

2019-2020 VSBA Resolutions

I. GOVERNANCE, LOCAL AND STATE

A. THE ROLE OF LOCAL SCHOOL BOARDS

Education in Vermont is overseen by local school boards. Each local board serves as the Board of Trustees for education on behalf of the entire community. It is entrusted with assuring that the young people of the community receive a high-quality education and that taxpayers are receiving an excellent return on their investment of tax dollars.

B. THE ESSENTIAL WORK OF SCHOOL BOARDS

Each school board is responsible for leadership in the following areas:

Create a vision for education in the community. Answer the questions: What do you want students to know? What kind of experiences do you want them to have? What kind of long-term outcomes do you desire?

Establish policy parameters to carry out that vision. Establish the district's priorities. Define parameters for carrying out the educational program. Define any limitations to be placed on the administration.

Hire a superintendent to administer the district to achieve the vision. Provide the latitude to do the job. Hold the superintendent accountable for results.

Monitor progress toward the vision. Determine indicators which need to be monitored on a regular basis and assure a plan to regularly monitor performance.

Develop and adopt a budget to support the vision and monitor plan vs actual expenses. Assure the budget reflects the vision and the values of the district and the community.

Advocate for education within the community. Be sure your community understands the needs of the local education system and is supportive of the education being provided to young people. Encourage community involvement.

Meet other legal requirements—serving as a quasi-judicial board to resolve disputes on appeal and negotiating collective bargaining agreements with teachers and other staff.

Be sure the system is operated ethically. Acknowledge that members carry no power outside of the context of the board. Assure no actual or perceived conflicts of interest. Adopt and adhere to a code of conduct.

C. SUPERVISORY UNIONS

Vermont's system of education governance includes an array of district boards, union school boards, and tech center boards. Some boards have a fairly straightforward supervisory district designation, meaning that a single board hires a single superintendent. The vast majority of boards are part of a Supervisory Union where a number of districts are assigned to a single area for purposes of hiring a superintendent and improving the effectiveness and efficiency of all education services in the region. The VSBA is committed to supporting highly functional supervisory districts and supervisory unions which are able to assure equal education opportunity for all students in the region and which can attract and retain strong education leadership.

The General Assembly should examine the laws governing supervisory union board structure and the process for waiving the statutory requirements for SU board structure or composition, taking into account issues of fairness, equity and funding.

D. LOCAL DECISION MAKING

Local school boards have been given responsibilities by state statute to oversee public education in their districts and to make the important decisions necessary to assure the provision of high quality education in an efficient and effective manner. As local boards are accountable, they must be assured that there is no state interference in their decision-making responsibilities.

E. BOARD DEVELOPMENT

School boards have a large responsibility in overseeing the educational system in an increasingly complex environment. School board members should expect to have readily available opportunities for new member orientation and mentoring and for ongoing training. Board members have the duty to seek out and participate in these opportunities. The VSBA will work with the Vermont Superintendents Association to ensure high quality joint training opportunities are available to board chairs and superintendents so that they may fulfill their joint training responsibilities under Act 56 of 2013.

The Board of the Vermont School Boards Association should direct its staff to:

1. devote time to recruiting and training new school board members,
2. to provide them with the tools they need to be directly, educationally engaged in their Districts,
3. to encourage them to support creative and innovative educational practices which will foster in our students a broad, inclusive world view and will promote civic and cultural literacy.

F. ROLE OF THE STATE IN EDUCATION

The VSBA believes that the role of the State Board of Education and the State Agency of Education is:

1. To guide the creation of a broad design for the education system in a rapidly changing world where information is no longer confined to books or geographic locations. The broad design must include a focus on: assuring success for every student; supporting a new vision for teaching and learning; engaging and supporting families and communities; delivering and using world-class technology; and providing effective leadership.
2. To provide support for local boards in their efforts to design and implement the best possible educational program.
3. To promote equity of educational opportunity for students throughout Vermont.
4. To provide assistance when requested by individual school districts and local boards to help them meet statewide per-pupil spending goals.

In order to accomplish these goals, the Agency of Education must be properly staffed and resourced.

