

A Suggestion Submitted as a Public Comment

To: The Commission on the Future of Vermont Public Education
From: G. Gregory Hughes, A Friend of Vermont Public Education
Date: October 21, 2024
Subject: Suggestion Regarding Vermont's School Voucher Program

There are many forces influencing the cost of education in Vermont and most of them are out of our control. However, among the things within the legislature's control is the state's school voucher program.

School vouchers have caused Vermont to move away from our constitutional commitments and our core values. Property taxes have skyrocketed because we are now funding three educational systems in Vermont. We are funding public schools, private schools and religious schools. We have turned our school budgets into a source of funds for various private interests and at this point school budgets are compelled to fund programs that promote discrimination, segregation and the misuse of public funds.

Prior to 1991 Vermont tuition students needed to attend a public school or one of the traditional academies.

In 1991 things changed and vouchers could be paid to private schools. Over time the Vermont voucher program has facilitated the development of a private school system with negligible regulation, minimal oversight and complete independence from duly elected school boards.

At this point with a declining school aged population and excess capacity in our public schools, we no longer need spend public money to support private schools. The Vermont voucher program clearly needs to be revised.

In 2022 the US Supreme Court issued a decision in a case called *Carson v. Makin*. The Supreme Court held that a state need not pay funds to private schools but once it does it cannot exclude religious schools. In Vermont since 1777 we've had a clause in our state constitution often called the Compelled Support Clause, and it prohibits the state from providing unrestricted public funds to religious schools.

The Vermont legislature is now faced with the task of reconciling Carson v. Makin with the express mandate of the state constitution. There are two options for Vermont. We can choose to ignore the Compelled Support Clause which we are doing now and continue to make tuition payments to religious schools and private schools. Or we can follow our state's constitution.

It's time for Vermont to call the question regarding the Compelled Support Clause. If we recognize our constitutional mandate and not provide funds to religious schools, we would then also be precluded from funding private schools and taxpayers would be expected to support only public education. The alternative is to continue to subsidize all three education systems and there would be no tax relief in sight.

The reality is that if Vermont was to stop sending public money to private and religious schools, it would have a profound effect on the economic viability of many public-school districts.

My suggestion is that the finance subcommittee dedicate some resources to study this and determine the impact on the cost and quality of education if we were to basically roll back the school voucher program to how it existed prior to 1991. This has a strong potential to lower our taxes, and the taxpayers of Vermont deserve to at least see what the financial impact of such proposed legislation would be.

Thank you for your consideration.