



967 Sunset View Road  
Colchester, VT 05446

[www.LighthouseEvaluation.com](http://www.LighthouseEvaluation.com)

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**Dr. Meagan Roy**  
**Chairperson, Commission on the Future of Public Education**  
**Vermont Agency of Education**  
**1 National Life Drive**  
**Davis Building, 5th Floor, Room 513**  
**Montpelier, VT 05620**

Dear Meagan,

I read with interest both the draft minutes of the Commission on the Future of Public Education and the Presentation PPT. Getting this underway must be a relief. I noted that the Review of Statute, Charge and Timelines referred to the four major existing laws to be reviewed, Acts 46, 173, 127 and 76. Understandably the focus of these acts is mainly on governance, funding and spending. Act 173 provided a focus for equity in the provision of services, Act 127 refers to quality standards and Act 76 prescribed licensing regulations. But, all four laws mainly address the problem of equity of tax burden rather than equity of provision of services or outcomes. It's that last criteria, outcomes, that concerns me, as it has for several decades.

I believe that Vermont's school finance laws mainly concern the provision of resources from State sources. While state education budgets include considerable resources from Federal sources, rarely are those levels of support considered in long range planning. The old adage I recall from my years at the DOE/AOE was "Washington sneezes and Vermont catches a cold (or virus.)" Which is another way of saying that a small percentage change in the Federal support can cause a major dislocation in the overall support of Vermont schools. So, as the Commission begins its work, a few relatively invisible problems are worth considering:

- First, the minutes don't reflect a focus on the quality of education that each and every child in Vermont receives from the schools they attend. This omission can easily bias the discussion of the level of effort required to achieve what Title 16 specified as:

**[Title 16 : Education Chapter 001 : Administration Generally](#)**

**[Subchapter 001 : General Provisions \(Cite as: 16 V.S.A. § 1\)](#)**

**[§ 1. Right to equal educational opportunity](#)**

*The right to public education is integral to Vermont's constitutional form of government and its guarantees of political and civil rights. Further, the right to education is fundamental for the success of Vermont's children in a rapidly-changing society and global marketplace as well as for the State's own economic and social prosperity. To*

*keep Vermont's democracy competitive and thriving, Vermont students must be afforded substantially equal access to a quality basic education. However, one of the strengths of Vermont's education system lies in its rich diversity and the ability for each local school district to adapt its educational program to local needs and desires. Therefore, it is the policy of the State that all Vermont children will be afforded educational opportunities that are substantially equal although educational programs may vary from district to district. (Added 1997, No. 60, § 2, eff. June 26, 1997.)*

One consequence to the absence of quality and student outcomes from the discussion of funding and spending is likely to be a reduction in diversity of opportunities to learn that enable all students to have options for career choices and life opportunities.

- Second, that little Devil in the details “substantially equal” signals the major challenge to equity of outcomes in that each local board has the opportunity to define in ways that are often at odds with the rights of individual kids to a “free and appropriate public education.”
- Third, by not including quality-oriented legislation such as Act 139 (S. 204) in the universe of legislation to be reviewed it would be easy to miss the point that there is at least an indirect relationship between and among funding, spending and outcomes. For example, it is clear from the research we did at the Jeffords Center in 2015 that the distribution of non-proficiency in reading and math is highly correlated with funding and spending. Recent release of the VTCAP data and analysis by JFO confirms that patterns of inequity have only gotten worse. The overall levels of proficiency obtained by the “system” is not only shocking, but economically unsustainable. As I related to Governor Scott when he signed Act 139 into law:

*Roughly half of Vermont students are still at or below proficiency.*

One in two students cannot read proficiently! In fact, our reading scores are actually worse than they originally appeared. According to the most recent NAEP reports (2023) Vermont state-wide proficiency is about 38 percent. What is far worse is that 60 percent of our low-income kids are not proficient and that is a shocking 17,500 students estimated from grades K through 12. (Roughly 85% of our Special Education eligible students are not proficient in reading on state assessments and that is an even more shocking 14,000+ students..) How could we ever imagine growing the Vermont economy, as Finland has been able to do, with 60 percent of our population base not adequately able to read the material they must understand in order to be successful in even today's markets?

JFO has recognized these findings in a recent report to the Legislature. Failing to take these findings into account will not provide the energy and/or justification for the monumental effort now needed to teach all of our students to read (and do math.)

- Fourth, if quality and equity of instruction, particularly in reading and math, were to be included in the planning for the future of education in Vermont, then the sources of funding for the professional development needed to achieve the quality of instruction demanded in Act 139 will need to be identified and directed to the systemic reform needed. Vermont's best sources for these funds are Federal Title 1 and Title 2 funds when supplemented by

local district subsidy of teacher contract specified college credit reimbursement. The combination of these two sources would be more than sufficient to achieve the needed quality of teacher preparation in five years. Historic patterns of gaps in performance will be reduced in Vermont as they have in other states implementing these reforms. Allocating these funds will require the courage of conviction to balance local control with systemic change needed to achieve equity in instruction and opportunities to learn. The Agency of Education would need to provide strong and wise guidance in the process of developing Consolidated Federal Plans. Vermonters should expect no less from their policy makers.

I believe that many teachers, parents and others who worked tirelessly for the passage of S. 204 are hopeful that the Commission will broaden its view of the problem so that resulting recommendations will result in the quality of education for all students that is their birthright.

Someone (might have included me) once said that the "problem you define determines the solution you will get."

Hope this helps, I am happy to help in any way that I can.

Best,

Bud