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Lessons from Vermont

132-Year-Old Voucher Program Rebuts Critics

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For more than a century, Vermont has operated a viable and popular voucher system in 90 towns across the state. During the 1998–99 school year, the state paid tuition for 6,505 students in kindergarten through 12th grade to attend public and private schools. Families chose from a large pool of public schools and more than 83 independent schools including such well-known academies as Phillips Exeter and Holderness.

As more attention is given to vouchers in mainstream discussions about education reform, critics contend that vouchers are a new, untested concept and therefore must be implemented, if at all, on an extremely limited, experimental basis. Critics also argue that vouchers will lead to the establishment of fringe schools, skim the best and brightest students from public schools, and drain public schools of revenue. Vermont's long-standing program has done none of those things.

Vermont's voucher program has been running since 1869, nearly as long as the monopolistic public education model. It is worth noting that the voucher program has been a welcome part of the educational landscape for so long that the state collects no more information on voucher students than it does on students generally. And no hue and cry has been raised for more information to be compiled to justify the system's continuation. To the contrary, Vermonters generally assume that it is a parent's prerogative to select a child's school, and the burden of proof is on those who seek to take that choice away. This paper describes Vermont's voucher system and draws numerous lessons for education reformers and policymakers.

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Introduction

Vermont's voucher program has been part of the state's education system for so long that many residents would be surprised to hear it called a "voucher program." In 90 Vermont towns, or roughly one in three, the state and town pay tuition for students in kindergarten through 12th grade to attend public and private schools. Vermonters dub these "tuition towns."

If a student chooses a public school, the town and state combine funds to pay the student's tuition. The funding formula for tuition is complex, but the tuition amount is generally the rough equivalent of the state's average per pupil cost for public school. The amount of tuition payments to private schools varies depending on whether the selected school is a high school, middle school, or elementary school. For private elementary schools, Vermont statutes require towns to pay no more than either the average announced public-school tuition, which is determined by a formula, of Vermont union district elementary schools for the year of attendance, or the tuition charged by the public elementary school attended by the greatest number of the district's pupils.[1] For private middle and high schools, tuition towns pay "an amount not to exceed the average announced tuition of Vermont union [district] high schools . . . or any higher amount approved by the electorate at an annual or special meeting."[2] The statewide allowable tuition rate for the 1999–2000 school year was $7,306 for high schools, $6,514 for seventh and eighth grades, and $6,257 for elementary schools, although tuition rates can vary from town to town.[3]

How does a town become a tuition town? Simple. It must not have a public school or the existing school must be so small that it can accommodate only a fraction of local students, and it must not have joined a "supervisory union," which operates schools for several small towns at once.[4] Seventeen towns either have no public elementary school or have a school too small to accommodate all local students, and 95 towns have no public high school.[5]

Although most tuition towns have existed as such since they were first established, Vermont statutes also allow towns to become tuition towns through a series of votes by local residents. This is rarely done, however, because a town must vote to close its public school in order to become a tuition town. Closing a longstanding public institution of any kind is a difficult step for a community to take, and closing a public school is fraught with controversy. Nonetheless, in 1998 the town of Winhall voted to close its public school, open a private one in its place, and become a tuition town. By the fall of 1999, an independent school named Mountain School had leased the former school building and opened its doors to students.[6] Such transformations occurred as early as 1870 when taxpayers in rural St. Johnsbury realized they were spending $70 per pupil to send local students to the public high school, whereas tuition at the nearby private school, St. Johnsbury's Academy, was only half as much. Within three years, the town turned the public high school into a combination elementary and middle school, and the town paid tuition for its high school students to attend the private academy.[7]

Despite the popularity of the voucher program, most Vermont students do not have access to it. Of the 116,849 students enrolled in grades K–12 during the 1998–99 school year, only about 6,505, or 6 percent, lived in tuition towns. The total number of public schools was 344, and there were 83 independent schools approved for vouchering.[8]

Tuition Town History

The tuition town system is a result of Yankee pragmatism and New England's traditional respect for the private academy. The first private academy in the country was founded in Boston in 1635, and hundreds of schools subsequently sprouted across the