VSBA desires to be a strong partner with the State Board of Education in overseeing Vermont's education system. VSBA believes that the State Board should include an active school board member, an administrator and a teacher. The Governor should consult with the VSBA in the selection of the school board member.

G. CHARTER SCHOOL LEGISLATION

The VSBA supports public school innovation which can offer rich and diverse educational opportunities for all students. VSBA supports the recommendations of the 2001-2002 Charter School Study Commission that state that Vermont should not enact charter school enabling legislation because existing law allows for the establishment of new schools, programs or "schools-within-schools" that can readily accomplish many of the goals that larger, urban school systems in other states seek in charter schools. By drawing funds away from existing small public schools, charter school legislation may undermine the ability of public schools to serve the educational needs of Vermont's children.

While the existing law allows the granting of waivers to schools relative to meeting specific regulations, all publicly supported schools should adhere to state or comparable standards and administer the statewide assessments.

H. STUDENTS ON LOCAL SCHOOL BOARDS

VSBA believes that local school boards benefit from having an ongoing student voice in their discussions of all school matters that are not subjects of executive sessions. The VSBA encourages its members to include students as active participants in the consideration of educational issues, and favors the participation of students as board members. The VSBA will provide guidance and support to boards to achieve this objective.

J. ADDRESSING EQUITY, QUALITY AND COST EFFECTIVENESS

The VSBA supports initiatives that are designed to create greater equity in high quality learning opportunities and to achieve cost effectiveness. Such initiatives shall focus on the needs of the students and taxpayers of the state of Vermont. Any initiative that impacts our governance structure or funding system must be designed in a way that reflects our community values. School boards are in the best position to inform this process and must be fully engaged in this effort. The VSBA will work with the General Assembly and our members to support initiatives at the state, regional and local level that will address our challenges while maintaining and strengthening local communities.

K. APPOINTMENTS TO UNIFIED BOARDS

School boards can provide valuable input to selectboards when there are needs to fill vacancies on union school district boards. Additionally, collaborations between school and town officials can only serve to benefit their communities. The VSBA supports a change to the union school district statutes to provide that a selectboard will seek input from the school board prior to filling a vacancy on that board.

L. CIVIL DISCOURSE

The Vermont School Boards Association urges all educational stakeholders to (1) teach and model conflict resolution and consensus building as those skills are necessary for the health and wellbeing of tomorrow's society and (2) engage in civil discourse as we set a course for the future of our schools and communities.

Accordingly, harassment, coercion and intimidation must be viewed as a fundamental threat to the democratic principles upon which our republic is based. When directed towards elected officials or those running for elected office, violence, the threat of violence and other forms of harassment, coercion and intimidation are not just crimes against individuals, they are direct assaults upon our democratic system of self-governance. Accordingly, we, as elected officials in the State of Vermont, hereby call upon those in law enforcement at the local, state and federal levels to make the investigation of such crimes a top priority. We ask that all levels in law enforcement take such crimes seriously and that they work diligently to identify and prosecute all who would attempt to subvert and interfere with the political process by means of violence, threats of violence or by other forms of harassment, coercion and intimidation.

M. TIMELY AND RELIABLE INFORMATION & IMPLEMENTATION

The VSBA will prioritize and use its influence to support Vermont School Boards in ensuring that our Business Managers, Superintendents, and School Boards receive required, useful and timely information from the Agency of Education and that the implementation of the statewide Chart of Accounts and Accounting System will not become a burden on our education systems.

N. MONITOR OUTCOMES FROM ACT 46 GOALS

The Vermont School Boards Association declares that the Secretary's adherence to the dictates of Act 46 to comprehensively compile and analyze data and present the report with the required conclusions and recommendations is a matter of the highest priority for its member school districts.

II. FINANCE

A. EQUALIZATION

VSBA supports the maintenance of "...substantially equal access to a quality basic education..." for all of Vermont's children as required by the Vermont Supreme Court in its *Brigham* decision, and as legislatively promised in 16 V.S.A. §1.

It is the duty of the State of Vermont to ensure fiscal equity for all school districts to allow equal educational opportunities for all students. Significant state expenditure is required to equalize the financial resources of districts and maintain the educational opportunities of students.

