

Ethan Allen Institute

Newsletter – May 2018 (Printer Edition)

Top Stories

Mark Steyn Fills/Brings Down the House

Four hundred Vermonters filled the Emerald Ballroom in the Doubletree by Hilton to celebrate 25 years of the Ethan Allen Institute's fight for liberty and limited government in Vermont, and to hear best selling author and commentator Mark Steyn.

Steyn spoke for forty minutes, took questions from the audience for twenty, and donated four hundred copies of his book, *A Disgrace to the Profession: The World's Scientists – in their own words – on Michael E. Mann, His Hockey Stick, and Their Damage to Science* to the event. He then stayed until nearly 11:00 p.m. signing copies for everyone who wanted an autographed copy and/or a selfie with the conservative rock star.

Steyn's remarks were touchingly personalized to the Ethan Allen Institute and our mission. A resident of New Hampshire, he recounted reading John McClaughry's columns in the Caledonian Record and the Valley News since the mid 1990's and had high praise for the common sense and stalwart advocacy of the EAI founder. Steyn also spent his time at the podium highlighting different aspects of EAI's mission and illustrating with great humor the importance of what we are working to accomplish.

While the big issues are important, Steyn told the crowd, he emphasized the importance of fighting and winning the small battles. Things like when some bureaucrat tells a ten year old girl she can't open a lemonade stand at the end of her driveway because she doesn't have \$700 worth of permits, or putting an end to church pie fundraisers because the pies weren't baked in an industrial kitchen. These are the things that make our communities strong and give people the opportunity to be good and engaged citizens. Losing these little things have the most profound and negative impacts on our communities and culture, and if we win these battles now, we will ultimately win on the big issues in the future.

Steyn left the stage to a well-deserved standing ovation.

We are grateful for all who were able to come out and make this such a special occasion and to all who have contributed to making the Ethan Allen Institute a strong and vibrant player in Vermont for a quarter of a century. We're looking forward to the next 25 years!

Commentary: The Annual Education Finance End Game

By John McClaughry

The Vermont General Assembly is in its final weeks of trying to assemble a school finance “reform” bill. Their product so far has become an ever-shifting grab bag of proposals that even veteran legislators must be struggling to follow from day to day.

The longer this goes on, the more it reminds us of the memorable closing words of Gov. Scott’s explanation of why he signed the gun control bill on April 10: “We choose action, over inaction. Doing something, over doing nothing.”

Admittedly, “doing nothing” about school finances for 2019 will lead to some unwelcome consequences, mainly thanks to unwise actions of the 2017 session. But “doing something” doesn’t assure any better outcome, unless the doers start thinking creatively about the problem.

Everyone agrees that the problem is steadily rising public school spending, paid for by a mechanism that jacks up school property tax rates on the third of the residential taxpayers who don’t qualify for income sensitivity.

Finding a solution is necessitated by the fact that our K-12 school population has dropped by a thousand a year for twenty years, our pupil to staff ratio (4.8:1) is the lowest in the nation, and our per pupil spending (\$18,066) is the fourth highest in the nation. And to top it off, dealing with these problems is made much more difficult because of the ongoing state-forced consolidation of schools under Act 46, which, alas, is not likely to produce any lasting cost savings.

The various actors in Montpelier have vastly different views of what do about the problem.

Since at least 2014 (actually, since 1997) the Democrats have vowed to shift education costs to the income tax. This year they're offering a \$59 million opening wedge, in addition to protecting the current income sensitivity option that very generously lets two thirds of residential property taxpayers pay school taxes based on their household incomes (of up to \$147,500).

The Democrats are also committed to defending the interests of the Vermont-NEA teachers union, whose (unspoken) watchword is “public monopoly, more spending, and more people paying union dues”.

The Republicans are commendably resistant to high taxes, runaway spending, and keeping the union-influenced Democrats and Progressives from snuffing out Vermont’s independent school choices. But they don’t exist in numbers sufficient to advance their goals.

Thanks mainly to Rep. Scott Beck, they have pushed for a built-in tax disincentive to spending above a proposed Base Spending Amount of \$11,916 per pupil, which is well below every district’s spending. But they have never, in the past decade, attempted a serious reconsideration of how children are educated – where, by whom, at whose expense.

