



TODAY

Website:
www.vtnea.org

The official publication of the Vermont-National Education Association - Vol. 72, No. 2 - September 2005

Richford Town TA Wins Prep Time Arbitration

Vermont-NEA Photo by Art Huse

RICHFORD – The Richford Town Teachers Association, representing teachers in the Richford Town School District, won an important arbitration on April 30. Even without specific language in the contract guaranteeing preparation time, the award restores preparation time for teachers at the high school, requires the school district to bargain over any change they may want in preparation periods, and orders that high school teachers be paid for the preparation time they lost during the 2004-05 school year. “It doesn’t get much better than this,” says Vermont-NEA UniServ Director Suzanne Dirmaier, who represented the local before the arbitrator.

“The matter in dispute concerns whether the Employer had the right to unilaterally remove teacher preparation periods from the schedule under a Contract that does not provide for such periods but where for 30 years such daily preparation periods have been included in the schedule,” wrote arbitrator Michael W. Stutz.

History

For 30 years, grade 7-12 teachers at Richford High School had an uninterrupted 40-45 minutes of preparation time during the student school day, which began at 8:00 AM and ended at 3:00 PM. This long-standing practice changed in September a year ago when the new principal, Cynthia Hinrichsen, instituted a schedule over the objections of all 24 Richford High School teachers.

Principal Hinrichsen’s new schedule made time for 17 additional courses, to which teachers were assigned, reduced total daily preparation time by about 10 minutes, and split preparation time in half – teachers were given a brief “common preparation time” from 8:00 to 8:15 AM and another brief period of free time at the end of the day from 2:43 to 3:00 PM.

Principal Hinrichsen announced her plan for the upcoming year in February of 2004. She was in her first year as principal. Teachers and the district had signed a 2003-06 collective bargaining agreement just two weeks before. This original plan, which the local Association grieved, included a



Richford teachers Todd Marlow (L) and Jerimiah Schuyler (R) worked as camp counselors this summer. Todd serves as negotiator for his local and testified at the prep time arbitration.

7:30 to 8:15 AM common preparation time and several new courses. Principal Hinrichsen denied the grievance, as did the superintendent and school board. They did, however, move the start of the school day to 8:00 am, a change teachers decided was not sufficient to settle the grievance. The arbitration was held in February 2005, a year after Principal Hinrichsen first revealed her schedule, and six months after she imposed it.

The additional workload and reduced prep time over those months took a toll on teachers and their families. “It was a tiring year,” said Todd Marlow, a science teacher at Richford for nine years and member of the negotiating team. He said teachers arrived earlier, left later, and had to do work after hours that used to be done during the school day.

What WAS She Thinking?

At the arbitration, Principal Hinrichsen testified that the “best practice,” according to her research, is a common preparation time for all teachers so they can collaborate as colleagues. Her first schedule to accomplish this required teachers to begin the workday 30 minutes earlier. The later revised schedule, the one

teachers had to live with as their grievance proceeded to arbitration, split the time between the very start and very end of the school day, a plan she admitted was not ideal.

The school district and Principal Hinrichsen also were motivated by a concern that the school was not offering enough courses. Their solution was not to hire additional teachers to staff an expanded course list, but rather to assign 17 new courses to the current staff to teach during time that used to be used for preparation.

The school district presented the arbitrator with written provisions for preparation time from other teacher contracts in the area. The Richford contract does not include language guaranteeing preparation time. But even in the absence of specific contract language, teachers prevailed.

Keys to Winning

Suzanne Dirmaier says the school district’s 30-year history providing preparation time for teachers during the student day constitutes very strong past practice. But, she cautions: “Past practice is not an ace in the hole. If the local could have foreseen the trouble it would have without prep time language in the contract, it would

have bargained for it years ago.”

If the Association’s win in this case was based first on past practice, Suzanne says the second basis was the wonderful testimony of the Association witnesses. “Not only did these people do extremely well under questioning, but they also were valuable resources in digging out old schedules, researching bargaining history and representing their colleagues to the utmost,” says Suzanne, adding: “A lot of praise should go to Debbie Atherton, Doug McDonald and Todd Marlow. I believe the arbitrator was impressed by their sincerity and professionalism.”