Bay State and beyond into the hills of Vermont and Maine. Vermonters have a long history of commitment to education. Consider this 1796 observation from Jedediah Morse, author of *American Universal Geography*: "In no country is common schooling more attended to. A family of children, who could not read, write, and understand common arithmetic, would be looked upon as little better than savages."[9]

Vermont's first constitution, adopted in 1777, states, "A school or schools *shall* be established in each town, by the legislature for the convenient instruction of youths" (emphasis added). Less than 10 years later, the constitution was revised. Instead of requiring every town to open a school, new language only suggested that towns do so: "A competent number of schools *ought* to be maintained in each town for the convenient instruction of youth" (emphasis added).[10] This replaced the clause that specified that each town must maintain a school, and thereby allowed towns to determine for themselves what kinds of schools they would build.

In 1785 the legislature began to charter countywide grammar schools, but it would take more than 50 years for grammar schools to be chartered in just 12 of Vermont's 14 counties. This could have been due in part to the fact that Vermont has never really had a system of county governments. Therefore, there never was a sense of county citizenship from which an activity such as starting a school could grow. Private academies, on the other hand, were local enterprises that became a "source of great local pride."[11] By 1870, there were 77 private academies in the state. This coincided with another educational movement, however, that would ultimately bring about the end of this "Golden Age." Beginning in 1841, Vermont saw the first public high schools joining together to form "union districts." These schools were for older children and concentrated on practical farming and mechanical and business skills, unlike the academies, which focused on classical scholarship.[12]

Widespread respect for private academies and acknowledgement of the impracticality of each town's building its own school led Vermont to pass the state's first tuitioning statute in 1869. The statute allowed public school districts to pay students' tuition at private academies in adjoining districts, essentially making the creation of public schools in every district unnecessary. Even in towns with public schools, residents quickly began to see the benefits of greater choice.

Vermont's original tuition statute was soon expanded to allow the state to pay for students to attend schools outside the district or adjoining districts. To further clarify the state's commitment to the tuition system, the legislature adopted Act 27 in 1902, which specified that the state could pay tuition even to schools outside the state. Finally, in 1927, the legislature passed Act 31, which gives town school boards the power to send students to other schools at the parents' request even when a local public school is available. A review of historical records surrounding the 1927 legislative session suggests legislators adopted Act 31 to improve opportunities for "advanced" education.

It should also be noted that tuitioning to religious schools was regular practice in Vermont until 1961. In fact, there are many people in Vermont today whose Catholic education was underwritten by the state. However, in 1961, the practice was ruled unconstitutional, and it was stopped.[13] Subsequent court rulings have upheld the 1961 ruling, despite several challenges. The most recent one involved the Chittenden School Board's decision to tuition children at their parents' request to a local Catholic school. This was ruled unconstitutional in 1999.[14]

Regulation of Independent Schools

In Vermont, there are two categories of independent schools at which students can fulfill compulsory educational requirements: "approved" and "recognized." Schools that accept publicly funded students must be

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approved. The amount of regulation and oversight of those schools is greater than that of independent schools that do not enroll publicly funded students. Recognized schools must abide by Vermont statutes governing education; approved schools must follow additional rules set by the state Board of Education.[15]

The application process for approved status is longer and more detailed than that required for recognition only. The application to become a recognized school in Vermont is just eight pages long and asks for only basic facts such as data on enrollment, a mission statement, attendance, and the school calendar. The comparable application for approved status is approximately three inches thick.

In addition, whereas both approved and recognized schools must follow Vermont Department of Education regulations regarding health and safety, financial capacity, staffing, and support services, schools that do not enroll publicly funded students are merely required to submit signed assurances that they are following the rules. On the other hand, approved schools must submit to a Vermont Department of Education review process that can include a visit by at least two team members appointed by the commissioner of education. Following the visit, a recommendation is made to the education commissioner, which in turn is passed on to the state Board of Education, which approves or rejects the recommendation. Approval may be granted without committee evaluation if a school is accredited by a state or regional agency recognized by the state Department of Education for accrediting purposes.[16]

Finally, schools accepting publicly funded students must administer the New Standards Reference Exam to those students, whereas independent schools that do not accept publicly tuitioned students are exempt from this requirement.

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Fringe Schools?