Then there’s Republican Governor Phil Scott. In January he sent the legislature a lengthy list of suggestions for containing education spending, in the nature of “something for you folks to think about”. He left it to the legislative leadership to assemble a compatible “no new taxes” package, which they have been largely unable to do.

The governor wants to see residential school property taxes reduced by \$40 million, but he will assuredly veto the \$59 million – or any – income tax “surcharge” on “the rich” that the Democrats have seized upon in an attempt to reduce school property taxes, but he has no plan of his own.

A Scott veto will require an override vote. If the Democrats find the votes to override the veto, the income tax surcharge will become law. If they fail to override, there

is no education finance bill at all. Unless the legislators can find \$40 million in one-time funding to avoid a veto and kick the can down the road for yet another year, school residential property tax rates will increase to cover a \$40 million shortfall in the Education Fund.

During this crucial period, Scott has been hampered by not having an experienced and respected Secretary of Education like Rebecca Holcombe, who resigned on March 27.

There are plenty of good ideas for improving education and containing its cost. However the governor and the legislators aren't willing or able to broaden their thinking beyond shifting the tax incidence around and (the Governor's favorite) imposing more centralized spending controls on the existing public school system. That's regrettable, because our unthinking focus on feeding the increasingly expensive public school system is itself the problem.

- John McClaughry is the founder and vice president of the Ethan Allen Institute

Commentary: Proficiency Based Learning Not Proficient

By Rob Roper

Vermont's student test scores are falling. It's no longer a blip, but a trend. As State Board of Education member Bill Mathis said, "When you have two different tests showing much the same thing, you have to pay attention to them." Those two tests are the Smarter Balance Assessment Consortium (SBAC) and the National Assessment of Education Progress (NAEP), which both register across the board drops in student outcomes.

NAEP tests 4th and 8th grade reading and math results. The latest results from 2017 indicate declines in all categories from 2015. Three of the four categories were noted as "significantly different," and not in a good way. The Smarter Balanced test is given to all kids in grades 3-8 plus 11, and, again, in all categories except one the latest scores (2015 to 2016) show a drop.

So, what is causing this decline in public school student outcomes?

Several policies can be considered suspects. Act 46 (2015) has been hugely disruptive and time intensive for school boards and administrators, taking focus away from students. The growth of publicly funded/administered Pre-K. Implemented in 2007, the number of Vermont students matriculating through the 4th grade, and thus participating in the standardized testing, from these "high quality" Pre-K programs began in 2012-13 has been increasing every year, and test scores have been dropping ever since. But the leading candidate is the adoption of "Proficiency Based" graduations standards, which began in 2014 and is on track to be fully implemented by 2020.

Proficiency Based Learning (PBL) operates on the idea that is better to track and report educational progress based upon whether or not a student has actually become proficient in the subject for which he or she is being evaluated. If the student is not deemed

proficient, theoretically he or she will receive additional support to get up to speed. While this makes sound sense on paper, the problem is it doesn't seem to be working in practice.

One reason may be that adopting PBL is extremely disruptive. As one person testifying before the House Education Committee put it, "When schools transition to a proficiency-based system, it entails significant changes to how a school operates and how it teaches students, affecting everything from the school's educational philosophy and culture to its methods of instruction, testing, grading, honors, reporting, promotion, and graduation." As a result, "All Vermont school districts are being mandated to radically reinvent how they educate students..." It is arguably the most dramatic education reform attempted in last half century.

Vermont is not alone in its PBL troubles. Of the fifteen states that use the SBAC test, four showed significant reductions in math and English scores. Three of them, Vermont, New Hampshire and Oregon, are considered "advanced" PBL states.

Another PBL state, Maine, which began implementing the program in 2012, two years before Vermont, is re-thinking the policy. According to an article in the [Maine Press Herald](#), Rep. Heidi Sampson, a former member of the State Board of Education, commented, "After six years, since it passed in 2012, we still cannot prove that there's any benefit to this approach. There is no proof.... It has gotten to be such a complex monster. Our teachers are hogtied. Our students are not learning."

