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To: House Committee on General, Housing and Military Affairs
From: Sue Ceglowski, Executive Director, Vermont School Boards Association
Re: H.63 and H.81
Date: January 21, 2021

Good afternoon and thank you, Chair Stevens, for the opportunity to make a brief statement to the Committee. I asked for this opportunity after hearing the testimony presented to the Committee on Tuesday which included several references to VSBA's position on S.226 in the last biennium.

When it was introduced, S.226 contained what seemed to be VT-NEA's preferred language but did not address issues of importance to school board members. Therefore, it is not surprising that VSBA and the chief negotiator for the Employer Commissioners testified on this bill seven times in the Senate Education Committee. [Links to the testimony](#) are located on the Senate Education Committee's web page.

The last VSBA submission was my [written testimony on February 26, 2020](#) setting out continuing strong concerns about several aspects of S.226. At that point, it became very apparent that these concerns were not going to be addressed by the Senate Education Committee or the Senate overall. We resigned ourselves to this, knowing that the Senate is only 1/2 of the General Assembly and that there would be an opportunity to influence the bill in the House. This does not equate to support for S.226. I thank you for the opportunity to speak directly to the Committee on VSBA's position rather than having it conveyed by another association.

Further, I would like to correct the following in Suzanne Dirmaier's written testimony dated January 19, 2021.

On the topic of grievance process, she stated "VSBA sought this change in the Senate to allow the parties to discuss a statewide grievance process and for an arbitrator to include such a provision in a decision should the parties be unable to come to an agreement." This is incorrect. VSBA did not seek a change in the Senate to allow parties to have this discussion - VSBA sought a change requiring the parties to have this discussion. As Chair Stevens noted last week when speaking with the Committee, "may" and "shall" have very different meanings.

On the topic of the arbitrator's decision, she stated "Finally, in the first round of negotiations, the Arbitrator did not provide a full explanation of why Vermont-NEA's proposal was selected not VSBA's proposal. VSBA sought language in the Senate to address that, which is reflected here, and we agreed to the clarifying language." This is incorrect - the language VSBA sought is not reflected in H.81. VSBA sought language stating "The decision shall include the full cost estimates for the full term of the award for each of the last best offers submitted by the parties and a full explication of the basis for the decision. The full cost estimates shall include a breakdown of costs borne by employers and costs borne by employees on a statewide basis." In contrast, H.81 provides little guidance - it requires the arbitrator to issue a decision "explaining in appropriate detail the rationale for selecting the last best offer," without defining what "appropriate detail" means.

In conclusion, I would like to thank the Committee for the opportunity to speak with you today to ensure that the record is clear. It is the start of a new biennium and the Committee is looking at two bills addressing the process of statewide bargaining. This process results in well over \$200 million in statewide costs. It impacts every school district budget in the state. It directly impacts school districts' ability to offer educational programs and services for students. It directly impacts the Education Fund. VSBA supports H.63 which contains much needed improvements to the process which will be addressed by other witnesses this afternoon.