Critics of voucher systems have suggested that vouchers would lead to the establishment of schools for skinheads, Nazis, witches, and even followers of the Hale-Bopp comet.[17] For instance, during the controversy over the Chittenden School Board's decision to tuition children to a Catholic school, one resident wrote a letter to the editor suggesting that such a practice could "well be the first step toward schools run by . . . anarchists . . . Marxists, atheists and any other group that wants to evangelize its views on the general public."[18]

Research on Vermont's system suggests that critics' concerns are overblown, if not completely baseless. For one thing, independent schools that accept tuition payments from the state must go through an approval process and are periodically reviewed. So the state could, if it chose to, deny funding to a school deemed unsuitable. To date, however, it does not appear that residents have ever even attempted to use their tuition dollars to open fringe schools. The Vermont Department of Education has no record of unsavory practices or of having had to intervene against such practices.

Vermont does not keep a list of schools that have lost their approval status over the years. According to officials at the Vermont Department of Education, there is no need for such a list because such instances are so rare. Subsequent interviews with staff members also produced no evidence to support the fringe claim. Bill Reedy, general counsel for the Vermont Department of Education, can remember only one school having its approval rescinded in the last 12 years. That particular school was designed to serve children with behavior problems, and its status was rescinded, not for any sort of bizarre curriculum, but because of abysmal management (a problem not unknown in public schools).

"We tightened up the review process after that," said Doug Walker, Vermont's deputy commissioner of education. "Always in Vermont, it's a fine line between the state's role and what type of oversight is necessary to protect the public and yet to allow the independence of the school."[19] Walker points out that

Vermont's rules governing independent schools are broadly written and the state deliberately takes a "hands off" approach to independent schools to allow them breathing room.

Vermont's independent school coordinator, Natalie Casco, has worked in the state Department of Education for six years and cannot remember any school losing its approval status during her tenure. The only problems she can cite are with schools that have incorrectly set up special education programs, such as having a building that is not completely accessible to students with special needs. These problems are not unique to independent schools, she says, and they are usually resolved quickly. When asked specifically if she has ever encountered a school for skinheads or other such groups, she laughs politely and says, "No. I guess it's something I wouldn't worry about unless it happened."[20]

The market for fringe schools appears to be nonexistent. In fact, several private schools with no fringe qualities are supported in large part by tuition town customers. Burr and Burton Academy in Manchester, for example, draws 500 of its 520 students from tuition towns. State-funded tuition accounts for 95 percent of the school's operating revenue.[21] Thetford Academy in Thetford has only 4 private-pay students. The rest of the 360 students come from tuition towns.[22] And nearly 50 percent of the budget of St. Johnsbury Academy comes from tuition town students. These well-respected private schools are obviously being chosen in large numbers by Vermont parents.

Giving Up on Community?

Despite the fact that only a minority of citizens has children in school at any given time, critics argue that vouchers will destroy the sense of community that public schools create. NEA president Bob Chase put it this way: "For me, however, the most compelling reason [to oppose vouchers] is that vouchers represent a defeatist strategy, a dead end. You are, in effect, giving up on community and community schools. Vouchers deliver a powerfully negative message: Think like a consumer, not a citizen or a neighbor."[23]

Yet the center of a community can be ephemeral. For some people, it means a physical space such as a school building or a church. For others, community is a state of mind. What do people in tuition towns see as the center of their community? To answer this question, I conducted interviews with town clerks in the towns that have no public school or have a school so small that the majority of students are sent elsewhere.[24] Each clerk was asked: (1) Does your town have a public school? (2) Are there any independent schools in town or nearby? (3) What institution in your town do you consider to be the community focal point, if there is one? (4) What event(s) is/are the most well attended by residents of your town each year? The answers to this short survey confirm the obvious. As Table 1 illustrates, public schools have no monopoly on being the focal point for the community.

Towns have any number of community centers, from the local grocery store or golf course to the town hall. In fact, the event that draws out the most people in these tiny towns is what many would consider a very appropriate focal point—the face-to-face democracy of the New England town meeting that involves all citizens equally. These findings are hardly surprising, yet voucher opponents continue to raise the bogus argument that choice will fragment communities. It is true that residents of small tuitioning towns might, like the Pittsfield town clerk interviewed here, feel that a school would enhance their sense of community. It is also true, however, that a healthy political and community life can and does take place in the absence of a government-run school.

