



Office of the Lieutenant Governor
The State House
115 State Street , Montpelier, VT 05633
802-828-2226
www.ltgov.state.vt.us

David Zuckerman, Lieutenant Governor

September 6, 2018

To Vermont State Board of Education Chair Huling,

I am writing regarding the implementation of Act 46. Over the last few months several communities have reached out to me regarding the process and the law. I have received a significant number of emails from concerned constituents, and I attended a public meeting in St. Albans to learn more about the process and experience of a few communities seeking waivers.

As you may know, I was a member of the Senate Education committee when we passed Act 46. When working on this bill we knew there would be a few dozen communities that would find it difficult to merge based on a variety of criteria. We worked hard on the language in Sections 5 and 9 to ensure there would be 'off ramps' for those cases, while also being clear that the goal was to improve educational opportunities for Vermont's youth by forming larger, more efficient administrative districts wherever possible. The law led to more mergers than envisioned, and I am pleased with that outcome.

Now the State Board of Education (SBE) is tasked with the difficult process of completing the final stages of the law. I am looking for some clarity on the process and timeline you are using to complete this implementation. I want to reiterate that when this bill passed we expected a decent number of communities to fall under the exemption criteria.

It is my understanding that the Agency of Education made a list of recommendations to the SBE and you are now engaging in the process to determine which of their recommendations you will enforce and which you will adjust. I know you have heard from many districts with proposals for exemption under the alternative governance structures. As communities and constituents have reached out to me I have heard their compelling reasons why forced mergers may not be in the best interests of some of our students or communities. I understand these are complex decisions with many factors that need to be balanced, but at no time did we believe that every district would find a good merger to join.

Below are some questions I have received from constituents and communities that I would appreciate clarity on.

1. We are not clear on the timeline for decisions. Will the board wait to hear all requests for exemption and then decide or will decisions be rolling?



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2. Twenty minutes was not enough for us to share our compelling reasons, the data we found to support our request, and answer questions from the board. Will we have additional opportunities to present our case?
3. Almost all the correspondence I receive indicates a forced merger is a foregone conclusion. That was not the intent of the law and I'm curious if this presentation has come from the SBE or if communities are drawing this information on their own. Having listened to some of the hearings, I can see how both sides feel they have been transparent. The board in listening, and the appellants feeling like there is a foregone conclusion already in the works.
4. Are there defined criteria being used to make the merger decisions? Several criteria are outlined, are there any that are most important?
5. What is the role of the community vote? Several communities have had multiple no votes and feel their voice is not being considered in the process.

As someone who was involved in writing this and has been following this for a long time, I know this process is not easy and appreciate the time and commitment of you and all the board members. I'm looking forward to some clarification about the timeline, number of districts applying for exemption, process, and opportunity for community input.

If there is anything my office can do to assist the SBE in this process, please let me know.

I look forward to hearing from you soon.

A handwritten signature in blue ink that reads "David Zuckerman".

Lt. Governor David Zuckerman

CC: Dan French, Secretary of Education
All members of the State Board of Education