We have no idea how much money Vermont is spending to implement PBL. The state has received significant funding from non-profit groups like the Nellie Mae Foundation and the Great Schools Partnership, two advocates of this education policy ([just one grant for Winooski and Burlington was \\$3.7 million](#)). The Vermont Agency of Education has never identified how much of its budget is allocated to implementing PBL, but noted in testimony during a House Education Committee hearing that virtually all of its educator training budget is being allocated to this project. A recent editorial indicates that [Maine has spent at least \\$21 million](#) implementing PBL so far.

Apart from doing a disservice to our students in terms of outcomes, PBL also put our college-bound kids at a disadvantage. Because proficiency-based report cards and transcripts are neither standard between schools nor common nationally, college admissions offices, especially those out of state, don't know how to evaluate them and may not have the time to figure them out. Given how competitive college admissions has become, and how many applications colleges must consider, an unintelligible transcript from a Vermont high school could mean the application gets tossed aside. The odd grading systems could also disqualify high-achieving students from merit-based scholarships.

Though it may be unfair to brand PBL as a failed concept that should be entirely scrapped, we have to ask why are we making our kids guinea pigs in a costly, radical experiment. Vermont had always been in the top in terms of national scores, with enviable high school graduations rates. While we always want to be improving the

quality of our schools and providing our students with greater opportunity, PBL appears to be a case of over-eager reformers breaking things that didn't need to be fixed.

- Rob Roper is president of the Ethan Allen Institute.

Events

News & Views

VHCF Lives! Vermonters for Health Care Freedom is back in business! It has been dormant since former Executive Director Darcie Johnston departed to accept a position at HHS in Washington, but it is now restarting with new Executive Director Meg Hansen. VHCF will inform Vermonters how the Green Mountain Care Board and others are pushing Vermont into a new version of government-controlled health care, after Gov. Shumlin's single payer Green Mountain Care went down the drain. Stay tuned!

Vetoes? If Phil Scott holds true to his word regarding no new taxes and fees, his veto stamp should get a pretty good workout in the closing weeks of the legislative session. Here's a sample of what he's promised not to sign: the \$15 minimum wage (essentially a tax on labor), Paid Family Leave (.141% payroll tax), \$2 per night room fee for lake clean up, and an Airbnb registration (\$130 fee). However, he himself is proposing penalty fees for schools that don't meet certain student to staff ratios, which would likely be reflected in higher property taxes, and has already signed S.55, the bill that requires a background check for private gun sales -- which costs a fee paid to the licensed dealer performing the check. So, who knows.

Another Vermont/New Hampshire Comparison. The financial services site WalletHub looked at state-by-state taxpayer "Return on Investment" – who gets a good bang for their government confiscated buck. New Hampshire ranked number one in the nation. Vermont ranked 45. Fifth worst. Our neighbor to the east ranked third nationally for their tax rates (no income or sales taxes!) and even better, 2nd for quality of government services. Vermont came in 48th for taxes and 4th for services. Just goes to show that, yes, we can do more with less. Don't let the tax and spenders in Montpelier tell you otherwise. ([WalletHub](#))

Ed Funding Gap Bigger than Expected. The education fund gap, originally projected to be around \$40 million, is actually going to be \$58.2 million. Special education spending is driving the gap.

State Policies Hurting Student Scores. The latest test scores for Vermont students are here, and they continue an unsettling trend of decline for our student outcomes. The National Assessment of Educational Progress (NAEP) released its 4th and 8th grade reading and math results from 2017, which indicates declines in all categories from 2015. Three of the four categories were noted as "significantly different." This downward trend is also present in the latest Smarter Balanced test results, which showed a decline in

scores between 2015 and 2016. This test is given to all kids in grades 3-8 plus 11, and, again, in all categories except one scores dropped.

As Bill Mathis of the State Board of Education said, “When you have two different tests showing much the same thing, you have to pay attention to them.” So, Act 46, universal pre-k, and Proficiency Based Learning are certainly not helping, and are probably hurting our kids.