Todd Marlow says there was a lot of excitement and a sigh of relief when teachers heard the arbitrator’s decision. “No one wants to fight these kinds of battles,” he says. “But we knew we had an important cause.”

Todd has advice for others facing unilateral and unfair decisions by their school boards: “Work with the administration first, if you can. But when it’s necessary, stand up for what’s right.” He also suggests making a list of issues important to members and bargaining for them. “It’s better to have it in writing,” he says. – LBH

INSIDE

Elusive Retirement Security	2	Funding the Teachers’ Retirement System	5
Pinwheels for Peace	3	Health Care Reform	6
Webcasts with NASA Scientists	3	From the School House to the State House	7
Retirement Seminars	4	Victory for School Bus Drivers	7
Destination ImagiNation and Odyssey of the Mind...	4	NEA Online Toolkit	7

Presorted Standard
U.S. Postage PAID
Permit No. 30
Burlington, Vermont

Vermont-NEA
TODAY

Published monthly except July by
Vermont-NEA, Inc.
10 Wheelock Street
Montpelier, VT 05602-3737
Telephone: (802) 223-6375
FAX: (802) 223-1253
Email: vtnea@together.net
Website: www.vtnea.org

President
Angelo J. Dorta
Executive Director
Joel D. Cook
Communications Director
Laurie B. Huse

Subscription Price: \$6.00 per year.
Vermont-NEA assumes no responsibility for
claims arising in connection with products or
services advertised in Vermont-NEA TODAY.

BOARD OF DIRECTORS

Vice President
Thomas J. Gallagher
Secretary Treasurer
Jeff Isham
NEA Director
Joyce Sullivan
Addison-Rutland, Area 1
Rose Wenzel
Addison Rutland, Area 2
Diane Alberts
Central Vermont, Area 1
Cindy Bubrouski
Central Vermont, Area 2
Terri Vest
Chittenden, Area 1
Mary Ann Barnes
Chittenden, Area 2
Richard Wise
Chittenden, Area 3
Brian Walsh
Northeast Kingdom, Area 1
Lydia Alexander
Northeast Kingdom, Area 2
Martha Allen
Southern Vermont, Area 1
Susan Rusten
Southern Vermont, Area 2
Jay Burnell
Southern Vermont, Area 3
Dennis Ladd
Northwestern Vermont, Area 1
Bonnie Tuscany
Northwestern Vermont, Area 2
Ann Lavery
Upper Valley, Area 1
Cherrie Torrey
Upper Valley, Area 2
Lisa Champagne

STAFF

Attorneys
James "Jeff" Fannon
Donna M. Watts
UniServ Field Staff
Norman P. Bartlett
David R. Boulanger
Jerry Carruba
Suzanne B. Dirmaier
Joyce E. Foster
Sean Leach
Robert Raskevitz
Organizers
Ellen David Friedman
Thomas J. Walters
Professional Programs
Sherry Gile
Benefit Programs
Mark L. Hage
Administrative Assistants
Ellie McAndrew
Sheree O. Parker
Sandy Perkins
Yolly Turner
Membership/Accounting
Teri Leo Drury
Business Manager
Claude C. Janus

Elusive Retirement Security

By Angelo J. Dorta, President

Retirement security is a vital economic issue for every working Vermonter. All of us hope for so-called "golden years" without money worries, serious and persistent health problems, and expensive medical care.

Such hope is becoming rarer among Vermont teachers and ESPs. One of teachers' three basic underpinnings of retiree financial self-sufficiency – the Vermont State Teachers Retirement System (VSTRS) – suffers from annually underfunded appropriations by the Legislature.

Many school support staff are even worse off. They lack any access whatsoever to the Vermont Municipal Employees Retirement System (VMERS). Access to VMERS for specific ESP job categories must be granted by the school district, either at the bargaining table in recent years or through direct conferral prior to employees' unionization.