B. CAPITAL SPENDING

1. General Education Construction: The moratorium on school construction aid should be removed. Schools require predictability and stability in state aid in order to plan successfully over the long term. The VSBA supports reinstatement of 30 percent or more in state reimbursement aid for all eligible capital expenses irrespective of school district consolidation status.
2. School Building Consolidation: The VSBA supports school building consolidation projects when the local school district or districts believes the result will be greater cost effectiveness or improved educational outcomes for students. The VSBA supports extending indefinitely 50 percent state reimbursement aid for school building consolidation projects as provided under 16 V.S.A. § 3448(a)(7)(C).
3. Technical Education Capital Expenses: The moratorium on technical center construction aid should be removed.
4. The General Assembly should establish funding mechanisms exclusively focused on the equitable procurement, development and utilization of technological assets, including connectivity, hardware, data, professional development and support. Furthermore, the Agency of Education must develop adequate logistical support for districts to assist districts in achieving world-class technology and the associated transformation of teaching and learning.

C. ADULT STUDENTS IN TECHNICAL EDUCATION

The VSBA urges the General Assembly to fund 100% of the costs of educating, in technical education centers, persons over 21 years of age who lack high school diploma and are not enrolled for purposes of pursuing graduation from a high school or technical center.

D. USE OF PUBLIC FUNDS

The VSBA does not support funding private independent educational institutions with public funds in districts that operate public schools for the education of local students, except at the discretion of local school boards. The VSBA opposes indirect public support to private independent educational institutions through the granting of tax credits or tax subsidies for tuition or expenses. Public education funds in Vermont districts that operate schools should be directed to the improvement of those public schools.

E. COMMON LEVEL OF APPRAISAL

That the VSBA calls upon the Governor and General Assembly to study the mechanics of the Common Level of Appraisal and its effect on education property tax rates.

1. We especially ask for consideration of the effect that calculation and application of the CLA has on small towns.
2. We ask for consideration of alternative methods of adjusting property values for taxation, including but not limited to developing a regional CLA or a rolling reappraisal system.
3. We ask for an examination of a more equitable system of calculating the CLA, which could include such approaches as:
 - a. Automatically excluding high value outliers from calculations;

- b. Re-examining how properties are categorized;
 - c. Limiting the punitive impacts of annual changes in a community's CLA that result from local reappraisals.
4. We ask that this study consider the effect these recommendations would have on the Education Fund.

F. REFORM THE EDUCATION TAX SYSTEM

The General Assembly should examine alternative funding sources for our education system that are more equitable and sustainable, rather than continue a system that predominantly relies on the property tax for revenue.

G. USE OF THE EDUCATION FUND

The VSBA strongly supports the intended limitations on the use of the Education Fund, and opposes any diversion of funds raised through the statewide property tax to programs not within the jurisdiction of public school districts or supervisory unions.

H. TEACHER PENSION PLAN

The VSBA requests the General Assembly to conduct a thorough analysis of the Vermont teachers' retirement system and to make recommendations and take action to ensure its sustainability over the long term, including consideration of conversion from a defined benefit to a defined contribution plan.

I. NO COST-CUTTING DOUBLE JEOPARDY

The VSBA calls on the General Assembly to avoid putting school districts under multiple cost-cutting strictures at the same time, for example: eliminating small schools grants along with further reduction of the excess spending penalty.

J. UNFUNDED MANDATES

All new educational requirements or programs mandated by the federal government or the State of Vermont should be fully funded by either the federal or state government.

K. STUDENT TRANSFERS

The General Assembly should provide a mechanism to allow for preK through grade 8 student ADM transfers or tuition terms within a supervisory union on terms agreed to by sending and receiving school boards with approval of the Superintendent.

