



TO: Senate Education Committee

FROM: Sue Ceglowski, Executive Director, Vermont School Boards Association

RE: S.162 - Collective Bargaining

DATE: February 10, 2022

Good Afternoon. I am Sue Ceglowki, Executive Director for the Vermont School Boards Association and I am happy to be here with you this afternoon to provide testimony on S. 162.

I know your committee appreciates hearing from boots on the ground. You heard testimony yesterday (and I had the opportunity to hear it as well) from three superintendents and two principals, each of whom expressed significant concerns with the bill. These are the people with boots on the ground running our schools.

They spoke persuasively, to me at least, about the upheaval that this bill would create in the months of May and June, just as districts are working to close out the school year, and the damage that it would do to the stability of the learning environment - particularly for those school systems that historically have operated with fewer resources or in more rural and remote areas of Vermont.

Frankly, as executive director of the Vermont School Boards Association, and with a membership whose volunteer elected positions place them in roles where they must be concerned about stability within the school system and for the learning process, I am concerned.

While neither Mr. Fannon of the Vermont-NEA nor I had the opportunity to testify yesterday, I have been able to review Mr. Fannon's testimony, and, not surprisingly, I have some contrary views.

First, it is worth noting that in Mr. Fannon's testimony, there is no data to support the arguments made. Mr. Fannon cited some anecdotes regarding experiences of union members - but there was no data provided about the number of cases or incidents to support the position in his testimony. And, I would note, Mr. Fannon's testimony centered on the ability to interview for

positions - not the consequences and effects that arise when a teacher is hired and leaves the school district with which they have the contract in place.

A central theme of the Vermont-NEA testimony was the special circumstances that teachers face in terms of being the only profession that does not enjoy the opportunity to interview for other positions while employed. That may be the case, but it is also the case that no other profession enjoys the protections that teachers enjoy - under their collectively bargained agreements - and state statutes. Requiring a teacher under contract to fulfill that contract is a basic trade off for the expansive scope of rights and protections they have under collectively bargained agreements and state statutes. It also takes into account the interests of students.

So in my view, the status of teacher employment needs to be looked at on balance - disadvantages and advantages - not simply, in this case in terms of disadvantages - which by the way, were responded to by the administrators who spoke in terms of accommodations that are offered to teachers seeking to change employment. Admittedly, those explanations were based on a representative sample but the sentiments about responsible actions by administrators on behalf of teachers were sincere, and seemingly are as valid as Mr. Fannon's examples.

I want to speak for a moment about the current conditions facing school districts. This committee has focused, justifiably, on the worker shortage and current conditions facing school personnel at every level. The Vermont School Boards Association appreciates that.

In our view, the enactment of S.162, irrespective of the implementation date, would make matters with respect to worker shortage worse, not better. This would largely affect districts that have historically had to contend with more, not fewer, challenges.

The provisions outlined in S. 162 would have created serious challenges five years ago. Today, and for the foreseeable future the challenges will be even greater. If this bill goes into effect, it will not be the better resourced districts in the centers of population that will be challenged - it will be the districts that are facing greater challenges already - the very districts about which we are most concerned.

With respect to the provision offering protections against discipline for a teacher who testifies before the general assembly or the state board, my belief is that this is unnecessary, also relies on anecdote, and worse creates imagery around this bill that is intended to cast school boards in a negative light when considering the other provisions of the bill. The reality for school boards is that they hear all kinds of feedback, negative, neutral, and positive from teachers. Teachers locally have strong representation from the Vermont-NEA which often organizes them to testify in a variety of settings without apparent fear of reprisal. This provision is a red-herring.

To conclude, I have seen this committee be student focused in its discussion of other bills. Students should be at the heart of your decision making as the Senate Education Committee. Please keep in the forefront of your minds the destabilizing effects of this bill on the operation of schools. Destabilizing school operations has a direct impact on the quality of instruction for students. For all of the reasons I have spoken of, VSBA does not support S.162.