

Journal of the Senate

WEDNESDAY, FEBRUARY 19, 2014

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Paul Chandler of East Hardwick.

Bill Referred to Committee on Appropriations

S. 225.

Senate bill of the following title, appearing on the Calendar for notice and carrying an appropriation or requiring the expenditure of funds, under the rule was referred to the Committee on Appropriations:

An act relating to early retirement allowance.

Bills Referred

House bills of the following titles were severally read the first time and referred:

H. 62.

An act relating to prohibiting the handheld use of a portable electronic device while driving.

To the Committee on Transportation.

H. 640.

An act relating to technical corrections.

To the Committee on Government Operations.

Bill Amended; Third Reading Ordered

S. 304.

Senator Collins, for the Committee on Education, to which was referred Senate bill entitled:

An act relating to public school principals and nonrenewal of contracts.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 16 V.S.A. § 243 is amended to read:

§ 243. APPOINTMENT; SUPERVISION; RENEWAL; DISMISSAL

(a) Appointment and supervision. The school board of each school district operating a school, after recommendation by the superintendent, may designate a person as principal for each public school within the district, except that a principal may be selected to serve more than one school. In the case of a career technical education center, only the school board ~~which~~ that operates the center may designate a person as director. For purposes of this section the word “principal” shall include a principal and the director of career technical education, and the term “public school” shall include a career technical education center. The superintendent shall supervise each principal within the supervisory union and shall support him or her in the performance of duties and the implementation of school-based initiatives.

(b) Length of contract. ~~The~~ A principal shall be employed by written contract for a term of not less than one year nor more than three years. Based upon the superintendent’s written evaluation of the principal, a superintendent shall recommend to the school board whether to renew or not to renew the initial and any subsequent contract with a principal.

(c) Renewal and nonrenewal.

~~(1) A principal who has been continuously employed for more than two years in the same position~~ has the right either to have his or her contract renewed; or to receive written notice of nonrenewal ~~at least 90 days before the existing contract expires;~~

(A) on or before February 1, if the principal has been continuously employed for more than two years in the same position; and

(B) on or before April 1, if the principal has been continuously employed for two years or less in the same position.

~~(2) Nonrenewal may be based upon elimination of the position, unresolved performance deficiencies, or other reasons affecting the educational mission of the district. The written notice shall recite the grounds for nonrenewal. If nonrenewal is based on performance deficiencies, any reason other than the elimination of the position, then the principal shall have been provided the opportunity for remediation and the written notice of nonrenewal shall be accompanied by an evaluation performed by the superintendent. At its discretion, the school board may allow a period of remediation of performance deficiencies prior to issuance of the written notice.~~

~~(3) After receiving such a notice of nonrenewal, the principal may request in writing, and shall be granted, a meeting with the school board. Such~~

request shall be delivered within ~~15~~ five days of delivery of notice of nonrenewal, and the meeting shall be held within 15 days of delivery of the request for a meeting. At the meeting, the school board shall explain its position, and the principal shall be allowed to respond. The principal and any member of the board may present written information or oral information through statements of others, and the principal and the board may be represented by counsel. The meeting shall be in executive session unless both parties agree in writing that it be open to the public. After the meeting, the school board shall decide whether or not to offer the principal an opportunity to renew his or her contract. The school board shall issue its decision in writing within five days. The decision of the school board shall be final.

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Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendation of amendment was agreed to, and third reading of the bill was ordered on a roll call, Yeas 19, Nays 11.

Senator Mullin having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Ayer, Baruth, Bray, Campbell, Collins, Cummings, Doyle, French, Lyons, MacDonald, Mazza, McAllister, McCormack, Nitka, Pollina, Sirotkin, Westman, White, Zuckerman.

Those Senators who voted in the negative were: Ashe, Benning, Flory, Galbraith, Hartwell, Kitchel, Mullin, Rodgers, Sears, Snelling, Starr.

Message from the House No. 23

A message was received from the House of Representatives by Ms. Melissa Kucserik, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has considered joint resolution originating in the Senate of the following title:

J.R.S. 45. Joint resolution relating to weekend adjournment .

And has adopted the same in concurrence.

Adjournment

On motion of Senator Campbell, the Senate adjourned until ten o'clock in twenty minutes in the forenoon on Thursday, February 20, 2014.