L. INDEPENDENT SCHOOL FUNDING

Public dollars that support private independent schools should carry with them the same obligations regarding quality, equity, efficiency, transparency and accountability that apply to public school districts. In order for an independent school (other than an independent school with a specific state purpose) to be eligible to receive public education funds, the school should:

1. Not discriminate or deny enrollment on the basis of race, creed, color, national origin, marital status, sex, sexual orientation, gender identity or disability
2. Operate with an open admissions policy, meaning that it accepts all publicly-funded students on a space-available basis
3. Be approved for special education services in *at least* four categories and arrange for special education services related to *any* disability category if required in an enrolled student's individual education plan
4. Administer state assessments and make outcomes data available to the public in the same manner as public schools
5. Provide free and reduced lunch to all eligible students
6. Employ teachers and administrators that have licenses and endorsements required by professionals working in public schools

M. FEDERAL FUNDING FOR K-12 PROGRAMS

The Vermont School Boards Association urges Congress and the Administration to provide full and sufficient funds for public education including, but not limited to, Title I and IDEA, and to protect education as an investment critical to economic stability and American competitiveness.

N. COST CONTAINMENT

The statewide cost of PreK-12 education has been at the center of significant policy debates and interventions for the past decade. The VSBA offers the following recommendations to respond to concerns about costs while maintaining education quality:

1. *Statewide health insurance benefit for school employees:* 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.
2. *Study of state-funded retirement buy-out that conditions rehires on achieving ratios:* The VSBA recommends the creation of a stakeholder task force to explore the advantages and disadvantages of establishing a state-funded initiative in support of early or “on-time” retirement. Two conditions of a district’s participation in the initiative would be a commitment to meet staff to student ratio targets by reducing total personnel through the retirement program, and a commitment to sustain these savings through future budgeting processes.
3. *Establish standards for fact-finders in the collective bargaining process:* The General Assembly should modify 16 V.S.A. §2007 to require neutral fact-finders to consider only a statutory list of legitimate measures of a community’s ability to pay, rather than a pattern of area salary and health benefits that purports to demonstrate financial wherewithal but in fact does not.
4. *Guidelines for reserve funds and budget surplus amounts:* In light of the goals of affordability, transparency and accountability, the VSBA will work with the Agency of Education, the Vermont Superintendents Association and the Vermont Association of School Business Officials to establish guidelines on the appropriate amounts and uses of reserve funds and the treatment of budget surplus amounts. Guidelines should support best practices in amounts of, establishment of and utilization of reserve funds.
5. The Vermont School Boards Association advises the Vermont General Assembly to allow reasonable time for school districts to plan for cost containment legislation and refrain from passing legislation that affects budgets already adopted by school boards or approved by voters.
6. The Vermont School Boards Association supports the study and consideration of the costs associated with providing social services when making funding decisions.

P. Fairly Distributed Pre-existing Debt

To the extent possible, the Vermont School Boards Association will support all efforts to work toward equitable taxation within districts that were ordered to merge by the State Board of Education.

III. INSTRUCTION

A. PERSONALIZATION & PROFICIENCY-BASED LEARNING

The VSBA believes that students learn best when they play an active and meaningful role in their education. The learning styles, interests, and aptitudes of each student should drive instruction and learning activities in every school, as opposed to standardized programs designed to prepare students to perform well on state standardized assessments.

All schools must provide equitable access to meaningful and rigorous learning experiences that will allow students to demonstrate proficiency in multiple ways.

The VSBA supports a study regarding whether the current construct of Vermont’s Public High School Choice Law presents a barrier to the personalization of education or the expansion of opportunities for students, and

further recommends that there be supports available for school districts to collaborate on joint endeavors to expand access to innovative educational programs.

B. STUDENT ASSESSMENT

The VSBA recognizes the value of standardized assessments as one tool to be used in evaluating student performance. It must be used in conjunction with other means of evaluation to present an accurate picture of student achievement. The VSBA does not support the use of standardized assessments alone to determine the success of schools, to evaluate teacher performance, to promote students from grade to grade or as a final “gate” to a high school diploma.

State standardized assessments should be designed to provide information about student growth over time, and should include interim assessments so that students and educators are able to measure student performance throughout a school year, rather than just once a year. The Vermont Agency of Education should also continue to support development and administration of local assessment plans which may include national norm-referenced achievement and/or aptitude tests as well as other locally administered evaluation methods. As the reliability of additional local assessments is assured, it may be of value to give more weight to local assessments in the State’s Accountability System.

