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Testimony on opposition to House Bill 874
An Act Concerning Education Initiatives and Services in Connecticut

The Woodstock Academy is an independent, endowed Town Academy. It is one of twenty-two in the entire country, and one of only three within the State of Connecticut. The Academy, founded in 1801, is one of the oldest secondary high schools in Connecticut. It is the designated secondary school for the communities of Woodstock, Eastford, Pomfret, Union, Canterbury and Brooklyn.

The Academy has contracts with each Board of Education from these communities. Under the by-laws and the contracts, each community is eligible to have representation on our Board of Trustees, and all but one has chosen to send a representative. All representatives have the option to sit on the Executive and Finance Committees and oversee the creation and approval of The Academy budget and tuition rate.

The Academy is designated as a private school by the federal government; specifically, the Department of Homeland Security, Department of State, and the National Labor Relations Board. This designation has allowed us to accept students from around the world and from local communities which has created a diverse educational environment that meets our educational mission.

For almost 220 years, The Academy has been an independent school which offers innovative and creative educational programming at one of the lowest per-pupil rates in the entire state. This year, the tuition rate for our day secondary students was roughly \$13,800. I would ask you to find out what the per-pupil expenditure is for a high school in your community; I would expect that your secondary school per-pupil expenditure is likely much higher than \$13,800.

It is important to note that we are not eligible for any funding distributed by the state, such as ECS, Healthy Foods, Transportation, etc. Without direct state funding, we must operate solely through tuition revenue.

While there are several pieces of legislation concerning regionalism which this committee is conducting hearings on, all of them are centered on lowering the costs of education in the State of Connecticut. Yet this bill, specifically lines 375 through 427, will significantly raise costs rather than lower them.

Lines 375 through 378:

(b) All provisions of the general statutes concerning education, except those provisions relating to the eligibility for noncompetitive state aid unless otherwise provided, shall apply to the operation of an incorporated or endowed high school or academy.

- We are already approved by the State Board of Education to educate students in accordance with all education laws. State law requires teacher certification for academies. We have never received any notification from the State Board of Education indicating we are not following any state laws.

- If the state expects endowed academies to follow all statutes related to education (such as transportation) without providing state aid, costs and overall tuition rates will rise for all the sending towns. The entire focus of this bill is to lower education costs, yet by raising state mandates on town academies, costs/tuition rates will also rise.
- This is the ultimate unfunded mandate. Passing this bill will increase tuition rates for our sending town partners.

Lines 389 through 396:

(b) Each incorporated or endowed high school or academy approved by the State Board of Education shall be operated by a governing board. The membership of such governing board shall include, but need not be limited to, a representative selected by each local or regional board of education that sends more than fifty students to such incorporated or endowed high school or academy. Such representative may be the superintendent of schools employed by such board of education.

- This amounts to a state mandated takeover of the governing boards of endowed academies. This decision should be determined by the bylaws of each institution. If a town wants to run a high school, it should build one. Towns choose to send their students to a town academy because of the value they receive.
- This is discriminatory against town academies, which is not the case in other cooperative agreements. Salem does not have a seat on the East Lyme Board and Sterling does not have a seat on the Plainfield Board. There are many examples like this throughout the state. We would suggest applying this language to all of these contracted partnerships, rather than just endowed academies. Placing an unfair burden solely upon town academies may lead to legal action.
- The largest issue in this section of the bill is allowing a sending town superintendent to sit on the governing board of a town academy. This flies in the face of the current working relationship we have with our sending town superintendents. In our case, if a sending town superintendent were to serve on the Board of Trustees he or she would become a supervisor of the Head of School. This significantly changes the relationship. Plus, it may put the sending town superintendent in a difficult position as many superintendents in our region are part time (some work only one or two days a week). It would require the districts to pay that superintendent more money to attend the monthly Board and subcommittee meetings. In addition, we have an expectation that each Board member make some sort of donation to The Academy; this would also put the individual in a difficult ethical situation.

