

Good Afternoon Ladies and Gentlemen. Thank you for the opportunity to share my concerns with you today. The question at hand is should there be a one year delay in the implementation of imposed mergers under Act 46 and Act 49. Regardless of your personal stance on mergers, I believe the answer to that question is an unequivocal yes.

While I can't speak for everyone, I can speak with some authority for the voters of the communities comprising the Franklin Northwest Supervisory Union, and especially the voters of Franklin. Our position on merger is no secret, so let me present that side first.

I have heard the State Board of Education refer to the communities that submitted Alternative Governance Structure Proposals (Section 9) as "cranky and resistant". We have never been resistant and worked hard to be in full compliance with the law. I will admit that we ended up at cranky, and that plays an important role in why the year delay is necessary. But first, a little background.

In the summer of 2015 local boards met with representatives from the Agency of Education and learned about Act 46. Shortly thereafter, we convened an Act 46 study group that was led by an Agency of Education appointed facilitator. In January of 2016 we held an informational meeting and public forum in each of the four communities comprising Franklin Northwest Supervisory Union to present the findings of the study. The feedback we received from those meetings made it clear that the only plausible course of action for our communities towards meeting the goals of Act 46 would be in submitting a Section 9 proposal.

A second study committee was convened in July of 2016. This committee was an independent study committee led by an independent facilitator. Our belief was that we could better conduct an unbiased self-analysis of our education systems without any outside prejudice towards or against merger. After meeting bi-weekly over the course of seventeen months, the committee delivered an Alternative Governance Structure proposal that we felt was the best means for meeting the goals of Act 46.

Seventeen months. It wasn't rushed. It wasn't half baked. It took seventeen months because it was important to us to do the very best job we could for the sake of our children's education. Our data clearly showed that a merger into the "Preferred Structure" would increase taxes in three out of four of our communities. This is in direct contrast to goal number five of Act 46 – To deliver education at a cost that parents, voters, and taxpayers value. Instead of realizing that one size indeed does not fit all, the acting Secretary stated "A contention that unification will raise taxes for one or more groups of taxpayers cannot be the sole reason to prevent merger, particularly where there is no evidence that the calculation resulting in the projected increase accounted for the potential savings that can be realized by the creative and efficient use of the unified district's resources and flexibility."

We are talking about schools that spend less than between 80 percent of all schools in Vermont (Our largest school) and 92 percent (our smallest, highest performing school). We already share resources. As evidenced by our study, there were no potential savings to be realized. Our tax projections were figured out using actual, historical tax data from all our communities adjusted to reflect a merged budget. These are real numbers, not some model using projected numbers.

Our voters made it clear that they had no interest in merging. In November of 2017, we held a legally warned vote in each of our communities. The vote was to decide if our electorate supported our AGS proposal or if they supported the likely scenario of a forced merger under the state-wide plan. The vote was unanimous in three of our communities, and a majority vote in the fourth community overwhelmingly supporting our AGS proposal. Let that sink in for a moment. Unanimous vote, three communities. That makes for a lot of cranky people that feel their vote was ignored, that their voices were not heard. Cranky that an appointed board can disregard the will of the electorate and treat it as “public sentiment”. Franklin held a second vote on the same day. They voted to be considered an “Existing District”, as defined in Act 49 sections 3 and 4, for the purposes of any state mandated merger. This Existing District Status was based upon a determination of Geographic Isolation. The legislature recognized that Geographic Isolation was a barrier to merger. The Agency of Education themselves are the ones that designated Franklin as Geographically Isolated. This vote was not even acknowledged by either the AOE or SBE. Yet again, the voters were not listened to.

Hundreds of our community members wrote letters to the SBE, and many attended the July meeting in Newark to express their concerns in person. Again, their voices were ignored.

We wrote to the SBE following our meeting with them, inviting a conversation around our AGS, looking for compromises that would allow a favorable decision by the board. We received no response. Again, our voices were ignored.

So that brings us to reasons why a clean one year delay is necessary. Let's start with Due Process. Even a convicted felon on death row is granted a stay while his appeal is pending. We worked in good faith to deliver an AGS that was in full compliance with Act 46, and clearly demonstrated its ability to meet all the goals of the law (unlike the state-wide plan). We did our due diligence. We do not believe that the AOE or the SBE did theirs. Let the court issue its verdict before we are forced to move toward merger. Forcing districts to merge in order to vote on a delay is unacceptable. If the court comes back with a decision that we must merge, then we will move forward as required and continue in good faith to do the best job we can. Time is a critical ingredient in that recipe. Time to come to terms with the decision. Time to collaborate with our partners to make this implementation a success story rather than a rushed, half baked disaster. Our kids deserve no less.