C. ESEA REAUTHORIZATION

The federal Department of Education should provide adequate technical support, guidance, and resources to ensure that the Vermont Agency of Education as well as school districts are prepared to comply with ESSA’s provisions. Specifically, Congress should appropriate funding to no less than 95% of the authorized funding level. Our congressmen and senators should continue to support state and local decision making in the ESSA rulemaking process.

The Agency of Education’s work to implement Education Quality Reviews is crucial to successful ESSA implementation on the local level. The Agency of Education should make up-to-date data gathered in Education Quality Reviews readily accessible to school districts.

D. SCHOOL CHOICE

VSBA recognizes the varied learning styles and needs of students and supports the provision of multiple options for student learning in the public schools. The Association supports the maintenance of the parameters of Vermont’s Public High School Choice Law and the thorough monitoring of its outcomes. VSBA urges the General Assembly to examine closely all ramifications of the law to understand the effects on those students who choose new schools and those who do not, as well as the impact on all schools.

Vermont needs to recognize the long history of school choice in many towns and to leave in place that status quo. VSBA is concerned that expanded school choice for all other towns could have significant unintended consequences. If this option is to be seriously considered, it requires extensive study with substantial involvement by VSBA.

G. EARLY EDUCATION

The VSBA encourages the General Assembly to create universal access to pre-kindergarten education, through a system that emphasizes equity, quality, and simplicity. School districts should play a central role in assuring quality and accountability in publicly funded early education programs.

H. SCHOOL CALENDAR

VSBA is supportive of school calendars that provide for more continuity of learning, better reflect the needs of all students and increase opportunities for professional learning and reflection throughout the school year. The VSBA urges regional superintendent groups to explore school calendars that reasonably distribute the pace of education to maximize student learning, provide opportunities for student interventions during the school year, promote academic momentum for students, and allow for districts to partner with community organizations to provide enrichment, academic, and other skill-building opportunities throughout the year.

I. SCHOOL DISTRICT INNOVATION ZONES

VSBA supports legislation authorizing the creation of innovation zones to exempt supervisory unions and/or districts from specific regulation and policy in order to create models of world-class education systems that can be scaled across the state.

J. Vermont's Dual Enrollment Program

The Vermont School Boards Association supports a change to state law to allow access to Vermont's Dual Enrollment Program for Vermont resident students who reside in districts that do not operate a high school, whose tuition is publicly funded and who attend public schools in a state bordering Vermont.

IV. LABOR RELATIONS

A. UPDATING VERMONT'S COLLECTIVE BARGAINING FRAMEWORK

The VSBA urges the General Assembly to transform the traditional collective bargaining framework in order to best respond to contemporary expectations for education and to elevate the teaching profession in ways that create conditions for innovative schools. The new framework should promote bargaining that is: student-centered, collaborative, evidence-based, flexible and transparent.

B. BINDING INTEREST ARBITRATION

The General Assembly should eliminate the right to strike and impose contracts by updating Vermont's collective bargaining process to be more in line with our New England neighbors. The new approach should not include mandatory binding arbitration because it would turn over important decisions that impact up to 80 percent of school budgets to out-of-state arbitrators generally unfamiliar with community issues and Vermont's education finance system.

C. VOTER RATIFICATION OF NEGOTIATED CONTRACTS

School Boards serve as trustees for education on behalf of the community – assuring that young people of the community receive a high-quality education and that taxpayers receive an excellent return on their investment. VSBA believes that the authority granted to school boards as the final decision makers on collective bargaining agreements should be unchanged.

D. UNEMPLOYMENT INSURANCE FOR EMPLOYEES IN SCHOOLS

School district employees accept employment in schools knowing that the work is available only during the school year. Schools cannot be responsible for providing unemployment compensation to those employees during school vacations and the summer months, when there is reasonable assurance that the work will continue when students return.

E. PROBATION FOR NEW HIRES

The General Assembly should amend 16 VSA 1752 to ensure that a probationary period is afforded to supervisory unions/school districts for all new hires. This will provide districts the time and flexibility to determine if the chosen candidate is the best fit for the district. It frees districts to take greater risks on candidates in order to find the best available employee.