Retired teachers' and ESPs' other two underpinnings – Social Security and personal investments – are facing their own growing pressures. President Bush wants to introduce privatization options within Social Security. A skittish Wall Street Stock Market continues its predictably unpredictable short-term ups-and-downs.

Commission on Funding

Last spring, a small positive step was taken on behalf of teachers. The Legislature created the Commission on Funding the State Teachers' Retirement System. Vermont-NEA has two representatives on the 13-member Commission, which must make recommendations to lawmakers by November 15th "for funding an adequate, sustainable, and actuarially sound retirement benefit plan."

Chronic VSTRS underfunding now has reached crisis proportions. The Legislature appropriated \$24.4 million in Fiscal Year (FY) 2005, only 51% of the \$47.7 million recommended by the VSTRS professional actuary. Based on the state's adopted FY 2006 budget, lawmakers again will provide \$24.4 million, or only 49% of the actuary's projected recommendation of nearly \$50 million. By contrast, legislators allocated 91%-93% of the actuarially necessary amounts each year from FY 2000-02.

Unfortunately, Teachers' Retirement System shortfalls have been a consistent and generally worsening problem since 1991, despite continual Vermont-NEA lobbying for appropriations specified by the VSTRS actuary. Consequently, the System's total unfunded liability now is almost \$140 million. Such a large and growing long-term debt soon may be impossible to adequately re-pay.

Larger-than-necessary sums needed from future taxpayers are caused whenever the Governor and

Legislature don't work together to fulfill their yearly Teachers' Retirement System funding obligations. A 2004 study by Buck Consultants identified funding disparities in prior years as the most significant factor responsible for higher VSTRS appropriations recommendations. For example, the actuary's FY 04 recommended contribution by the state was 33% – \$14 million – more than would have been necessary if pension advisors' earlier budget requests had been followed.

Furthermore, Buck showed how deprived investment revenue compounds the problem. In 1982, the state contribution shortfall was \$2.3 million. If the amount had been provided and invested, it would have yielded almost \$36.7 million through FY 04. According to Buck, investment performance of VSTRS money managers has rated in the top 20% among large public pension funds for the past 10 years, and approximately \$120 million of potential interest earnings have been forfeited due to annual VSTRS underfunding.

What negative impacts could result from VSTRS's huge unfunded liability? There could be a demand for higher teacher payments. Existing pension and benefits provisions could be downgraded. The state's Education Fund could be tapped, and thereby put teacher retirement funding in direct cost-shifting competition with local school districts for property taxes needed to sustain our students and school budgets.

But let's not forget one simple fact: Teachers have been holding up their end of the bargain by faithfully paying their obligatory contributions to the Retirement System (5.5% of earnable compensation for Group A members, 3.4% for Group C members). Therefore, it's Governor Douglas, State Treasurer Spaulding, and lawmakers who share a legal and moral obligation to ensure that VSTRS is financially healthy. Since Vermont teachers didn't create the underfunding problem, teachers – and their school districts – shouldn't have to pay additionally to resolve it. In exchange for many years of public school service, we expect to at least maintain the retirement pension and benefits levels currently promised.

ESP and VMERS

Meanwhile, many ESP members still aren't even enrolled in VMERS. Consequently, they must forego substantial, employment-based retirement pensions and benefits. Consent by district management and at least 30 hours per week each school year or 24 hours per week each calendar year are required for VMERS enrollment.

Tight school finances and management's general resistance to

higher personnel costs often block agreements to allow ESP participation in VMERS. Pervasive ESP low pay, health insurance needs, and job turnover also may cause a live-for-today perspective among support staff, whereby salary increases and fewer payroll deductions of any kind become twin priorities. In such cases, ESP contributions to VMERS are viewed negatively.

At least one ESP group, however, has emulated teachers by seeking to negotiate 403(b) plans. A few years ago, support staff in Windham Southeast Supervisory Union successfully bargained a 403(b) provision with a 4% salary contribution by their employer. Eighty percent of the Windham Southeast EA ESPs supported the deal and its flexibility.

