

MEMORANDUM

TO: House Education Committee  
FROM: Rebecca McBroom, General Counsel, Vermont-NEA  
DATE: January 31, 2024  
RE: H.630 – BOCES Bill

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Hello, my name is Rebecca McBroom and I serve as the general counsel for Vermont-NEA. Thank you for inviting me to speak with you about H.630, the BOCES Bill.

Vermont-NEA fully supports the BOCES bill. We believe that H.630 will increase the much-needed availability of alternative and therapeutic placements for students who would be best served by these types of learning environments. The BOCES structure would allow districts to provide these alternative placements in a way that ensures students are able to stay as close to their home district as possible, while supporting smooth transitions, to the benefit of impacted students. Further, the BOCES system would allow neighboring school districts to achieve economies of scale, thereby creating a cost-effective method to meet these important policy objectives.

In review of H.630, we believe that minor additions should be added to clarify what we believe reflects the intent of the bill. Our proposed additions would make explicit that educators hired by BOCES would be considered public employees with the ability to organize under our relevant collective bargaining statues including the Municipal Employees Labor Relations Act and the Teacher Labor Relations Act; and that teachers and support staff who are employed by newly created BOCES would respectively be participants in the Vermont State Teachers Retirement System and the Vermont Municipal Employee Retirement System.

To that end, our proposed additions to the current bill are as follows:

§ 609. EMPLOYMENT

(a) A board of cooperative education services shall be considered to be a public employer and may employ personnel, including educators, to carry out the purposes and functions of the board.

(b) No person shall be eligible for employment by the board of cooperative education services as an educator a teacher unless the person is appropriately licensed by the Standards Board for Professional Educators, pursuant to chapter 51 of this title.

(c) A person employed by a board of cooperative education services as a teacher shall be a participant in the Vermont State Teachers Retirement System, pursuant to chapter 55 of this title.

(d) A person employed by a board of cooperative education services who is not a teacher shall be participant in the Vermont Municipal Employee Retirement System, pursuant to chapter 125 of title 24.

(e) Teachers employed by a board of cooperative education services shall be entitled to organize pursuant to chapter 57 of this title.

(f) Employees employed by a board of cooperative education services shall be entitled to organize pursuant to chapter 22 of title 21.

As your committee continues to further discuss this bill and make additional adjustments, we are at your disposal to return and provide further testimony to you on this specific issue or other greater policy concerns related to this bill, if that would be helpful to your deliberations.

Thank you.