Lines 397 through 401:

(c) The governing board of each incorporated or endowed high school or academy approved by the State Board of Education shall post on any Internet web site that the governing board operates the (1) schedule, (2) agenda, and (3) minutes of each meeting, including any meeting of subcommittees of the governing board.

- This already occurs at The Academy. Just a simple search on our website would show our schedule, agendas and minutes of all meetings to anyone interested.
- This is already required under the FOI laws. The CT Supreme Court already made a ruling in Board of Trustees v. Freedom of Information Commission (1980).

Lines 402 through 410:

(d) Each incorporated or endowed high school or academy approved by the State Board of Education shall submit annually, to the Commissioner of Education, (1) a certified audit statement of all revenues from public and private sources and expenditures related to such governing board's function as a governing board of an incorporated or endowed high school or academy in this state, and (2) a complete copy of such governing board's most recently completed Internal Revenue Service form 990, including all parts and schedules, other than Schedule B of such form.

- All of these activities are completed by The Academy and, based on the ruling mentioned above, are available publicly. The audit is approved each year by the Board, and thus includes the sending town representatives. The audit is a requirement in order to file the federal tax form (990).
- We do not send a copy to the State Board of Education. Given the availability of the information, I'm not sure what the purpose of that would be.
- We have many private revenue sources, which we use to lower the tuition cost paid by our sending towns. MANY donations are given privately and those donors request we do not make them public for a variety of reasons.
- If the school that sends students to an endowed academy does not like or trust how the finances are being managed, they can build their own school or go to another approved secondary school.
- No other school districts are required to send this type of information to the State Board of Education. This is clearly a discriminatory practice.

Lines 411 through 421:

e) The Commissioner of Education shall post any reports, certified audit statements and forms submitted to the Department of Education regarding an incorporated or endowed high school or academy approved by the State Board of Education on the department's Internet web site not later than thirty days after receiving such reports, statements or forms. The commissioner shall identify any governing board of an incorporated or endowed high school or academy that did not submit a report, certified audit statement or form for the current reporting period and post such information on the department's Internet web site not later than thirty days after failing to receive such reports, statements or forms.

- CT State Supreme Court requires that the audit be made public. We all have to file a federal tax form (990) which is also public.
- As mentioned above, no other school or educational entity is required to do this other than endowed academies.
- Furthermore, a town academy "exposed" for not providing an audit would risk no financial penalty since no town academy receives funding from the state.

Lines 422 through 427:

(f) Prior to the adoption of an annual budget by the governing board of an incorporated or endowed high school or academy approved by the State Board of Education, the sections of such

budget that receive public funds shall be (1) reviewed by the local and regional boards of education that send students to such incorporated or endowed high school or academy, and (2) subject to a public hearing.

- The purpose of the language here is unclear. If each Board of Education has a representative on the governing board, why wouldn't that representative share the budget with the Board they are elected to serve on?
- Are all private entities which receive public funds to educate students mandated to follow this new requirement? As far as I know, special education schools (like Waterford Day School or The Learning Clinic) and RESC's such as LEARN, EASTConn, etc. are not required to follow these measures. Why are the town academies being singled out?
- Are these measures required by all other cooperative groups such as Salem/East Lyme, for example? If this requirement moves forward, it should be expanded to include all entities that a town may contract with to educate their students.
- In addition, what does "subject to a public hearing" mean? Who would hold this public hearing—the governing board or the regional boards of education? Under the rules of FOI, all Board meetings at any of the three academies are open to the public.

There are many other points I can go into about the language of this bill; I have only highlighted our major concerns with this piece of legislation.

The Woodstock Academy opposes this legislation as it reduces the independence of The Academy and places unfunded mandates which will do nothing more than raise the tuition rate for our sending town partners.

I am available at any time to talk about The Academy and our type of governance with any legislator. I would argue that instead of working to constrain Academy independence you should be seeking to mirror this governance model all over the state.