Transportation

How do children in tuition towns get to school? Voucher critics charge that only the wealthy, with time on their hands and access to cars, will have access to independent

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Table 1
Community Centers in Towns without Public Schools

Town	Nearby Independent School	Focal Point	Event
Baltimore	None	Town office	Town meeting (about 60 of 130 voters attend)
Bloomfield	St. Johnsbury Academy	Renovated school house where meetings are held, the town hall, and grocery store where "locals go to gossip"	Town meeting (out of 140 on the voter checklist, as many as 50 usually participate)
Brunswick	None	Town hall	Town meeting (about half of voters attend)
Elmore	Waldorf School, Bishop Marshall School	Elmore Store	Town meeting (roughlly 25 percent of voters attend)
Hancock	None	Town hall	Annual smorgasbord, town meeting, and school events
Kirby	Riverside School, St. Johnsbury Academy, Lyndon Institute, Union Baptist School, Good Shepherd School	Town hall and the Kirby Quilters' Club	Town meeting (about half of voters attend)
Lemington	None	No clear answer	Town meeting
Maidstone	None	Town hall	Town meeting (about 20 percent of voters attend)
Pittsfield	Sharon Academy, Killington Mountain School, Rutland Learning Center	No focal point	Town meeting (about 30 percent of voters attend)
Sandgate	None	Town hall	Town meeting (about 75 percent of voters attend)
Searsburg	None	Town office	Town meeting (about half of voters attend)

Town	Nearby Independent School	Focal Point	Event
St. George	Many private schools in the area	Rocky Ridge Golf Course	Town meeting (about 15 percent of voters participate)
Stratton	The Mountain School	Town hall, recreation area	Annual holiday party and town meeting (about 25 percent of voters attend)
Winhall	The Mountain School at Winhall	The Winhall Community Center	Annual party at library and the Bondville Fair

Source: Interviews by author with school clerks.

Note: Elmore has a one-room school that accommodates 23 students in grades one through three. Hancock has a school that accommodates children in grades K–5. All other students in those towns receive vouchers. The Pittsfield clerk was the only one among those interviewed who said that not having a public school in town created a lack of "central focus" to "bring the community together." Winhall converted its public school into a private school in 1999.

schools. Despite evidence that tuition towns have handled this challenge without incident, even the head of the local NEA affiliate has raised the transportation problem as an obstacle to vouchers, saying, "A practical solution to the formidable problems of equal access to transportation and of transportation costs has not yet been suggested."[25] Despite the rural setting of most tuition towns, transportation issues do not seem to prevent parents from exercising choice.

Vermont has no uniform transportation policy; each district handles the issue on its own. Consequently, districts have adopted a variety of transportation policies ranging from busing students to private schools to reimbursing parents for the cost of travel. Parents, too, have arranged carpools and vanpools without assistance from the state. Here are some of transportation policies adopted by the tuition towns:[26]

- Baltimore—Parents are responsible for transportation.
- Bloomfield—The town furnishes bus transportation for one public school; in all other cases, parents are responsible for transportation.
- Brunswick—The town buses students to a public school in North Stratford, New Hampshire; parents are responsible for transportation to all other schools.
- Elmore—The town buses students to Morrisville public school; in all other cases, parents are responsible for transportation.
- Hancock—Most parents meet their own transportation needs but the town pays for a bus to Rochester middle and high schools.
- Kirby—Buses are available for most nearby schools.
- Lemington—One bus takes students to most nearby schools.
- Maidstone—A bus takes children to public schools in Guildhall, Vermont, and Northumberland, New Hampshire.
- Pittsfield—Two buses cover the towns of Sherburne, Stockbridge, Bethel, and Woodstock.
- St. George—The town pays two nearby public schools for busing students to school.

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- Stratton—The town reimburses parents to get children to nearest bus stop. If there is no bus nearby, the town pays the entire cost of transportation.
- Winhall—The town pays for transportation, including private transportation, to Manchester schools.
- Searsburg—The town pays for one bus.
- Sandgate—The town pays for a bus to Arlington public school.

It should be noted that Elmore has a one-room school that accommodates 23 students in grades one through three; all other children receive vouchers. Likewise, Hancock has a school that accommodates children in kindergarten through fifth grade; all other students receive vouchers.

