



Vermont
Superintendents
Association

**Vermont House of Representatives
House Education Committee
Testimony of Jeffrey Francis, Executive Director for the Vermont
Superintendents Association**

February 1, 2022

Draft 22-0275 - Withdrawal from or dissolution to a unified union school district

Thank you for the opportunity to speak with you today regarding bill draft 22-0275 which addresses the process related to withdrawal from or dissolution to a unified union school district.

In preparing this testimony, I conferred with a number of superintendents working in relatively recently formed unified union districts and asked them to share their perspectives on the draft.

First, I'd like to note, by way of observation and not protest, that local school officials generally, and superintendents specifically, are currently inundated by a huge array of pressing demands.

Some of these demands can be attributed to the dynamics of the pandemic; some are associated with routine duties of their jobs now compounded by increased stress on the system and a destabilized work environment, and some, quite frankly are due to the accumulation of initiatives - legislative and otherwise - that are culminating at a time of unprecedented stress on the system.

That stated, I wish to thank this Committee for keeping its focus narrow and emphasizing only the work that must be accomplished this session.

Your work on this draft fits into that category.

Superintendents have a unique vantage point when it comes to the matter of school governance and its effects on the education delivery system. As the chief executive

and education officer for the school system, superintendents are heavily reliant on, and invested in, the efficiency and effectiveness of the system's governance structure.

As chief executive and education officer for the school system, the superintendent has ultimate responsibility for the effective management of the system's human and fiscal resources.

In providing comments on this draft, superintendents reflected both interests - the effectiveness of the governance system and their commitment and responsibility for the human and monetary resources.

Finally, by way of introduction, I want to be clear that the Vermont Superintendents Association believes that the unified systems that have resulted from the enactment of Act 46 have more capacity and are better situated to achieve equitable learning systems than were their predecessor systems. The goals of Act 46 are useful, purposeful and consistent with the need to continuously improve the education delivery system.

With that, I will outline the feedback on the draft that I received from superintendents:

- In a common response, superintendents stated their belief that the requirement for a withdrawal petition by just 5% of the electorate is too low. The work that went into unification, the work that would be necessitated to study withdrawal and the associated costs would justify a higher threshold.
 - One superintendent commented "In some towns, you can very easily generate a petition with 5% of the voters, and the same 5% may have little or no awareness of what the school does, the students that it serves, etc."
- Also in a common response, concerns were expressed about the volume and complexity of work that would be required by the central office - which, frankly, is the only entity that could inform the requisite analysis. Central offices are underwater with current and newly emerging obligations. To add lengthy and complicated burdens in an effort to undo an action intended to make operations more efficient and effective on an appeal of 5% of voters does not seem to make sense.
- Superintendents asked, why if the petition is arising from a particular town, would the entire unified district be obligated to bear the costs of the analysis? In fact, one superintendent pointed out that under the cost-allocation method within a multi-town district, the potential existed for the petitioning town to pay a lesser cost of an action that it had initiated. They also noted that "it seems eminently unfair for the rest of the towns to bear any impact from an attempt by one town to exit the unified district. The effects on resources are not imagined . . ."

- Along those lines, it was pointed out that many of the requirements of the analysis, irrespective of consulting support, will fall back on central office staff, which in the best of times sometimes lack time and capacity.
 - One superintendent noted: “. . . the financial modeling sounds like a tremendous amount of work for a business manager. The time to model out accurate and complete financials will be significant. Given the ebb and flow of a business manager's workload, the time required to complete this work could be a hardship on the rest of the district/SU's operations.”
 - Another stated “. . . it is not apparent that this draft considers the potential enormity of the work provided to the supervisory union/district administrative staff.”
 - One wrote “this legislation would require the central office to participate and contribute staff time, provide access to legal counsel, etc. on a schedule that will have no consideration for other demands placed at the same time on the central staff. For example, a study such as this falling during budget season could break a finance office that is responsible for six budgets. I see no provision for any funding being directed towards the Supervisory Union to support the demands of this work.”
 - And, one reflected, “In my community there was an unofficial study committee to put together a plan to resist the merger by the State Board of Education. This happened before I arrived here. It was problematic, the data was bad and resulted in inaccurate conclusions. Even if the committee hired an attorney, the only way to get the accurate information needed for the report would be through use of the district's business manager and probably superintendent.”

You can see that the views of superintendents on matters of process and resource capacity are emphatic.

Superintendents noted other questions, observations and concerns as well, including:

- What is the protection against a repetitive process? In other words, what would stop petitioners unsuccessful in achieving withdrawal on the first effort, from undertaking a subsequent attempt?
- There was a concern expressed that a town achieving withdrawal could shift to secondary school choice, thereby potentially further eroding support for public schools as vouchers would be used to attend private schools.
- A question was asked, “why wouldn't there be a requirement that an affirmative vote of the entire electorate be required in a town seeking to initiate the withdrawal process? (thereby creating a higher bar for initiating what will be a complicated and costly process)

- There was concern expressed about the absence of protections for the remaining, intact district, to become the focus of the reassignment of the withdrawing district back to a supervisory union structure involving the unified district.
- It was suggested that in an already tight labor market - for superintendents, central office staff and building leaders specifically - and for all educators, generally, that districts subject to withdrawal drives would be less attractive to more qualified personnel - a perhaps unintended and unanticipated factor that would play to the disadvantage of the unified system.

This is just preliminary thinking on the draft under consideration. My belief is that there are other likely implications and considerations that will emerge if this legislation is not especially well developed and enacted.

Some suggestions for further consideration include:

- Should the required number of petition signatures be increased to more suitably reflect the depth of commitment necessary to conduct the full and thorough analysis contemplated by the draft?
- Should a majority vote in the town fielding the petition be required as one step before the withdrawal process is undertaken?
- Should the town petitioning for withdrawal be responsible for paying for the analysis in its entirety?
- Should any expectation for participation in the analysis by the central office include an assessment of the capacity to participate and respond?

Again, this is preliminary thinking. As the draft evolves, I would be happy to provide additional testimony.

Thank you.