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To: Senate Education Committee
From: Nicole L. Mace, Executive Director
Re: VSBA & Statewide Bargaining for School Employee Health Insurance
Date: January 15, 2019

Thank you for the opportunity to come before your committee. Before I discuss statewide bargaining, I would like to say a few words about the Vermont School Boards Association.

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.

In a nutshell, the VSBA is a membership organization. Our mission 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 high quality legal and policy services, board development, communications, and advocacy.

VSBA RESOLUTIONS ON STATEWIDE BARGAINING

In 2017, VSBA members approved the following resolution related to statewide bargaining of health insurance:

WHEREAS: One of the most important obligations of a school board is to negotiate contracts with employee representatives that are aligned with the district's vision for education, the needs of students, and the expectations of the community. In Vermont, there is variety in total compensation provided to educators, depending on the region of the state and the socioeconomic makeup of a community. A statewide benefit would ensure equity and sustainability in the health care benefits available to all school employees.

AND WHEREAS: Act 85 of 2017 created the Vermont Educational Health Benefits Commission to determine whether and how to establish a single statewide health benefit plan for all teachers, administrators, and other employees of supervisory unions and school districts, of which VSBA is a member.

AND WHEREAS: Act 85 of 2017 mandated that health care provisions of collective bargaining agreements must expire between June and September of 2019.

BE IT RESOLVED: In order to ensure equity and sustainability in the health care benefits available to all school employees, the General Assembly should adopt a process for the negotiation of health care benefits at the state level by a council of school board members to apply to contracts that expire in 2019.

VSBA ROLE IN STATEWIDE BARGAINING

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.

CHANGES TO THE ACT 11 BARGAINING PROCESS

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.