F. REDUCTION IN FORCE

Seniority should not be the sole factor for determining which employees are subject to Reduction in Force actions. School boards in Vermont should negotiate Reduction in Force provisions in their master agreements that include clear standards and measures other than seniority – such as performance evaluations that include multiple sources of evidence to measure teacher performance – that will allow administrators to make Reduction in Force determinations that are in the best interests of students. These provisions should also state that if employees are recalled after a Reduction in Force, seniority will not be the sole factor for determination as to which employees are recalled to employment.

G. HEALTH CARE FOR SCHOOL EMPLOYEES

Any legislative approach to addressing health care for school employees must: demonstrate that it will reduce costs to school districts over the near and long term; reflect the health insurance plan norms for the majority of Vermonters; and include a date-certain whereby education employees will transition to the new system.

H. COMMISSION ON PUBLIC SCHOOL EMPLOYEE HEALTH BENEFITS

The Vermont School Boards Association adopts the following requirements for appointing representatives to the Commission:

Statutory Requirements: each appointee shall have (1) an understanding of health care, (2) an understanding of employer-employee relations, and (3) a demonstrated willingness to work collaboratively. The term of each member of the Commission shall be six years provided that of the members first appointed by the VSBA, one appointee shall serve a term of two years and one appointee shall serve a term of four years.

Criteria for Selection: in selecting appointees, the Vermont School Boards Association shall give priority to applicants who provide regional representation, have experience on a negotiations council and demonstrate willingness to participate in training and professional development regarding negotiations.

Application Process: Vermont School Boards Association shall accept applications for appointment to the Commission via an online form. The deadline for submission of applications shall be November 1.

Selection Process: The Vermont School Boards Association Board of Directors shall appoint representatives to the Commission based on the above statutory requirements and criteria at its November board meeting.

The Vermont School Boards Association adopts the following process for ratification of an agreement entered into by the Commission:

Notification - Voting Delegates: By April 1 each supervisory union/supervisory district shall notify the VSBA of the name, telephone number and e-mail address of its voting delegate.

Informational Webinar: 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.

Electronic Ballot: Within ten calendar days after the informational webinar, the Vermont School Boards Association shall 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.

V. MISCELLANEOUS

A. SOCIAL AND MEDICAL SERVICES PROVIDED IN SCHOOLS

VSBA supports the delivery of social and medical services in public schools, by use of contracted services for which Vermont schools are reimbursed at full actual cost.

B. DATA COLLECTION & REPORTING

The passage of the federal Every Student Succeeds Act as well as state and local needs make the necessity for accurate and informative data more important than ever. The General Assembly should continue to fund the integration and close linkage of state and local information systems to maximize the efficiency and productivity of data collection, analysis and reporting at both levels.

1. The State Agency of Education should promulgate consistent and understandable definitions of data.

2. The Agency must analyze and coordinate all its requests for data from local districts to assure that all such data are needed and utilized in a way that improves student learning.
3. All requirements for information from local districts should be accompanied by a streamlined and easy-to-use mechanism for collection and submission with the goal of reducing the negative impact on local districts.

The VSBA strongly supports the protection of student privacy rights. Any data collection, maintenance or distribution system must be developed with the primary objective of protecting personally identifiable information about students.

C. FIREARM SAFETY ZONE

The VSBA supports the enacting of Firearm Safety Zone legislation that would prohibit the firing of any type of firearm within 500 feet of any preK-12 school campus. Appropriate and serious penalties should be included. Exemptions for pre-existing, regulated gun ranges and special events should also be included. The Gun Safety Zone is needed to promote the safety of children and staff from accidental injury and to prevent unnecessary anxiety and safety procedures from firearms discharging nearby schools from unidentified sources.

D. VSBA Regional Boundaries

The VSBA Board should review the current Regional boundaries with an eye to updating them so that all Operating towns in one School District are in the same VSBA Region; and the Board should consider realigning its Regions with those of the VSA; and the Board should consider creating a single Region to represent the Non-Operating Towns so that their needs, concerns, and issues are more clearly represented on the VSBA Board of Directors.

E. Environmental Impact

The VSBA will consider the impact on the environment when deciding whether to support legislation and initiatives.