



VERMONT PRINCIPALS' ASSOCIATION
MEMO

From the Desk of Jay Nichols

The Vermont Principals' Association supports school leaders to improve the equity and quality of educational opportunities for all students.

H.805 of 2020 Testimony: An act on the Collective Bargaining Rights of Teachers

Changing 1752

“While under contract, a teacher shall have the right to interview for, be offered, and accept a new teaching position for the next school year, and interference with this right shall be cause for a licensing action under section 1698 of this title.”

- The unintended consequences on this change in law will likely have a huge negative impact on our most vulnerable students, schools, and communities. Let me give a few reasons why I believe this to be true:
 1. Administrators in schools who already have a tough time hiring teachers because they are in poorer systems, that don't pay as well as better resourced systems, will be put in an untenable situation. They will be trying to hire teachers who leave in the summer who had already signed contracts committing to their positions for the upcoming school year.
 2. Teachers will simply leave for positions that pay better, leaving behind our most socioeconomic challenged schools, and put them into a situation in which they will have even greater difficulty finding licensed teachers – much less instructionally sound teachers. Teaching, like any profession, takes practice to become a master. Allowing teachers to leave their positions whenever they want will force lesser advantaged schools to hire less skilled candidates potentially into the new school year.
 3. Collectively Bargained Agreements (CBA's) typically address the issue of when contracts must be issued to teachers (a contract issuance date) and when contracts must be returned. Changing the law here would put school boards and school administrators into a tremendous disadvantage over an issue that should be local in nature.

4. Stating that licensing action could be taken against a superintendent or principal for simply requiring that teachers follow a contract that they sign, in which they are granted job protection, completely ties the hands of school and school system leaders who are trying to ensure quality teaching for students.
5. Additionally, if teachers are going to be allowed to opt out of contracts, after they have already signed them indicating their intention to return to their current school district; we should make sure that this action goes both ways. We can make teachers essentially “at will” employees, thus allowing school districts to not honor contracts either when they have the opportunity to replace a teacher because they believe it will be educationally or fiscally advantageous to the district.
6. Ultimately, I want to reiterate that I find the ability for teachers to simply be free agents to go to the highest bidder a huge equity issue. We already have inequities that we have tried to address with the Brigham decision and subsequent Act 60 and 68, Act 46, the weighting study that we are looking at, and Act 173. This flies in the face of the equity of opportunity we say we are striving for in Vermont. It is counter-productive to what we have said is our goal: to provide a public education that ensures equity of opportunity for all students – regardless of the resources of the community in which they reside. This will hurt our poorest communities, our poorest families, and, most importantly, our poorest children, in an instructional manner that will further exacerbate the achievement gap between our socioeconomic challenged students and our students that tend to live in communities with better resources.
7. Finally, although I can understand why teachers and the teachers union would be supportive of this bill AND why it would be beneficial to teachers. It is not beneficial to children; and, in fact, would be harmful to the children of our state, and serve to further increase the chasm between the haves and the have nots and widen the achievement gap between students of means and students in historically marginalized populations.