

To: Senate Education Committee

Date: January 16, 2026

Subject: Commission on the Future of Public Education Report Key Takeaways

From: Jay Nichols, Chair Commission and Senior Executive Director Vermont Principals' Association

Good morning members of the House Committee on Education and I hope the start of the 2026 Legislative Session has been positive for you thus far. For the record, my name is Jay Nichols and I am here today as the Chair of the Commission on the Future of Public Education in Vermont. My task today is to provide you with testimony from the Commission's findings. Vice-Chair of the Commission and Chair of House Education Peter Conlon may join me in testimony today.

The Commission had essentially five areas to provide findings for consideration for the General Assembly and it is my intent to directly go through the recommendations if that works for the Committee:

A) Recommendations for what roles, functions, or decisions should be a function of local control and what roles, functions, or decisions should be a function of state-level control:

- *Policy level decisions should continue to be made at the local school district level with the understanding that some mandatory policies will be established through legislation and/or rules. Those policies that are required must be approved by school districts with the understanding that those locally approved policies must be at least as stringent as the state's model policy.*
- *The vision for public education should be jointly set at the state level by the State Board of Education (SBE) and the Agency of Education (AOE) with opportunities for meaningful engagement by educators and members of the public. It is the responsibility of the General Assembly and the Administration to work in concert to ensure that the SBE and AOE are sufficiently resourced to co-lead this work.*
- *Local school districts should be provided with the autonomy and authority necessary to implement and adhere to the vision*

and standards for public education set by the state. The state should provide appropriate levels of oversight and provide the professional learning and resources necessary to help school districts meet the statewide strategic priorities. The Commission recognizes that this is a significant consideration that warrants further exploration and discussion between the General Assembly, the AOE, and the SBE.

- *The state should create a standardized simple ballot format for the electorate to use when voting on any budget amount in addition to the amount of funds provided to the district by the Educational Opportunity Payment from the state. The Commission further streamlined the ballot language specified in Act 73 which is included as Appendix D of this Report. The Commission agreed with the general language that is included in Column C of Appendix D but members were evenly split on whether to include the language at the end of the second paragraph that has been struck out. Commission members in favor of including the additional language felt that it provides greater clarity and transparency on the tax implications to voters; those in favor of excluding the additional language preferred simplicity and reasoned that a school board that does not predict the tax effect of supplemental spending with a reasonable degree of accuracy will see it voted down.*
- *The state should couple health insurance collective bargaining with negotiations on salaries and other compensation. Throughout the history of the state, districts (as employers) negotiated with school employees in one form or another for all compensation. [Act 11](#) (2018 Special Session) changed this dynamic and decoupled health insurance bargaining from other aspects of collective bargaining. Although the Commission did not have time to take testimony on the issue, the majority of Commission members felt that compensation and benefits, including health insurance, should be negotiated collectively at the same level. The Commission did not conclude whether those*

negotiations should be at the state or local district level, just that they should be at the same level. The Commission recognizes that there will be technical challenges and statutory changes required to implement this change. Nevertheless, we strongly recommend that the General Assembly take action to couple health insurance and other collective bargaining at the same level. The Commission recognizes that it is the role of the state and federal governments to control health care costs, which are a major driver of increased costs of education.

B) Necessary updates to the roles and responsibilities of school district boards and the electorate:

Note: *It is the consensus of the Commission that, even under the provisions of larger systems as envisioned by Act 73, most of the current central functions of school boards and the electorate should stay the same. Listed below are recommendations that either require a change in law or that Commission members feel need to be emphasized.*

- *The Legislature should examine the laws governing annual meetings and ensure they comport with changes that are contemplated in Act 73 while providing as much opportunity for citizen participation as possible.*
- *Districts should be required to meaningfully engage with voters on budget use and development. School boards with school officials should organize these opportunities in an accessible manner with the goal of maximizing authentic community engagement and feedback.*
- *Compensation for school board members should be established at the state level. This could be done by the legislature in consultation with appropriate stakeholders. Board member compensation should be separate from the foundation formula amounts provided to school districts as part of the Educational Opportunity Payments. To inform appropriate levels of*

compensation for board members in districts throughout the state, consideration should be given to the size and scope of responsibility.

