

Barstow board keeps school choice as is

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CHITTENDEN — School choice is safe in the Barstow School District.

At its regular meeting Monday evening, the Barstow School Board voted unanimously to take no action on the issue at this time; however, members did express a desire to continue a broader conversation about educational equity.

The decision came a week after a virtual public forum in which residents overwhelmingly supported keeping the policy in place.

Historically, the Barstow Unified Union School District, which includes the towns of Chittenden and Mendon, has been an open-choice district, meaning that students within it can attend any public or independent high school they like — in and out of state.

In Vermont, a student living in a town without its own high school is able to apply for a tuition voucher to attend one elsewhere. For a student tuitioned at a public school, a town pays the receiving district the equivalent of that district's average per-pupil costs.

For independent schools, a student receives a voucher worth up to the average announced tuition for Vermont public schools or the independent school's tuition, whichever is less. For the 2021-22 school year, the average announced tuition for grades 7-12 is \$16,842.

For more than 20 years, religious schools have been excluded as a school choice option; however, an April ruling by State Board of Education put the option back on the table. The board ordered three school districts to pay tuition requests made by families living in choice towns who were seeking to attend Catholic schools. At the time of the ruling, the BOE argued that excluding the schools essentially would be discriminatory, but it also stressed that its ruling was not setting precedent.

The current conversation at Barstow began in June when the School Board met to consider adopting a resolution drafted by the Vermont School Boards Association, which requested, in part, that the General Assembly “guarantee, through law, that all public and independent schools receiving public funds adopt and exercise, equal and equitable opportunities in admissions, programs and practices in order to operate in the state of Vermont.”

In discussing the resolution, Board Chair Brenda Hummel said the board realized the district's current open-school choice model was not aligned with its equity policy, which addresses institutional biases that may affect students' academic outcomes.

In light of these developments, the board proposed limiting school choice options to three: Rutland High School, Otter Valley Union High School and Proctor High School, since 95% of Barstow Memorial School graduates who chose to attend a public high school chose one of those three, according to district data.

However, more than two-dozen residents claimed at last week's forum that restricting choice was itself inequitable. They also argued that eliminating open-choice would adversely affect property values.

Hummel, noted that residents also submitted comments electronically, as well as in-person at the recent Chittenden Day celebration. She said the majority of that feedback was opposed to changing the choice model.

While other residents raised concerns about sending public funds to private institutions, they were in the minority.

At Monday's meeting, Hummel said that as a policy governance board they must seek out and listen to the opinion of its stakeholders.

"We asked if the community was in favor of changing a wide-open school choice model and the responding citizens, with the exception of a small minority, said 'no,'" she said.

But while the board was in agreement that the will of stakeholders was paramount, members remained committed to making sure they were not losing sight of their equity goals.

"I don't think it would be feasible to bring it to a vote now. I don't want to drop the equity conversation because the resolution is important, but I think we need time to look at maybe possible other paths," said Jessica Quesnel, a board member.

Hummel suggested amending the equity policy to more specifically apply to Barstow students and those who attend public school, however, board member Jacob Powsner cautioned against diluting it.

"I would be wary of absolving ourselves of questions around equity," he said.

The board agreed to revisit the discussion at later meetings.

Board member Robin Crossman added context to the timing of the board's actions on the issue, asserting "there was no hidden agenda."

Rather, he said Vermont school boards are caught between the state constitution's "compelled support clause" — which addresses the separation of church and state — and the U.S. Supreme Court's *Espinoza* ruling last year in favor of allowing public money being used to pay for tuition at religious schools.

Crossman noted that state lacks "adequate safeguards" for ensuring that public funds are not used for religious education or worship in religious schools.

He acknowledged the complexity of the issue, but said there isn't a clear-cut answer and local school boards aren't where it should be figured out.

He pointed to H.130, a bill which would establish standards for how religious schools can demonstrate public funds are not being used for religious instruction. The bill was introduced in the Legislature last session and is currently sitting in the House Education Committee. But while the bill attempts to solve one problem, Crossman argued it potentially creates another since such requirements could be interpreted as discrimination.

Crossman urged voters to reach out to legislators and ask them to address the issue at the state level.

"We want to do the right thing. It's got to be the right thing. It's got to be the right legal thing. And right now, that's a bit of a mess," he said.