Now that brings us to the cranky people. The current timeline would have us presenting a unified budget to these voters on June 4<sup>th</sup>. When people feel that their voices have been ignored, they tend to make their displeasure known at the ballot box. I fear that no matter how responsible the proposed budget is, it will be voted down for the mere fact that it is a merged budget. There needs to be a large amount of community outreach done around this initial budget. We will need the voters to buy in, and that kind of outreach is going to take time. Trying to ram a merged budget down their throats this soon is a recipe for disaster. It will undoubtedly result in the need for cuts in services and programs, cuts that additional time could help prevent.

I have heard that communities that have already merged are upset about the idea of a delay. To that I answer: They voted for a merge; They received the incentives for merging; They are enjoying all the supposed benefits of the "Preferred Structure". This does not affect them in any way.

And for the Pro Merger folks, I say this. We have agreed with the goals of Act 46 from day 1. We have worked hard, in full compliance with the law, to find the best way for our schools to meet the goals. We do not agree with the way the law was implemented. When the Agency of Education readily admits that their plan does not meet the goals of the law, but still determines it to be the "best means" of meeting the goals, something is very wrong. That is the reason behind the pending legal challenge. Give these communities the time needed for a decision. Then let them have time to process that decision, and find a path forward that ensures Act 46 will be a success story. A delay hurts no one, allows for an orderly transition to merger, and allows time for community outreach. I urge you to support a one year delay for all imposed mergers. In addition, I urge you to consider a requirement that these AGS proposals be revisited and judged by their merits. After all, we are supposed to be finding the "Best means of achieving the goals of Act 46". You have two plans in front of you: the FNWSU AGS proposal, and the SBE's final state wide plan in which a forced merger is ordered. One plan was developed over hundreds of hours by members of the community, taking into account the history, culture, and unique circumstances of each of our towns. One is the preferred model only because legislature says it is, based on "national literature suggests". One plan has 100% approval rating of two of the communities, and a majority approval rating in the third. It is in full compliance with Act 46, clearly demonstrates how it can meet and exceed the goals of Act 46, and the community will work enthusiastically to ensure the success of the plan. The other plan, by its own admission, fails to meet all the goals of the Act, has 100% opposition in two of the three communities, and a majority opposition in the third. I ask you this: Which is the best means to achieve the goals of Act 46 in our region?

## **Executive Summary**

The Franklin Northwest Supervisory Union provides management support for three PK-6 elementary, one PK-8 elementary/middle, and one combined middle and high school. The total PK-12 enrollment exceeds 2000 students. The student population trend is reasonably stable and is increasing in Swanton. FNWSU schools do not receive Small Schools grants and stable student enrollments prevent the phenomena of ghost pupils. Franklin County is growing in population. It possesses a strong manufacturing and business base and provides affordable living options for citizens who work in Franklin and Chittenden Counties. We expect this trend to continue.

In response to escalating education costs, the Legislature passed Act 46, which was signed into law by Governor Peter Shumlin in June 2015. The law calls for all school districts in the state to consider mergers to meet the following goals:

1. Provide substantial equity in the quality and variety of educational opportunities.
2. Lead students to achieve or exceed the State's Education Quality Standards.
3. Maximize operational efficiencies through increased flexibility to manage, share, and transfer resources, with the goal of increasing the district-level ratio of students to full-time equivalent staff.
4. Promote transparency and accountability.
5. Deliver education at a cost that parents, voters, and taxpayers value.

The bill includes incentives for districts to merge into larger districts. It also includes the eventuality that the State Board can order unification if regions have not developed their own approach.

Franklin Northwest Supervisory Union (FNWSU) agrees with the goals of Act 46 and has explored ways to meet or exceed them on an ongoing basis given the specific and constantly changing needs of our students and communities.

To assist in this exploration, two Act 46 study committees were formed. The first committee was created shortly after the passage of the law, and completed a \$5,000 preliminary study, during which a forum was held in each FNWSU town to gather input regarding community needs and concerns. Of the numerous concerns raised, the strongest were the fear of losing local control and town identity, and high school choice for Sheldon. As a result of findings that emerged from the first study, the FNWSU board decided not to conduct a

formal 706 study. Instead, the SU board developed an independent study process and hired a skilled facilitator to lead Act 46 committee work.

The second committee, the current one, was charged with recommending the optimal governance structure(s) to meet the needs of our students, communities and the goals of Act 46. Members brought an open mind and willingness to explore options that would result in the best governance structure for the FNWSU. The committee agreed that they would gather community input, reach out to neighboring communities, analyze all pertinent data, and then make final recommendations to the SU board.

Committee members traveled to Alburgh, Georgia and Bakersfield school boards to discuss options and determine interest in merging and/or sharing resources. All school boards decided not to merge with us; none of the towns presented viable partnership merger options. Members reached out to Maple Run Supervisory District to learn how they approached meeting the goals of Act 46 and the needs of students and communities. Members also solicited input from community members, teachers, principals, tax payers, and legislators for their comments and suggestions.