Of the 14 towns examined, 11 provide or pay for school buses to transport students to nearby public schools. Of the three remaining districts, one (Baltimore) holds parents responsible for transportation; the second (Stratton) reimburses parents for driving their children to the nearest bus stop and, if there is no nearby bus, the town reimburses parents for the full trip; and in the third (Winhall) the town pays the entire cost of transportation. Some districts, such as Bloomfield, have a combination of policies.

Moreover, some private schools run buses that pick up students. A private school in Burlington, for instance, runs a bus that makes several stops including stops at other private schools. A private school in Middlebury ran a bus from Rutland to Middlebury, although the school has since relocated to Burlington. Vermont's experience with vouchers indicates that towns, parents, and private schools can creatively work together to meet transportation needs.

Expanded Opportunities?

Voucher critics suggest that if parents are allowed to choose schools and private schools can selectively accept students, students with similar backgrounds will congregate in particular schools, creating a two-tiered educational system. The NEA describes the problem this way: "Vouchers would not expand opportunity for low- and middle-income families and could lead to greater educational, racial, and social stratification."[27]

Examining that claim is complicated. Private schools do not report admissions data, so it is not possible to determine the rates at which they admit students of particular demographics and reject others. Vermont is also overwhelmingly white, so reviewing admissions data by race is not instructive. Educational achievement data are also hard to come by.[28] However, in the future it should be possible to track the progress of voucher students and compare their academic performance to that of "traditional" students.[29] Nonetheless, anecdotal evidence suggests that Vermont's voucher system expands educational opportunities by giving families access to public and private schools that would otherwise be closed to them because of residency requirements or financial barriers.

For instance, information is available on the economic status of families in tuition towns, the numbers of students from those towns who receive vouchers, and the schools they attend. An examination of choice in two different regions, the rural St. Johnsbury region and the more populated Rutland region, indicates that children are afforded expanded educational opportunities through choice, regardless of their socioeconomic backgrounds.[30]

The St. Johnsbury region is rugged and sparsely populated. Income levels in the area are among the lowest in the state, with Caledonia, Orleans, and Essex counties ranking 11th, 13th, and 14th out of 14 Vermont counties in per capita income. Poverty rates are also among the highest in the state, exceeding 15 percent in each county.[31]

Students in the St. Johnsbury region can choose from numerous public and private schools, including private academies such as the Lyndon Institute, St. Johnsbury Academy, and the Burke Academy, a unique

school that combines academics with competitive ski-racing. St. Johnsbury Academy draws the lion's share of students in the region.[32] St. Johnsbury Academy draws students from 16 Vermont tuition towns; 13 of which have median family income levels below the Vermont statewide median family income.[33]

St. Johnsbury headmaster Bernier Mayo has been leading the school for 20 years and strongly objects to the accusation that his school would "cream" the best students from the region, leaving the rest for public schools. "That's dead wrong," he says. "We take every kid who applies here. Our only condition for acceptance is you haven't been convicted of a felony."[34] Forty-six percent of St. Johnsbury Academy's budget comes from students receiving tuition from the state, and the remainder is generated privately. Tuition is $7,775, and towns pay the entire amount when they send children to that school.[35] Mayo emphasizes that the market orientation of the school means that it aggressively courts future students, regardless of their backgrounds. He points out that the academy offers a strong academic program and is fully equipped to deal with the entire student population, including students with special needs.

On the other side of the state is the Rutland region. Rutland is the second most populated county in the state and has the seventh highest per capita income, with correspondingly low poverty rates.[36] In this region, however, most voucher students attend public schools. In fact, the majority of voucher students from the region attend Rutland City High School.[37]

Rutland County towns that tuition students to Rutland City High School range in socioeconomic makeup, but five of the nine towns from which it receives students have median household incomes below that of the state as a whole. Rutland City, where Rutland City High School is located, has the second lowest median family income among the towns that the school draws from. The three highest income towns in Rutland High's cachement area are Chittenden, Rutland Town (not to be confused with Rutland City, a separate municipality), and Mendon, with median household income levels of $50,147, $54,362, and $58,196, respectively. Home values in these tuition towns are relatively high as well. For Mendon, the average residential value in 1999 was $146,506, and for Rutland Town it was $134,556. For Rutland City, on the other hand, the average was $82,472.[38] Yet both Mendon and Rutland Town send the largest portion of their students to Rutland City High School. In other words, a majority of tuition students travel from wealthier neighborhoods into a less affluent area to attend a public school, despite the fact that there are several independent schools within a 40- to 45-minute drive of the Rutland region, including Burr and Burton and Long Trail.[39]

Choice patterns in those two regions strongly suggest that the voucher system expands educational opportunities by giving families access to public and private schools that would otherwise be closed to them because of residency requirements or financial barriers.

