

Vermont Act 46

What does it mean for Thetford?

Introduction

Last session, the Vermont legislature enacted Act 46, which will bring sweeping changes to the way in which public education is delivered in the State. Implementation of Act 46 is extremely complex, especially for Thetford. This outline is designed to provide overview of public education in Vermont, to discuss the changes that Act 46 will bring, and to outline the steps that the Board has taken to date to discharge its obligations under the law. Public participation in this process is essential, and the Board will schedule additional informational sessions to seek public input as we tease out the best solutions available under all of the circumstances.

Public education in Vermont

There are approximately 94,000 students attending public pre K- 12 grade in the state, across 362 school districts and 16 supervisory unions. Thetford is currently assigned to the Orange East Supervisory Union (OESU). Consistent with statewide demographic trends, virtually every district has experienced a decline in student enrollment in recent years, including Thetford, where the student populations at both Thetford Elementary School and Thetford Academy have decreased by 20-30% over the last ten years.

School districts provide educational services in a variety of ways. The most common is for the district to run a K-12¹ program, and for all students in that district to attend schools in that district. This is the way it is done, for instance, in Hartford, Bradford, Royalton. Some districts do not operate a high school; they provide high school services in one of two ways. The first is “choice” -- students sign up to attend an approved school, and the district simply pays the tuition charged by the receiving school. Both Tunbridge and Sharon, for example, operate their own K-8 schools, and then have high school choice. The second way for districts that do not operate their own high school is to provide those services is through designation, whereby the district designates a school to serve as the district’s high school. For over 100 years, the Thetford school district has operated a K-6 school system, and has designated Thetford Academy as its high school.

Terms and Definitions Discussion

“Choice” means that high schoolers select the school that they wish to attend, and the school district pays the tuition charged. The advantage of choice is that it gives students a wide range of educational options from which to choose. The disadvantage of choice is that the receiving

¹ Vermont law now requires that every district provide for a Pre-K program for all 3- and 4-year-olds. Different districts also satisfy this legislative mandate differently; the law merely requires that schools reimburse parents whose children attend qualified preschool programs in the state the cost of 10 hours of preschool instruction per week. Thetford currently operates under that model. For clarity’s sake, any reference to a “K-12” program necessarily includes the district’s pre-K program as well.

school is under no obligation to accept a student. The receiving school decides how many students to take, what the requirements are for entry and may deny students with special needs because of staffing restrictions or predetermined special ed quotas due to potential increased costs related to these students. Secondly, in choice districts, the sending district has no control over the budgetary and pedagogy decisions made by the receiving schools; those schools set a tuition rate that the sending district is obligated to pay. In the event that the school budget is rejected by the voters, the only place where cuts to the budget can be made would be in the elementary school budget. There is no provision in law to allow the voters to consider the elementary school budget independently of the middle- or high-school budgets. The voters approve or reject a single budget.

“Designation” means that all of the district’s high schoolers attend the same school, which is designated as the high school for that district. Vermont law allows parents of children in such districts to petition the School Board for a waiver to allow the child to attend another school up to the average announced union high school tuition. If the waiver school tuition exceeds the average announced union high school tuition, then the family of the child is required to pay the difference. The advantages and disadvantages of designation are the mirror-opposite of those relating to “choice” -- on the one hand, every child in the district is guaranteed a spot at the receiving school, and there is considerable collaboration between the town board and the designated school’s board, both in terms of pedagogy and in terms of financial matters. On the other hand, children who wish to attend another secondary school at taxpayer expense must petition the board for a waiver of the designation. Both Strafford and Thetford currently designate Thetford Academy, but the respective town boards have traditionally taken very different approaches to how flexible the waiver criteria should be for those who wish to attend a school other than T.A. Strafford grants virtually every waiver request, and Thetford grants them only under highly limited circumstances.

“Merger” means that a school district combines with one or more other districts to create a completely new entity. The district that emerges is a single entity, and all students in the district must be afforded the same opportunities within the district (thus, for instance, one town in the district could not operate a K-6 school while another operates a K-8, not could one town offer “choice” while the other provides for “designation”). Moreover, all of the teachers’ contracts in the newly-merged district must be identical.

A “side-by-side” is the creation of a new district from the merger of two or more small districts which then attaches itself to a larger district or supervisory union. That supervisory union then provides the district with financial support, special ed oversight and teacher training at the supervisory-union level.

Current Status of Act 46 Discussion

Leaving aside the political machinations behind the creation of Act 46, Vermont law now requires that small school districts (such as Thetford) merge with other districts to create larger, cohesive, districts. Doing so in a timely fashion results in a small series of financial incentives.

Failure to do so will give the State Board of Education the option to require that the district merge with one or more other districts, and the State Board will have sole discretion over the manner and circumstances of the merger.

The School Board has been in active discussions with a number of like-minded schools boards over the last several months, and will be seeking your input on which merger makes the most sense from the perspective of our educational mission, our community, the children of Thetford both now and in the future, and the taxpayers.²

For several months, representatives from the Norwich, Strafford, Sharon and Thetford boards met with an eye toward creating a four-town district. Those discussions ended about a month ago, when the Norwich board decided to withdraw from the study group. Representatives from the three remaining boards continue to meet. In the meantime, Thetford is engaging in conversations with the Rivendell Board to discuss possible reconfigurations with that district.

After the most recent of the meetings of the Strafford/Sharon/Thetford group, the districts determined that there were four possible configurations which may be worth considering:

- (1) Thetford and Strafford merge and create a “side-by-side” either with the soon-to-be-created S.U. which will result from the merger of the OESU and the Blue Mountain district. Under this scenario, Strafford would no longer operate a 7th-8th, and negotiations would resolve whether the district would designate T.A. and/or Sharon Academy, whether there would be designation with a considerably more flexible waiver process for parents who wish to send their children to a non-designated school, or whether there would be “choice.”
- (2) Sharon, Strafford, Thetford and Tunbridge would form a four-town RED. Tunbridge and Strafford would both have to abandon their 7th-8th programs, and the towns would again have to resolve whether the district would designate, designate with flexibility, or operate as a choice district.
- (3) Strafford, Sharon and Rivendell Interstate School District form a RED. The RED would likely be unattached to any other Supervisory Union and would likely provide the best economies of scale. Rivendell’s articles of agreement would have to be amended in a timely fashion.
- (4) Thetford merges with Rivendell. The Exploratory Study Committee is newly formed and is evaluating potential options.

² One of the selling points of Act 46 was that it would save taxpayer money. The School Board is skeptical that any reconfiguration will result in any savings.

In all of these options, teacher and staff contracts must be merged so that there is one district wide contract.

Conclusion

The challenge facing the School Board is extraordinarily complicated. Its task, ultimately, is to abide by the law while delivering to the community, to the taxpayer and, most importantly, to the students of Thetford -- both today and over the coming decades -- the meaningful and valuable educational experience that has come to characterize public education in Thetford for generations.

We are aware that this overview is brief and raises many questions, and we will not only be hosting forums to discuss Act 46 and our potential response to it, we welcome your individual input. Please feel free to e-mail or phone any of us. The Board meets in public session twice a month. There is also time at the beginning of the meeting for public comment, and the agendas will be including Act 46 updates for the near future.

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