

Statement from Nicole Mace, VSBA Executive Director  
November 15, 2016

I want to thank the State Board of Education for initiating the rulemaking process governing independent school approval in order to ensure equal opportunity and access to publicly-funded education. The VSBA has been calling for these types of changes for several years now because we share the concerns expressed by the State Board last November.

Yesterday, in response to unprecedented lobbying on the part of independent schools and their representatives, ICAR declined to approve the Board's pre-filing application. Instead, they have returned the rules to the State Board, citing a lack of detailed economic impact analysis included in the Board's submission. I am here today to urge the State Board to respond to the issues identified by ICAR and take action as expeditiously as possible to move the rules to public comment period.

Throughout this process, the perspectives of the independent schools have been heard loud and clear. They have an interest in preserving enrollment policies and practices that ensure that only those students who enroll in their schools are viewed as appropriate, given the schools' vision and mission.

But schools that want to have selective enrollment policies should not accept public tuition dollars, and here's why:

The VT constitution states that when government provides a benefit, it must make that benefit available to all on equal terms. We have independent schools that have close to 90% of their students publicly funded and yet are not equipped to ensure all students can access their programs. In fact, as VISA stated in its testimony to the State Board in July, these schools may deny access to students *because* they need special services.

We believe this practice to be a violation of the constitutional rights of students with disabilities to access the same programs and services available to their non-disabled peers.

Proceeding with these rules is a civil rights imperative. The VSBA urges the State Board of Education to address the issues raised at the ICAR meeting and resubmit the rules as soon as possible in order to protect the rights of every student to have equal opportunity and access to education. The State Board has an obligation to ensure a public comment process happens so that all voices can be heard, not just those of the independent school community.

Thank You.