Efforts to Restrict Tuitioning

Despite the fact that vouchers have existed in Vermont for more than a century, some teachers' unions, school superintendents, the Vermont School Board Association, and certain legislators have attempted to restrict the tuition system, particularly in recent years.

For instance, in 1997 state senators Peter Brownell (R-Chittenden) and Nancy Chard (D-Windham) proposed the "Vermont Education Restructuring Proposal," which would have forced all towns into county school systems.[40] Under such systems, no town could claim to be without access to a public school. Therefore, students residing in tuition towns would no longer have the option of attending private schools with public dollars. The stated purpose of this plan was to "increase educational opportuni-

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ty, control costs, make more efficient use of resources, and simplify the governance of education in Vermont."[41] This proposal died in committee, but its bipartisan sponsorship indicates that too many people do not understand the importance of the tuition system or the value of preserving it.

In 1999, the state board of education proposed similar restrictions. Ironically, this was in response to a bill called Act 71 that passed the year before, which promised Vermonters that a public school choice bill would be enacted the following year.[42] One of the state board's recommendations to the legislature was to limit the use of public funds to public school choices only, grandfathering in students who were already funded for private schools. The board's stated goal was to "equalize" opportunities for all Vermont students. In other words, since students in non-tuition towns were largely confined to public schools, then tuition town students should also be so confined. Instead of seeking to equalize opportunities by expanding the choice program to all students, the board sought to equalize opportunities by taking away choice where it existed.

A problem occurred, however, as the board devised this policy recommendation. Among Vermont's private schools are five academies that are largely supported by the tuition system.[43] For whatever reason, perhaps an awareness of Vermont's traditional respect for private academies, the board lumped those academies with the public schools when recommending the restrictions on tuition students' choices. If the board was attempting to split the opposition to its recommendation, it failed. To the credit of the headmasters of the major private academies, they refused to be separated from their smaller sister schools and testified before the board that such a program was unthinkable. Because of opposition from school choice groups and the private schools that receive voucher students, the board eventually rescinded its recommendation.

Proposals to expand the voucher program have met with opposition as well. In 1996, Rutland City voters approved, by a vote of 55 to 45 percent, a change to their city charter that would have granted a $1,500 scholarship to each student in the city. But because the state legislature must approve changes to city charters before such changes can be implemented, the voucher program has languished. Even the city's state representatives at the time did nothing but pay lip service to the program, sponsoring it as a bill but allowing it to "hang on the wall" of committees. City representative and public school teacher Jerry Kreitzer (D-Rutland City) even went so far as to cosponsor a bill that would have repealed the promise of Act 71 to enact a statewide school choice program at the same time as his name was on the Rutland City voucher bill.

Statewide, the resistance to expanding school choice has been vigorous. The promise of school choice embedded in Act 71 resulted in a school choice law passed in 2000 that allows only a handful of students in each public high school to choose from other public high schools in their geographic region. And, if a school can prove it will be harmed by allowing choice, it can be exempted from the program. Legislators offered two amendments that would have allowed a study of charter schools or tax credits and deductions for educational expenses. It is a measure of the resistance to choice that neither of those modest proposals passed in 2000. However, in 2001, the study of charter schools was tacked on to the appropriations bill and was passed.

It is ironic that Vermont's politicians have a difficult time grasping the value of school choice when they live in the midst of a century-old voucher program that has worked well for longer than anyone can remember. Vermont's residents, however, do seem to understand its value. In a January 1999 poll conducted for Vermont Public Radio, 55 percent of respondents said they supported using tax dollars to send children to religious schools, 34 percent said they did not, and 12 percent were undecided.[44] Other private polls conducted for candidates have shown similar support for choice. Public support has not

translated into legislation, however, because until this year, Vermont's legislative and executive branches have been controlled by anti-choice forces, and the public has not made school choice a voting issue. Other issues have stolen the spotlight during biennial campaigns.

