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Louis Bushey
Member-At-Large
Barnet

Geo Honigford
Past-President
Royalton

Staff

Nicole Mace
Executive Director
nmace@vtsba.org

Susan Holson
Director of
Education Services
sholson@vtsba.org

Kerri Lamb
Director of Operations
klamb@vtsba.org

Sue Ceglowski
Director of Legal &
Policy Services
sceglowski@vtsba.org

To: House Education Committee
From: Nicole L. Mace, Executive Director
Re: VSBA & Statewide Bargaining for School Employee Health Insurance
Date: January 17, 2019

Thank you for the opportunity to come before your committee to tell you about the Vermont School Boards Association and the role of school boards in Vermont's public education system.

ABOUT THE VSBA

Incorporated in 1961, the VSBA is a 501(c)(3) non-profit organization. The articles of incorporation filed with the Secretary of State's office in 1961 indicate that the organization was established for the following purposes:

- To promote and stimulate interest in education
- To cooperate with other organized educational groups
- To assist school directors in promoting better educational opportunities for the children of Vermont

The vision and mission of the organization have evolved over time, and are currently enshrined in the organization's bylaws:

Vision: The Vermont School Boards Association (VSBA) envisions a state where every student has access to and is engaged in a world-class education, where local boards provide student-focused oversight of education systems, and where educators, families and communities are engaged partners, ensuring that the futures of all Vermont children are driven by their aspirations, not bound by their circumstances.

Mission: The VSBA works to achieve our vision for public education by supporting local and supervisory union boards to be effective trustees for their communities, and by providing a strong collective voice toward enhancing the cause of public education in Vermont.

The VSBA is a membership organization. Our mission in a nutshell is to support school board members in the performance of their role and to serve

as their collective voice in the public policy environment. That said, not all school board members see every issue the same way. We have clear processes for taking positions, but it is possible you will hear from school board members who have a different perspective. We welcome all school board members to share their views with the VSBA and with policymakers.

The VSBA has a 24 member board of directors: a president, immediate past president and 22 regional representatives – 2 representatives elected from each of 11 regions. The President is elected from among active board members at the August meeting of each year, to serve a term from November 1 to October 31 of the following year. Clarence Haynes of Middletown Springs is the current President of the Association.

The VSBA is governed by bylaws, resolutions and policies. Resolutions are "positions taken by the Association on issues of importance to Vermont school boards. They may include recommendations for action by the VSBA, local school boards, the Legislature, the Executive Branch...or other decision-making bodies." Resolutions are guidance for staff and the VSBA board when they are working in the public policy arena or developing programs and services for our members. They are approved at the annual business meeting of the Association each October.

In the absence of a resolution on a particular topic, the VSBA board provides guidance to VSBA staff. The VSBA has four full-time staff whose role is to provide the following services:

Advocacy

The VSBA provides representation in the general assembly and in public policy development with the agency of education, the state board, and with various education organizations.

Board Training & Support

The VSBA provides many training opportunities for board members, including School Board U Live, a comprehensive workshop on the Essential Work of Vermont School Boards; School Board U Digital, a series of monthly Webinars on relevant topics of interest; on-site workshops; extensive website resources (www.vtvsba.org); and customized board development including board retreats. VSBA's annual conference and regional meetings serve to

share best practices and foster a sense of community among dedicated board members.

Consulting Services

The VSBA supports member boards with operational or management challenges and strategic planning needs. Specialized consultation services are available to help with superintendent searches and evaluations, strategic planning, governance transitions, and Policy Governance.

Communications

The VSBA provides all members with regular information updates through the VSBA website, regular VSBA Update emails, a quarterly *From the Boardroom* newsletter, and regular Education Legislative Reports (published during the legislative session). The VSBA also publishes a *Guide to Student Voice*, as well as the *Vermont Education Law Book* and a *Guide to Collective Bargaining*.

Legal and Policy Services

The VSBA provides consultation regarding legal questions, updates on changes to law and regulation, legal training for boards and superintendents, and general collective bargaining supports. In conjunction with Vermont School Boards Insurance Trust (VSBIT), the VSBA also publishes model policies and conducts policy audits through our Vermont Education Policy Service.