Yet, neither VMERS nor 403(b) plans can adequately address retiree health insurance for ESPs. VMERS offers only \$30 monthly to ESP retirees who purchase their own health insurance plan. By comparison, retired teachers receive reimbursement amounting to 80% of single coverage for VSTRS's designated \$250 Comprehensive Plan, roughly ten times the VMERS payment given to support staff.

As outlined in earlier recommendations from Vermont-NEA's ESP Retirement Study Committee, forceful local bargaining for Livable Wages (\$12 per hour and higher), better benefits, and participation in VMERS is the proper course of action. Also, local affiliates and Vermont-NEA must advocate together for significant improvement in VMERS retiree health insurance. At the same time, the Committee suggested that ESPs try to invest whatever they can in their own private retirement accounts and become increasingly knowledgeable about their savings options.

Vermont teachers and ESPs must never abandon the elusive goal of retirement security, regardless of current difficult circumstances. Surely, incidences of state and employer underfunding and suspensions of contributions, imposed pension plan conversions and downgrades of guaranteed benefits levels, misuse of retirement funds, bargaining table pressures for give-backs, and outright abandonment of pension obligations will continue to threaten public and private pension systems nationwide. We will not be immune from growing apprehension.

Nevertheless, we know the value of our long and full careers in public school service. And, we know that a fiscally sound, fair, and competitive retirement system remains a key element in the recruitment and retention of high quality teachers and support staff. We must make sure, however, that policymakers, elected officials, and citizens have the same understandings and act accordingly. – AJD

Teachers: Learn About Caves!

A unique opportunity for teachers who want to know more about caves and how to use them as part of the teaching of science is available regionally this fall. The National Caves and Karst Management Symposium is hosting its national seminar October 31 - November 4 in the cave-rich region of Albany, New York. Educators are invited to attend all or part of the event.



Teachers should be particularly interested in the first day's events, featuring Project Underground, an educational initiative of the National Speleological Society.

Monday, Oct 31 2005 / 9:30-1:30 Project Underground Workshop

The Project Underground Workshop, led by Carol Zokaite, is open to all educators in the region. Project Underground is a national environmental educational program designed to promote better understanding of caves and karstlands. The materials and workshops are designed for classroom teachers, cavern, park, museum, and nature center staff, or any youth-oriented group leaders.

2:00 - 5:00

Bat Conservation International (BCI) Workshop: Methods and Protocols for Bat Study

Jim Kennedy of BCI will present

a special workshop to provide information on the latest techniques available for people who manage, study, or assess bat populations. This workshop will interest everyone who does field work with bats or needs to understand protocols for bat studies.

Wednesday, November 2, features a day-long field trip to a series of nearby caves owned and managed by state, national and regional organizations. The evening ends with a tour and reception at the renowned Howe Caverns.

Caves hold high interest for students of all ages. Here is an unique local opportunity to learn how to incorporate their study into your teaching.

Full information, including online registration and access to scholarships, is available online at www.nckms.org/2005.



©2005, Ayers & McMillan

Planting Pinwheels for Peace

Pinwheels for Peace is an art installation project started by Ann Ayers and Ellen McMillan, art teachers at Monarch High School in Coconut Creek, Florida, as a way for students to express their feelings about what's going on in the world and in their lives.

The project calls for students to assemble pinwheels for International World Peace Day, Sept. 21, 2005, when everyone will "plant" their pinwheels outside (at the schools and public places) as a public statement and art exhibit/installation. The spinning of the pinwheels in the wind is meant to spread thoughts and feelings about peace throughout the country and the world.

Pinwheels for Peace was quickly embraced by students and the entire school community in Coconut Creek. Project founders say that although the project was conceived as a way for students to express their feelings, they hope that artists, non-artists, young people and not-so-young people – EVERYONE – participates this year, because "Peace is something that we all yearn for."

