articles would have impacted economies of scale by loss of Vernon as a separate entity.

The majority of the voting population in all of our districts has indicated a merged governance was not the best way to meet the Act 46 goals in this region, while survey results do indicate a desire to meet the goals through increased collaboration. Maintaining the present union with the new proposed initiatives combines the advantages of cooperative and interrelated problem solving for financial, educational, and social involvement goals, while maintaining community identities and diversity, as well as local accessibility and transparency.

That diversity of collaborative districts can help power surprisingly creative solutions when brought together into direct communication. Our towns thrive on our schools, and our schools thrive on our towns. Bringing our variety of knowledge and experiences into focus within a well-tested union structure to solve common problems through innovative committed initiatives will deliver responsible, equitable, inclusive education for ALL of our children. And in concert with ALL of our community's expectations, as well.

² <http://www.wssu.k12.vt.us/boards/act46.html>

³ <http://www.wssu.k12.vt.us/boards/docs/Act%2046%20options%20jan.16.pdf>

⁴ <http://www.wssu.k12.vt.us/BOARDS/docs/wsesuact46studycommittee20151217.pdf>

⁵ <http://www.reformer.com/stories/laughlin-a-report-grounded-in-community-values-data-and-mutual-respect,521520>

⁶ <http://www.reformer.com/stories/laughlin-a-no-vote-on-nov-7-will-not-stop-a-school-merger,522991>

⁷ <http://www.reformer.com/stories/act-46-study-committee-worked-hard-to-address-concerns,521949>

⁸ <https://reformer.com/stories/let-your-voice-be-heard-on-nov-7,522475?>

⁹ https://www.youtube.com/playlist?list=PLDXseAKIG_qlZYUQ_nTjn8kFPnVAf47LJ

¹¹ See appendix for DTSB survey results

¹² Faher, Mike. "Windham Southeast Act46 Plan Rejected" *Brattleboro Reformer* 11 Nov. 2017 pg 1.

¹⁴ <http://www.wssu.k12.vt.us/schools/docs/WSESUAct46WebProgramOverview.pdf>

¹⁵ <http://www.wssu.k12.vt.us/boards/Laurie%20GolganVTAOE%20Nutrition20171106.pdf>

¹⁶ See appendix for SBAC/NECAP results.

¹⁷ See appendix SBAC FRL Comparison

¹⁸ See appendix Professional Development Offerings

¹⁹ <http://www.wssu.k12.vt.us/schools/docs/unified%20system%20taxSavings%20FY16%201page.pdf>