- *E.g., school board members who serve a small single town with oversight of one school may receive different compensation than school board members who serve boards with oversight of multiple schools.*
- *School district boards should continue to determine the educational policies of the school district within the constraints of state and federal law.*
- *School boards should have student members so that student perspective is taken into account when making decisions for the school system.*

C) A process for a community served by a school to have a voice in decisions regarding school closures and recommendations for what that process shall entail:

The process for school closures initiated by the State are set forth at 16 V.S.A. § 165. The Commission does not make any recommendations to change this statute.

Going forward, the Commission can envision times when a local school board may recommend that a school be closed or repurposed to advance local priorities and community goals.

Before a school board considers whether to close a school or part of a school or substantially reduce its operations on the grounds of equity, sustainability, or affordability, the Commission sets forth the following default recommended process (which may be altered in articles of agreement approved by the newly formed district as set forth in Other Considerations Paragraph 2 below):

- *The school board should form a steering committee to lead the work of considering potential school closure or repurposing. The steering committee may or may not have school board members as part of their body.*



- *The school board should hold multiple meetings (no fewer than three meetings) with the potential school closure discussion on the agenda. This should start as early as possible. While not a statutory recommendation, the Commission believes that, absent exigent circumstances, these discussions ideally should begin at least 18 months in advance of a potential school closure or repurposing.*
- *At least one of the meetings should take place in each town or city where the school that is subject to potential closure or repurposing is located or where students that attend the school reside, with the goal of seeking meaningful input from those who stand to be most affected by the potential closure or repurposing.*
- *Either an advisory vote or a public input survey should be held/conducted in the towns or cities directly affected by the potential school closure or repurposing. The Commission could not come to agreement on this bullet but agrees that at least one of the above should be required.*
- *The steering committee should make a recommendation or recommendations regarding school closure or repurposing to the school board.*
- *The decision as to whether or not to close a school should be made by majority vote of the entire school district by no later than 180 days prior to the date that the school is proposed to be closed or repurposed. The ultimate decision should seek to ensure that students are afforded quality educational opportunities in an affordable, sustainable, and equitable system.*
- *The decision to close or repurpose a school under this section may be appealed by petition of 5% of the voters in the school district within 30 days of the date that the vote is certified. The appeal will first be submitted to the AOE, who will collect the complete record from the parties,*



including student opportunity information and financial information. Both the petitioners and the school board must share how the vote does or does not further the goals of equity, sustainability, or affordability.

After considering the record, the AOE will submit it and a recommendation to the SBE within 60 days of receiving the appeal, and the SBE will serve as the final arbiter of the decision pursuant to 3 V.S.A. Chapter 25. Members of the public will be able to address the State Board as part of the SBE's regular public comment process. If the SBE does not render a decision within 90 days of receiving the appeal, the SBE will be deemed to have denied the appeal.

The Commission notes that it has received many requests that it recommend a binding vote of the towns or cities served by a school that a district board is considering closing or repurposing. Instead, the Commission trusts that people in the municipalities served by a school that is proposed to be closed or repurposed will use the opportunity to persuade the voters of the whole district to maintain the status quo if appropriate. In addition, the Commission recommends the above appeal process, which creates the right of an appeal to the State Board of Education.

D) A Process for monitoring the implementation of this Act in a manner that is transparent and public-facing:

- *Despite the change in the Commission's charge, we still hold that our guiding principles of efficiency, sustainability, and equity, are paramount in any work related to implementation of Act 73. From the Commission's Guiding Principles:*
 - *Equity **does not mean** equal or the same.*

- *Solutions with an equity focus **must be differentiated** by need. ○ Equity must be considered both in terms of **inputs (access) and outputs (outcomes)**.*

In order for Vermont to truly provide a world class education system, we must hold these principles up to all decisions. We ask that the General Assembly consider these guiding principles as they make decisions on the future of public education in Vermont.

- *The Commission recommends that the AOE monitor the implementation of Act 73 in a manner that is transparent and public facing by:*
 - *Providing regular reports to the Legislative Committees of jurisdiction pertaining to Act 73 and the General Assembly at large.*
 - *Providing regular implementation reports to the SBE at its regularly scheduled monthly meetings.*
- *Any monitoring and future support—financial or otherwise—must acknowledge the substantial reliance on local officials to implement these changes effectively. Therefore, oversight of the law should actively incorporate feedback from those responsible for carrying out these changes at the local level.*

Other Considerations for the General Assembly

1. A major focus of Act 73 is to improve the quality of education in the state of Vermont while controlling increasing costs of funding our K-12 education system. Regardless of what governance structures we are utilizing (Supervisory Unions, School Districts, Supervisory Districts, BOCES), the Commission makes the following recommendations and notes that the General Assembly may need to update statute accordingly:

- *Students who change their residence within a school governance structure should be allowed to stay at the same school if feasible unless the student's educational team decides*

that moving to another school in the system is likely to benefit the student.