More than 250 locations have committed to spinning pinwheels on World Peace Day, including Vermont's Brattleboro Middle School. The plan is for students to create pinwheels, write their thoughts about "war and peace / tolerance / living in harmony with others" on one side and on the other side, draw, paint, collage, etc. to express their feelings. Pinwheels can be made as small as one inch in diameter or as large as desired and they can be minimal or very complex – imagination, creativity (and a mild breeze) are the only variables needed.

To commit your location to planting pinwheels on World Peace Day, go to www.pinwheelsforpeace.com.

Call for K-16 Proposals: 11th Annual Conference Vermont Alliance for the Social Studies

Social Studies:

Connecting to the World
Friday, December 2, 2005
Holiday Inn, Rutland

Do you have activities, lessons, or a unit that opens students' eyes to a wider world? The "world" could be any place from your local community to Timbuktu, from the local market to the beginnings of international trade routes. We are interested in any content in history and the social sciences from any time in history and any place around the globe.

Or, do you have a methodology that helps your students understand human connections and the reverberations of human actions on others?

Or, do you have a philosophy about human connections and the social studies to share?

YES to any of these? Then we want YOU for our annual conference – up to two presenters per workshop do not pay registration fees. Workshops are 1 hour and 30 minutes.



We especially invite proposals that provide one or more of the following:

- Students as part of the presentation
- Hands-on, visual, and realistic activities with social studies content
- Interpretation of primary sources from various points of view
- Entire standards-based units with one inquiry lesson presented

- Interdisciplinary, multidisciplinary units that get students mentally engaged

- Models of best practices based on research

E-mail your proposal with this information by September 30 to: jpeter@rutlandhs.k12.vt.us, or mail to John Peterson c/o Rutland HS.

- 1) Workshop Title:
- 2) Standards or learning opportunities that are your focus:
- 3) 100 word description to be used in the brochure, if chosen. Additional information is welcome.
- 4) AV needs (You must supply your own computers and LCDs):
- 5) Suitable for grades K-4, 5-8, 9-12, or 13-16?
- 6) Your Name:
- 7) Position/Place of Employment:
- 8) Mailing Address:
- 9) Home Phone / WorkPhone:

For more information, contact Elise Guyette: eguy949@aol.com or 802.658.1209

Students Can Join Webcasts with NASA Scientists

NASA is turning its attention to preparing for human travel back to the Moon and to Mars, and there is much planning to be done. This fall, the NASA Exploration Systems Mission Directorate and NASA Quest will open the school year with a challenge to students, primarily in grades 5-8, to work with NASA scientists to design solutions to the problems under consideration.

During October and November, students are invited to join NASA researchers and other leading scientists as they embark on a Mars analog study at California's Lassen Volcanic National Park. By studying snowfields in the park, scientists hope to learn more about the development of technologies needed to help understand

and explore Earth's Moon and Mars. They will also learn about polar ice caps and the life that could possibly exist there.

Gail Breslauer of the Vermont Space Education Program points out that this is a great opportunity for Vermont students to participate in live, interactive Webcasts with NASA scientists who are doing cutting edge, real time research to develop and test technologies in preparation for exciting future exploration that today's students will be seeing in their lifetimes. Students will be able to participate in actual research while engaging in their own background reading and the research necessary to develop their own ideas and solutions to problems NASA is currently working on.

"This is an experience that will encourage the study of math, science, technology, and engineering – and it fits in with the required learning standards," says Breslauer.

As the scientists determine where this fall's research site will be, journals will be posted online. During the month of September, a live introductory Webcast will take place from the Lassen Volcanic National Park, so students around the world can observe NASA scientists at work. For information go to <http://quest.nasa.gov/>



Retiring with Security

Vermont-NEA Seminars on Retirement Security & Financial Planning Open to members only. Recommended for all ages.

Retiring with security and dignity is something all of us deserve. But putting together the pieces of a sound retirement plan isn't easy. We know from experience that planning earlier than later for retirement helps pave the way for a future that is economically secure.

