

## Testimony to the Sunset Advisory Commission: Education Boards and Commissions

Date of Testimony: **October 16, 2019**

Respectfully submitted by: **Ted Fisher**, Director of Communications and Legislative Affairs

### Subject

The Agency of Education (AOE) is pleased to submit follow up testimony to the Sunset Advisory Commission of the Vermont General Assembly. The commission asked for follow up responses on the following boards and commissions:

- State Board of Education (SBE)

This testimony is related to the agency's testimony of August 21, 2019.

### Narrative

The commission asked AOE to elaborate on our responses to the commission's questions regarding the SBE's capacity to execute its statutory role, its efficacy in doing so and whether its purpose as currently imagined is still needed (Questions 4 – 8 and 11). The commission asked the same questions of the SBE Chair, Mr. John Carroll.

On October 4, 2019, Mr. Carroll answered on behalf of the Board membership, who considered these questions at their September meeting and retreat. AOE received a courtesy copy through Secretary Dan French, who sits with SBE as an *ex-officio* member of the board.

Prior to receiving the commission's questions, the SBE had begun its own process of self evaluation and reflection in the interest of evaluating and redefining its role. As Mr. Carroll outlines in his written testimony, the board is undertaking this review in the context of the creation of AOE ([Act 98 of 2012](#)) and the significant work SBE recently completed on Act 46 of 2015.

### AOE Position on the State Board of Education

The AOE has nothing further to add to Mr. Carroll's testimony on behalf of the State Board of Education. Mr. Carroll correctly and appropriately captured the board's process and legal duties.

The Chair explains that the SBE is considering whether or not some of its current duties might be better handled by AOE. In all cases mentioned in testimony, the AOE has the expertise, capacity and ability to fulfill these roles without SBE involvement. Indeed, we continually

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provide support to the SBE in executing the duties under the current system. In many cases the SBE does not have the technical expertise to prepare responses. As appropriations to staff the SBE were never made, the board relies on legal, technical and administrative support from the AOE to execute these duties.

Furthermore, many references to the SBE still exist in statute where the entity executing the specified responsibility has either always been the AOE (the DOE prior to 2012) or where AOE is the only entity capable of performing the task. We understand that, at the time Act 98 passed, the legislature may have intended to clear up this discontinuity in a future session, but this was, for whatever reason, never completed.