



To: House Committee on Education
From: Jay Nichols
Subject: Chapter 11 Withdrawal Language Testimony
Date: 2/23/22

Thank you for allowing me to testify on this issue. I come to you today trying to apply several lenses. My perspective is shaped as a principal and superintendent for a quarter century and my last five years at the VPA. And most importantly, I'm trying to look at this ultimately through the potential impact on children.

Here are the points I'd like to make:

1. 5% of members of a petitioning town can start the withdrawal from a Unified Union School District is way too low.
2. Who is helping the withdrawal study committee answer the questions called for? Is this just extra work for Central Office and School Administrators that can barely keep their heads above water? I'm also worried about the morale impact and the disruption factor for school leaders and teachers who already have too much to contend with.
3. I have no problem with the concept that if the State Board makes a positive recommendation supporting withdrawal that they issue an opinion recommending approval of the withdrawal proposal and that this goes ultimately to the voters in each of the affected towns.
4. I do have a problem with the process continuing if the State Board determines that a withdrawal is not in the best interest of the students involved, both within the town looking to withdraw as well as the students left behind. If the State Board has the opinion that withdrawal is not appropriate with the goals of Act 46 that should end the process from my perspective.
5. Lastly, no Unified Union School District or Supervisory Union should be required to provide services for a town that withdraws from a merged district if the State Board has determined that withdrawal is in conflict with the goals of Act 46.

The State has a compelling state interest to provide high quality public education for Vermont students. This has been established in legal decisions such as Brigham, in laws such as Act 60 and indeed judicial rulings based on constitutionality. Allowing towns to pull out of a district

without clear proof that the move will benefit the students in question is against the best interest of students and thus against the compelling interest of the state of Vermont.

Thank you.