- *All licensed educators should be employees of the overall school governance structure—not of single school districts within a larger governance structure. This will allow superintendents to better deploy educators to meet student needs and will provide more job protections for teachers in small schools. This has already happened for special education teachers as a result of Act 153 (2010). We suggest this change should apply to all licensed teachers.*
- *The Commission recommends that the General Assembly not strictly adhere to the guidelines of 4000-8000 students per governance structure as indicated in Act 73. Although the Act speaks to “as practicable,” many Vermonters are very concerned that governance structures under 4000 students will not be considered even if they are more realistic in a given geographic region. The Commission recognizes that there is a link between scale and the ability to successfully implement a foundation formula.*

2. When districts are merged, the newly merged districts should be afforded a reasonable period of time to voluntarily develop articles of agreement for the newly formed district. If the newly merged districts are unable to pass the proposed articles of agreement within that timeframe, then the newly formed district should be governed by the default articles of agreement that have been drafted by the State Board of Education. The General Assembly should direct the State Board of Education to revisit the draft default articles of agreement that were developed in response to Act 46 and update them accordingly, taking into consideration the various roles of the affected districts, the electorate, and the underlying towns.

Community Engagement Themes and Takeaways Summarized by Afton Partners in May 2025 Prior to Act 73's Enactment

- Respondents envision a public education system that is equitable, inclusive, and student-centered—one that provides all learners with access to well-funded schools, strong relationships, safe environments, and opportunities for academic and social growth, regardless of geography or identity.
- Respondents overwhelmingly felt that the initial education reform process was too rushed and disorganized, with inadequate time for deep community engagement, particularly from vulnerable or historically underserved groups and those with “boots on the ground” - educators, students, and local boards.
- Respondents overwhelmingly felt that Vermont’s education reform efforts must slow down and center the voices of those most impacted by the proposed changes, such as students, families and educators, by prioritizing equity, belonging, and local community identity over rushed structural changes that risk deepening disparities.
- According to the [Community Engagement Framework: Your Voice, Vermont's Future](#) by Afton Partners and the Commission (pg. 11) there are three main groups of people to consider when designing a system and seeking to solicit and understand the needs and opinions of various stakeholders:
 1. The first is the group that is directly impacted by the proposed change or issue. This is the **Direct Impact** group. In terms of Act 73 implementation, the direct impact group consists of students (and their families) and educators. The needs and opinions of this group should be **prioritized**.
 2. The second group is composed of organizations directly serving or connected to those most affected. This is the

Secondary Impact group. The needs of these groups should be **considered**.

3. The third and final group is the **Community Impact** group. This is the broader community and systems that help shape long-term outcomes and cultural change. In Act 73, community impact groups include taxpayers, municipal leaders, and state policymakers. The opinions and needs of these groups should be **acknowledged**.
- In the public input sessions and public comments of Commission meetings prior to the close of the 2025 Legislative Session, numerous concerns were raised about the Governor's education overhaul plan. The concerns thematically were that the plan "is seen as top-down, inequitable, and lacking community input." Nothing we have seen in further community conversations has indicated that those concerns have diminished. There was broad opposition to the five district plan. Accordingly, as the General Assembly moves forward with Act 73 implementation, considering and responding to Vermont citizen input is critical. We (Vermont) must take our time to ensure educational system transformation is transparent, upfront, and easily understandable for all Vermonters and that it will solve the issues that it was tasked with addressing.

Conclusion

We strongly encourage members of the General Assembly to carefully review this Final Report and its accompanying materials prior to finalizing their decisions regarding transformation of public education in our state. It is clear that any transformational decisions as contemplated by Act 73 are in the purview of the Legislature and the Governor. That said, Vermonters care deeply about public education and local control. In order for a major change to be successful, a critical mass of Vermont citizens must be supportive of that change. We encourage lawmakers to take the time



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to ensure that major policy pursuits have the positive overall intent they claim to. It is important to take the time to get it right as opposed to just getting it done.