THE ROLE OF SCHOOL BOARDS

Education is overseen by a combination of governmental entities. The Agency of Education and the State Board of Education together have broad oversight responsibility to implement and/or oversee laws passed by the General Assembly, establish and enforce minimum standards, administer the education finance system, and to support districts in fulfilling their responsibilities. Local school districts have responsibility to assure the delivery of an effective education program in each local community at a reasonable cost for taxpayers in accordance with state and federal law.

School boards have six areas of responsibility at the local level:

- Engage the community to establish a vision for the school district
- Adopt policies

- Hire a superintendent and establish clear expectations
- Develop a budget and provide financial oversight
- Monitor progress towards the vision
- Operate in an ethical and effective manner

We have more resources (including a video explaining Vermont's education finance system) available on our website at www.vtvsba.org.

EQUALIZED PUPILS AND THE FY 2020 BUDGET PROCESS

We are aware of challenges to this year's budget process that have arisen due to school districts not receiving accurate equalized pupil counts in a timely manner. This is problematic because a school district's tax rate is a function of education spending per equalized pupil. While school districts know how many students they have within their district, only the Agency of Education is able to calculate how many equalized pupils a district has. I encourage the Committee to hear directly from the Agency of Education regarding the specifics underlying the calculation and why the delay occurred this year.

While boards never know precisely the tax rate implications of the budgets they are presenting to their communities, they usually have a fairly good idea based on the yield estimates in the Tax Commissioner's Dec 1 letter and the district's proposed education spending per equalized pupil. If boards and administrators do not have accurate equalized pupil counts during the budget development process, they are less able to determine the anticipated tax impacts of the budgets they are considering. In some districts the loss of just a few equalized pupils can have a significant impact on the tax rate for the district.

STATEWIDE BARGAINING FOR HEALTH INSURANCE

Act 11 requires the VSBA to appoint five representatives of school employers to the Commission, and to adopt procedures for ratification of an agreement entered into by the Commission.

At the annual meeting on October 18th, VSBA members approved a resolution that outlines the process for the VSBA to appoint Commissioners and ratify any agreement reached by the parties. In November, the VSBA Board appointed their five members, who in addition to meeting the statutory requirements, also provide regional representation, have experience on a

negotiations council, and demonstrate willingness to participate in training and professional development regarding negotiations.

The ratification process approved by the membership requires each supervisory union/supervisory district to notify the VSBA of the name, telephone number and e-mail address of its voting delegate by April 1, 2019. If the Commission enters into an agreement, the VSBA shall host an informational webinar for the voting delegates within ten calendar days after execution of the agreement. Within ten calendar days after the informational webinar, the VSBA will conduct an electronic ballot. Delegates will be provided at least ten calendar days' notice of the day of the vote. Delegates will be able to cast their vote through the electronic system between 7 am and 7 pm on the day of the vote.

Act 11 created a very clear timeline for the parties to negotiate the first statewide contract. The VSBA has been working with the VT-NEA to prepare for these negotiations in a manner that ensures they proceed lawfully and productively. The following steps have been taken to date:

- VSBA solicited input from members this fall re: bargaining goals
- VSBA members approved a resolution on the VSBA appointment and ratification process
- VSBA board appointed five bargaining commission members; they have met twice to receive orientation and begin preparations for bargaining
- VSBA team elected Elizabeth Fitzgerald to serve as their chair and spokesperson
- VSBA team appointed legal counsel
- VT-NEA and VSBA are collecting data through a shared tool and data analyst; 70% of SU/SDs have submitted their data
- VT-NEA and VSBA reps are meeting later this week to firm up a schedule for full Commission meetings and discuss ground rules

Under the law, bargaining must commence before April 1. We expect the parties will meet before then in order to identify an arbitrator and factfinder. Given the preparations for bargaining that we have undertaken to date, and the timeline for conducting this first negotiation, we do not support the General Assembly making any changes to the process this session.