VT Colleges in Trouble. The Rutland based College of St. Joseph’s may close its doors due to low and enrollment and lack of revenue. Marlboro College is facing similar challenges. Castleton University is implementing serious budget cuts. Johnson State and Lyndon State to were forced to merge to find efficiencies. These are not good signs! Our colleges are a great resource and one of the few hooks we have to attract and keep young people here. They should be an economic engine. The bucolic landscapes of Vermont should be a draw to educationally minded young people. Perhaps we need to be rethinking what and how we offer opportunities to earn meaningful degrees.

Condos Still Misinformed/Misinforming About Residency Requirements. Secretary of State Jim Condos penned an op-ed titled “Non-residents should not be allowed to vote” in the wake of the Victory vote fraud case resolution that kicked 13% of towns “voters” off the checklist. Condos’ still doesn’t understand (or doesn’t want to understand) the ruling. He paraphrases, “Judge Devine’s legal analysis can be summed up by his conclusion that a person claiming residency in a Vermont town must show BOTH an intent to be a permanent resident of that town, coupled with actions sufficient to support that intent.” This is absolutely incorrect! “Intent” is irrelevant in regard to establishing a primary domicile. One has to actually be a permanent resident in the district in order to be at all considered for inclusion on the voter checklist. Intent to establish a permanent residence in the future or intent to return to the district after having established a primary domicile elsewhere carries zero weight, contrary what the Secretary of State says. Judge Devine clarifies these points in in his ruling: “*Defendants rest on Ms. Saligman and Mr. McGill’s statement that they intend to move to Victory in ten or twelve years. This statement is an admission that they do not currently reside in Victory. Rather, Victory is where they would like to someday reside. The BCA’s determination that Ms. Saligman and Mr. McGill “had an intent to maintain a principal dwelling place” in Victory someday does not establish residency now.*” [Emphasis added.] Please educate your local Town Clerks and JPs, because the SOS certainly won’t do it.

Canada Provides a Carbon Tax Preview. Vermont’s Carbon Tax warriors look like they will succeed in getting funding for a “study” of the policy slipped into the Big Budget Bill where it cannot be surgically removed or outright vetoed. No doubt their hope is they will be able to start waiving the results after the election in November, use it to change public opinion, and pass a law in the non-election year of 2019. What will this study look like? Canada just produced something similar. As [Winnipeg Sun](#) commentator Tom Broderick described it: “[The] report isn’t an analysis. It’s a political document that politicians forced government bureaucrats to write.... It provides no information whatsoever to show how a \$50/tonne carbon tax would reduce consumption and GHG emissions. An analysis would have shown credible consumption estimates at various taxation levels and breakdowns of how consumers respond to pricing changes on carbon emitting products. None of that is in the report.... If McKenna and the Trudeau government had solid, detailed evidence that showed a \$50/tonne carbon tax would significantly reduce emissions, they would publish it.

But they don't have it. That's because it doesn't exist." Bets are, this is what our \$300,000 or so of taxpayer dollars will get us as well come January.

Vermont Wants to Be Like Venezuela. [Reuters reports](#) that the socialist paradise of Venezuela is raising its minimum wage 155% to 1 million Bolivars per month. So, maybe now Venezuelan workers will be better able to afford black market, zoo animal meat in order to avoid starvation. Bets on whether or not it will work? Didn't think so. And it won't help Vermonters either should the legislature pass the \$15 minimum wage.

Vermont Town Lowers Taxes to Attract Business. Although this headline has the ring of a Bigfoot sighting, it's true. The town of Proctor has been hit hard by business closures. According to the Rutland Herald, the last store town was recently foreclosed upon. Looking for ways to turn things around, town leaders are devising a plan to lower the tax burden on new businesses by giving start-ups a break on municipal taxes with the amounts paid rising a little bit each year. The idea is to not swamp entrepreneurs with high taxes from the outset, but rather ease into paying as the business grows. (From what it sounds like, all the businesses would all be new.) Dick Horner of the local planning commission said, "Anything to get some business in here, because business breeds more business. If you had 100 or so employees here looking for a beer after work, or a coffee before, we could support a general store or a liquor store in this town." He should run for state office.