### ***Study Committee Recommendations***

The study committee found the overall Act 46 study experience to be an important and beneficial experience.

The effort forced discussions and decisions that might not have taken place without the requirements of the legislation. We believe this effort has/will greatly improve FNWSU's ability to serve our students and communities in the future.

After more than a year of research, discussion and careful analyses, **our recommendation is that the FNWSU move forward with an Enhanced Alternative Governance Structure ( AGS )**. We recommend retooling our supervisory union and schools to create a stronger, more effective organization that better serves our students and communities and the goals of Act 46. FNWSU member districts consider themselves responsible for the education of all prekindergarten through grade 12 students residing in our supervisory union and are committed to a governance structure that exceeds the goals of Act 46.

The FNWSU Act 46 study committee thoroughly researched all merger options and found our Enhanced FNWSU

AGS to more effectively meet the values and needs for our schools and communities. In fact, before describing our enhanced structure, it is important to briefly point out the factors that make a merger not as beneficial to those same goals or as visibly necessary.

1. Franklin Elementary has some of the highest test scores and lowest cost per pupil in the state. Our analysis shows that merging will increase per pupil costs by more than \$1,000 dollars as well as education taxes for Franklin citizens. Merging school boards with Highgate and Swanton is not likely to increase Franklin's existing high student performance (Goals # 2, 3, and 5).

2. Sheldon has a PK-8 structure which will not allow a merger with the three other FNWSU PK-6 schools.

3. Franklin, Highgate, and Sheldon residents made it clear at community meetings that maintaining local control and town identify was critical to them (Goal #5).

4. The FNWSU schools have not experienced the same dramatic decline in student enrollment as other Vermont schools and do not currently receive any Small Schools grant funds nor are there any ghost pupils.

5. On Tuesday, November 7, 2017, every community voted to support the Act 46 study committee recommendation to retain and enhance the current governance structure. This last factor, the overwhelming support of the communities to not merge, gives insight into what the towns want and value. The results were:

- Franklin: 161 to 0 Support board Act 46 recommendation to not merge
- Highgate: 103 to 1 Support board Act 46 recommendation to not merge
- Swanton: 148 to 105 Support board (1 spoiled) Act 46 recommendation to not merge
- Sheldon: 87 to 0 Support board Act 46 recommendation to not merge

### ***Action Plan***

It is not the intention of our "Enhanced FNWSU AGS" to be satisfied with just meeting the goals of Act 46.

FNWSU intends to explore new ideas which may have never been tried, or even thought of, to exceed the goals

of Act 46. Enhancements identified by the committee will be seamlessly integrated into the current FNWSU

school improvement plan, allowing all school districts within the FNWSU to meet or exceed the goals of Act 46

and align the plan with ESSA goals.

### ***FNWSU Commitments***

- Build upon existing governance plans to enhance our supervisory union's effectiveness.
- Foster a continuous improvement culture within and between school districts.
- Continue to enhance and support supervisory union/school improvement teams.
- The superintendent and school principals will prioritize the review / amendment of all existing policies,  
and recommend the adoption of new policies designed to support and maintain the changes in the Enhanced FNWSU AGS operations.
- Implement curriculum focus and accountability measures to ensure all students are provided equitable learning opportunities (i.e., all teacher use and implement same curriculum) and student learning successes.
- Improve students' abilities to achieve or exceed the State's Education Quality Standards.
- Support practices and processes that support students from all population groups to score at proficient and above levels on standardized tests.
- Continue to share resources and stress exploration of future possibilities. For many years, FNWSU has employed part-time teachers and support staff, and, in order to recruit full-time employees, has developed partnerships with districts, both within and outside FNWSU boundaries.
- Use data to measure success in meeting/exceeding Act 46 goals, and to inform future strategies.
- Provide communication and information on Supervisory Union budget to community members and stakeholders.
- Research and implement elementary and middle school choice within the boundaries of the FNWSU.
- Make collaboration between and within districts an administrative and organizational performance expectation.
- Assess and improve board meetings in terms of quantity, topics, and efficiencies.
- Expand the existing "Superintendent State of the Union" report to track and measure progress toward achieving all five Act 46 goals, and the actions outlined herein. Align the State of the Union process with the new ESSA school reporting requirements.
- Empower Act 46 Study Committee to annually complete a thorough organizational effectiveness audit.
- Research the development of a Foreign Student/Out of State Student Team to attract foreign and out of state students to enroll at Missisquoi Valley Union MS/HS. We believe we are geographically located to prepare, facilitate tuition students from New York, Canada, and China to attend Missisquoi Valley Union MS/HS and transition graduates into Vermont post-secondary college experiences (see Appendix E).

The full AGS can be viewed at: <https://www.fnwsu.org/act-46/>