Vermont-NEA wants to help you. We are sponsoring eight retirement seminars between October 10 and December 12 for members (and their spouses/partners) **only**. Each seminar will provide a comprehensive overview of the major components of a smart retirement "road map." Here are the topics the seminars will cover:

- Understanding and Benefiting from the Teacher Retirement System: Pensions and Health Insurance Benefits
- Making the decision on when to take Social Security
- Personal Investments and Financial Planning As Your Near Retirement
- Long-Term Care Insurance and Protection
- NEA-Member Benefits for Retirees

Each seminar will run from 4:30 until 6:30 PM, with light refreshments provided. This seminar is relevant to all teachers and support personnel, no matter how old or close to retiring.

Here is a list of the seminars:

- **October 10** at the Double Tree (formerly the Clarion), South Burlington
- **October 24** at the Putney Inn
- **October 31** at the West Mountain Inn, Arlington
- **November 7** at the Holiday Inn, Rutland
- **November 14** at the Hotel Coolidge, White River Junction
- **November 28** at the Black Bear Tavern, St. Johnsbury
- **December 5** at the Old Foundry, St. Albans
- **December 12** at Vermont-NEA Headquarters, Montpelier

These seminars are free but limited to 30 members each, so please don't delay in registering.

To sign up, contact Ellie McAndrew at Vermont-NEA: emcandrew@vtnea.org or 1-800-649-6375. Please tell her which seminar you wish to attend and give her your name, your school, and your school and home telephone numbers. Your e-mail address would be helpful, too, in case we have to cancel a seminar for any reason.

Destination ImagiNation: It's About Teamwork and Creativity

Cabot School's Destination ImagiNation team won second place in the challenge "Disigning Bridges," and the secondary team won first place in "Live! It's RaDio DI!" at the state Destination ImagiNation tournament in May. Destination ImagiNation (DI) is a statewide creative problem-solving competition.

Jane Youngbaer, Reading Recovery, Title I, and Special Education teacher, is the DI team manager at Cabot School. She serves on the DI State Board and has been involved for over 12 years. During three out of the past four years, Jane has taken teams to DI Global Finals in Knoxville, Tennessee. She explains that first place winners in each age group for each challenge have the opportunity to go to Global Finals. "We also had a 'Rising Stars' team in the non-competitive challenge 'More to the Story' for ages 4-7," she said, adding: "The experience of Destination ImagiNation is really about teamwork and creativity, not trophies. But, of course, we're proud of the achievements they represent – and the trip itself feels like the prize!"



In the photo is the Cabot School team from the state Destination ImagiNation tournament in May. L - R, (front row) Kira Cogger, Ashley Maurice, Timothy Mueller-Harder, (middle) Maria McClellan and Jane Youngbaer, (top) Kate Hough, Shelby Maurice, Ariel Buckley and Diana Cogger.

Brainstorm Your Way to Creativity with Odyssey of the Mind

RICHMOND — Are you looking for a way to enrich the lives of your students. Do you want to challenge your students to think "outside the box"? Then it's time to give Odyssey of the Mind a try. Odyssey of the Mind is Vermont's original and largest creative problem solving program. Vermont Odyssey of the Mind is a Vermont NEA Partner, working in cooperation with the University of Vermont College of Engineering & Mathematics Outreach Program.

The Odyssey program is designed to develop and stimulate creative thinking in young people. The lessons learned and tools provided lead to enhanced problem solving skills, and can be used both in the classroom and throughout life. Students work in teams to come up with solutions to one of a variety of challenging, but fun, Long Term Problems. An adult coach can guide the team in problem solving, but not contribute ideas or actually construct the solution. This year's challenging Long Term problems include:

- The Great Parade (Vehicle) – in which teams design, build and operate a vehicle that changes in appearance while traversing a parade route and include a technical feature.
- Tech Transfer (Technical) – teams create a device that extends into different areas to move items and incorporate this into their skit.
- Ancient Egypt (Classics) – an original humorous performance that takes place in ancient Egypt with a pharaoh, king, or queen and ancient works of art or artifacts created by the team.
- Geometry Structure (Structural Engineering) – build a structure of balsa and glue that incorporates geometric shapes in the design and holds as much weight as possible. Part of the team's stage set must include a replica of their structure.
- The Jungle Bloke (Drama) – in which a "Bloke" has the ability to talk to animals, and helps the animals to solve a problem. This performance must include an original song and dance.