Conclusion

It is clear from this overview that the tuition system in Vermont overwhelmingly rebuts some of the arguments against greater parental choice in education. Fringe schools have not popped up across the countryside to take advantage of the public dollars available through tuitioning students. Transpor-tation issues have been resolved through a combination of public and private solutions. Tuition towns manage to find gathering places for the community that aren't connected with a public school. And the voucher system expands educational opportunities by giving families access to public and private schools that would otherwise be closed to them.

Another important observation can be drawn from this overview: very limited data are available on the progress or satisfaction of voucher students. No parental satisfaction surveys have been conducted, and no academic achievement data had been collected until very recently. But this very lack of data holds an important lesson. Vermont has operated its voucher system for 130 years, yet no cry has gone up for this information to be compiled to justify the system's continuation. There has been no clamor to provide "more research" on the benefits or disadvantages of the system. In other words, it is widely accepted that it works, that parents' decisions for their children are generally wise ones, and that responsibility to children, rather than public institutions, is beneficial to all.

This principle is embodied in the 1925 U.S. Supreme Court ruling, *Pierce v. Society of Sisters of Holy Names of Jesus and Mary,* overturning an Oregon law that forced children to go only to public schools. The justices wrote: "The child is not the mere creature of the state; those who nurture him and direct his destiny have the right coupled with the high duty to recognize and prepare him for additional obligations."[45] Even if every public school in America were a model institution, parents should have the right and responsibility to choose the most appropriate educational environment for their children.

Notes

1. Vt. Stat. Ann. 16, § 823 (2001).

2. Ibid., § 824(c).

3. For more information on tuition formulas and reimbursement rates, see http://www.state.vt.us/educ/schfin/tuition/tuition.htm and http://www.state.vt.us/educ/schfin/tuition/AT00Inst.htm.

4. The state does not set size requirements for tuition towns. Each town decides independently whether the existing public school is too small and students should be sent elsewhere. Each town also votes independently on whether or not to join a supervisory union.

5. Five of the 95 towns without a public high school fund only one private school for their students. The towns and schools are Lyndon (designates Lyndon Institute), St. Albans City (designates Bellows Free Academy), St. Albans Town (designates Bellows Free Academy), Thetford (designates Thetford Academy), and West Fairlee (designates Thetford Academy).

6. Winhall believed that becoming a tuition town would lower school costs, among other things. For more details on how Winhall closed its public school and opened a private one in its place, see Vermonters for Better Education, "How to Privatize a Public School in Vermont: A Layman's Guide," Rutland, Vermont, March 2000.

7. John McClaughry, "Educational Choice in Vermont," Institute for Liberty and Community, Concord, Vermont, 1987, p. 5.

8. Vermont Department of Education, "Vermont Department of Education FY2001 Budget Recommendations," p. 15; and Alex McHenry, analyst, Vermont Department of Education, interviews by the author, May and December 2000.

9. Quoted in McClaughry, p. 2.

It is widely accepted that parents' decisions for their children are generally wise.

10. Jeffrey Potash, "State Government and Education: 'For the Due Encouragement of Learning and the Better Regulating and Ordering of Schools,'" *Vermont History* 65, nos. 1 and 2 (Vermont Historical Society, Winter/Spring 1997): 47.

11. McClaughry, p. 3.

12. Ibid., pp. 3–4.

13 *Swart v. South Burlington Town School District,* 167 A.2d 514 (1961).

14. *Chittenden Town School District v. Vermont Department of Education,* 738 A.2d 539 (1999).

15. Natalie Casco, independent school coordinator for the Vermont Department of Education, interview by author, January 31, 2001. For more information on private school regulations, see http://www.ed.gov/pubs/RegPrivSchl/vermont.html.