Book of the Month

The Strange Death of Europe

Immigration – Identity – Islam

By Douglas Murray

Bloomsbury Continuum, 2017 (352 pg.)

https://www.amazon.com/Strange-Death-Europe-Immigration-Identity/dp/1472942248/ref=sr_1_1?ie=UTF8&qid=1525116123&sr=8-1&keywords=the+strange+death+of+europe+by+douglas+murray

With immigration policy at the forefront of the news since the last presidential election and caravans of immigrants marching toward the U.S.' southern border as we speak, *The Strange Death of Europe* by Douglas Murray is a compelling read. The book takes an in depth look at the history – mostly very recent history – of migration into Europe from mostly Islamic nations in the Middle East and Africa and its impact on the Christian based cultures of European nations. What was interesting and striking to learn after finishing the book is that Murray, a British journalist, is only 38 years old, an atheist, and openly gay. However, upon reflection, it is probably because of rather than in spite of this that he comes to the conclusions he does.

The basic premise of the book is that through its immigration policies allowing millions of migrants who do not share the culture and values of their host states, the members of European Union are committing cultural suicide. Murray details what has been happening in Germany, France, Italy, Great Britain, Belgium, and the Scandinavian countries, chronicling increased violence, such as the 2015 New Year's Eve sexual

assaults in Germany, the assassination of public figures such as Theo Van Gogh, female genital mutilation and the sexual exploitation of children, and increasing terrorist attacks. But more importantly, he delves into the resulting erosion of free speech rights, the separation of church and state, women's rights, and individual liberty.

It is a sad irony that in bending over backwards to live up to the image of liberal, multi-cultural "tolerance" most Europeans aspire to embody (and to erase their fascist and/or colonialist pasts) they are turning a blind eye to the intolerance, anti-woman, anti-gay, anti-Semitic, theocratic mono-culturalism of the people they are allowing – even encouraging -- to reshape their societies in ways that should be anathema to their own professed values. If these influences continue to grow in political and cultural power, Murray sees the writing on the wall: he, as a gay non-believer, would not be allowed to exist. Certainly a sobering thought.

Critics of Murray's position argue that in a generation the immigrants and their children will be as British, French or German as the natives are. But Murray points to a subtle fact that pubs in England in the neighborhoods where the new immigrants are settling are closing. If the new arrivals were really assimilating to the British culture, this wouldn't be happening.

Murray also spends a good deal of time exploring the psychological reasons behind Europeans' willingness to subsidize their own demise, the media and politicians' unwillingness to acknowledge facts about what is happening, and to label as "racist" anybody who raises valid concerns. His theory is that Europe has lost confidence in its own values and traditions as a force for good in the world. Though an atheist himself, Murray understands the importance of the Christian foundation of European culture and stresses the importance of reconnecting with the values behind that history as well as the history itself. No other people in the world are as self-loathing, and a people who do not believe in themselves cannot effectively defend themselves.

This is in sharp contrast to the immigrants, who do not lack for confidence in their world view. Young people, presented with two spiritual alternatives, one lacking in confidence and meaning and the other energized with it, will more often than not embrace the latter. Therefore, he sees the culture of the new immigrants, rather than assimilating, displacing the cultures of their hosts. Imagine a Germany with no beer and no pork sausages. It would cease to be Germany. And that is the point of the book.

- *Reviewed by Rob Roper, president of the Ethan Allen Institute.*

The Final Word

May Survey: Should Governor Scott Veto...

- The \$15 minimum wage bill?
 - o Yes.
 - o No.
- The Paid family Leave Bill (0.141% payroll tax)
 - o Yes.
 - o No.
- The Airbnb licensing mandate (\$130 fee)?

- Yes.
 - No.
- A \$2 per night room fee for lake clean up
 - Yes.
 - No.
- A bill shifting some education costs to the income tax, but with no spending cuts or cost containment?
 - Yes.
 - No.
- Are there any other bills Gov. Scott should veto?

<https://www.surveymonkey.com/r/N7QZYNV>

April Survey Results: Do We Have a Right to Our Own Money?

How much of our salaries/income should we as citizens have an absolute right to keep, free from all taxation? 0%? 100%? Something in between?

- 100% - 25.58% (11)
- 90% - 34.88% (15)
- 80% - 34.88% (15)
- 70% - 2.33% (1)
- 10% - 2.33% (10)