



## Supporting Learners & Leaders

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To: Senate Education  
From: Jay Nichols/VPA  
Subject: S. 162 Teacher Free Agent bill  
Date: February 9, 2022

This bill would essentially move a locally bargained hiring window to an open hiring season that would adversely impact students in rural areas and students in districts that pay lower than other districts close to them. As a former Superintendent and Principal in poverty areas, even under current law, we always felt that rural schools and lower spending schools, and thus their students, were at a tremendous disadvantage. This bill would further that disadvantage. It is much harder to hire and retain teachers in areas of the state that are remote and that pay less than their neighbors.

Two Vermont principals who have previously worked in New Hampshire shared stories on Monday, about what a nightmare August was for school leaders in that because of a lack of an appropriate deadline, teachers would leave whenever they wanted and that a contract was basically a requirement for school districts but simply a piece of paper with no meaning in terms of employee accountability to the district and the students.

As you know, the Vermont State Police many years ago realized that they had major pay differences that made certain areas of the state more likely to have folks want to serve than others. My understanding is they went into a state wide state police contract agreement. If we wanted to do something like that – having a state wide teachers' contract – the VPA would certainly be willing to participate in that process. We support anything that is beneficial to all kids and generally oppose anything that hurts some kids at the advantage of others.

Lastly, I'm wondering about the new proposed language, "a teacher shall not be subject to discipline by the teacher's employer for testifying before the General Assembly or a committee of the General Assembly or before the State Board of Education." Be careful about this language, does this mean a teacher can violate FERPA rules? Can they give specific examples about students/children that are in their classes? It is very likely that the information they provide could be easily identifiable. Could they share confidential information about school planning, reduction in force decisions, or even disciplinary action? Could they even share things

that are factual incorrect ... especially knowingly factually incorrect? Does the school district have no recourse in that type of situation? Just something to think about.