16. Vermont recognizes as accrediting agencies the New England Association of Schools and Colleges, the Middle States Association of Colleges and Schools, the Northwest Association of Schools and Colleges, the Southern Association of Colleges and Schools, the Western Association of Schools and Colleges, the North Central Association of Colleges and Schools, the Office of Overseas Schools, the Department of Education of the Northern New England Conference of Seventh-Day Adventists, the Diocesan School Board of Vermont, and the National Association of Trade and Technical Schools.

17. The author has encountered each of these examples in the debate over expanding school choice in Vermont.

18. Don Benedict, "Undermining Public Education," *Rutland Herald,* August 1, 1996, Letter to the editor.

19. Interview by author, July 2000.

20. Interview by author, August 2000.

21. Charles Scranton, headmaster, Burr and Burton Academy, correspondence with author, February 25, 2001.

22. Joe MacPherson, business manager, Thetford Academy, correspondence with author, February 23, 2001.

23. Bob Chase, "Why Not Vouchers? You Can't Build a Community on Them," National Education Association, October 13, 1996, http://www.nea.org/issues/vouchers/index.html.

24. Fourteen of the 17 clerks were available, and unless otherwise noted, none of the towns has a public school. Interviews were conducted in June and July 2000.

25. Angelo Dorta, president of the Vermont NEA, "Teachers Support Controlled School Choice Plans, Too," *Burlington Free Press,* September 12, 1996.

26. Based on interviews by author with town clerks.

27. NEA, "Voucher Talking Points," released during the Rutland voucher referendum, 1994.

28. It was only in 1998 that Vermont required private schools to administer the New Standards Reference Examination to students who use public funds. Nonetheless, some private schools that accept such students are administering the test to only those students and not the entire student body.

29. The lack of achievement data on publicly funded students is noteworthy. For more than 130 years, Vermonters have not had to justify educational choice. Residents have simply assumed that parents are capable of choosing good schools for their children. The current debates over vouchers have reversed this assumption by assuming that parents are incapable of choosing good schools unless study after study measuring academic achievement and other outcomes proves otherwise.

30. This comparison is done by region because school districts in Vermont are usually towns, or towns that have joined together to form a union district. There are no countywide school districts. Therefore, I looked at geographic areas that share characteristics and are centered around one market area. For example, in choosing the St. Johnsbury region, I included St. Johnsbury Academy's entire area from which it draws tuition students. I have done the same with the Rutland region.

31. "Vermont: An Economic-Demographic Profile Series—Northeast Vermont, 1999," Vermont Department of Employment and Training, p. 6.

32. In 1998–99, St. Johnsbury Academy enrolled 600 of the 1,275 students tuitioned from the 16 tuition towns in St. Johnsbury Academy's cachement area. Source: table of tuition towns, students, and schools provided by the Vermont Department of Education to the author.

33. Income figures provided by Arthur G. Woolf, former state economist.

34. Bernier Mayo, interview by the author, September 2000.

35. Bernier Mayo, e-mail correspondence with the author, September 18, 2000.

36. "Vermont: An Economic-Demographic Profile Series—Southern Vermont 1999," Vermont Department of Employment and Training, pp. 9–11.

37. Table of tuition towns, students, and schools provided by the Vermont Department of Education to the author. In 1998–99, Rutland High School enrolled 267 of the 514 students from the nine tuition towns in its cachement area.

38. "Vermont: An Economic-Demographic Profile Series—Southern Vermont 1999," Vermont Department of Employment and Training, p. 17.

39. The town of Middletown Springs, which sent three students to Rutland High in 1998–99, sent two students to the Long Trail School that year. The majority of that town's 47 students, however, chose the public Poultney High School.

40. Sens. Peter Brownell (R-Chittenden) and Nancy Chard (D-Windham), "Vermont Education Restructuring Proposal Presentation to the Senate Education Committee," March 23, 1997.

41. Ibid.

42. This should not be confused with the widely discussed Act 60, which attempted to equalize school funding. That act did not affect the disbursement of funds in the tuition program. It does, however, require tuition students to take the new Standards Reference Exam.

43. The five academies are the St. Johnsbury Academy, Bellows Free Academy, Thetford Academy, Lyndon Institute, and Burr and Burton Seminary.

44. "Support in Poll for School Choice," *Rutland Herald,* January 27, 1999.

45. *Pierce v. Society of Sisters of Holy Names of Jesus and Mary,* 268 U.S. 510 (1925).

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