- Fable-us! (Primary) – available only to K-2 teams, this non-competitive problem helps young children begin to learn about solving problems creatively by presenting an original fable with a moral, with only animals and inanimate objects telling the story.

In addition, teams practice solving a wide variety of short-term (spontaneous) problems throughout the season. The culmination of these preparations is the annual State Odyssey of the Mind tournament in March, where teams come to display their solutions to their chosen problem before a panel of judges and the audience. Teams placing first and second, as well as those earning the *Ranatra Fusca* creativity award, are invited to attend the Odyssey of the Mind World Finals, to be held at the Iowa State University in Ames, Iowa in late May 2006, where they will compete against teams from around the world.

Free coaches training and introductory Awareness Sessions are being scheduled now. Information on how to get a program started is available at vt.odysseyofthemind.org, by calling toll-free 1-800-805-5422, or by visiting our booth at the NEA convention to pick up a free Awareness and Training DVD and free start-up kit. To get a real jump start, or just learn more about creative problem solving, sign up for the "Brainstorming Your Way to Creativity" workshop at the annual NEA convention.



In the photo is the Barre City Elementary / Middle School Team, and Coach, at the 2005 Vermont Odyssey of the Mind State Tournament. The team competed in the Technical Problem, "In Your Dreams."

Properly Funding the Teachers' Retirement System

By Joel D. Cook

After about two decades – especially over the past four years – of annually paying less into the Teachers' Retirement System than it should, the state, at the urging of the Association and, importantly, state treasurer Jeb Spaulding, is undertaking a formal study of what to do about its now sizable repayment obligation. A 13-member commission – on which sits Mark Hage, our Member Benefits Director and me, Joel Cook, Executive Director – is charged with developing recommendations by the middle of November. The commission is headed by the treasurer and also includes several legislators and representatives of other education organizations, the administration, and the public. This article includes background information. As the fall meetings of the commission proceed, we'll report to members in the pages of *Today* and otherwise about options, proposals, solutions.

The under-funding issue has taken many years to develop to the point it can no longer be ignored, and appropriate ways to address it will take an extended period as well. The habit of under-funding began as an apparent way to help the state balance its social services budget – a million dollars here, several million there. Over the past several years, the growing gap between what the state should give the system and what it has given makes the habit look like an addiction requiring intervention and treatment: the gap reflects something more than simply an attempt to balance the budget.

There are two essential components to the problem: what should be done to reduce past under-funding of the system, and what should be done to avoid continuing to under-fund from year to year.

Past Under-Funding

Over the years, Vermont-NEA has gone to the governor and the legislature annually advocating for closer to full funding of the system. For each of the past 10 years, the governor has assured the legislature, in reliance on hoped for yields on investment, that “proposed funding levels will have no adverse impact on the long-term financial health” of the system. Last year, the governor slightly adjusted this mantra to read that his proposed appropriation is “not expected to have an adverse impact” on the system. Everyone now understands the effect of having shorted the system for years requires annual payments to the system that are substantially higher than they otherwise would have been.

Before becoming governor, Jim Douglas was the state treasurer for 10 years, during which time he reminded the governor and the legislature that

the practice of under-funding the system was creating substantially larger fiscal problems in coming years. Before becoming treasurer, Jeb Spaulding chaired the Senate Appropriations Committee, with huge authority over budget decisions. In that role, he presided over Senate proposals that generally accepted what the governor – Howard Dean back then – proposed, in essence ignoring the treasurer's advice.

As governor, Jim Douglas has proposed funding levels for the system at a substantially lower proportion of the actuary's recommendation than in each of the four years before he became governor. Where Governor Dean's final four proposed budgets ranged between 87 and 93% of the actuary's number, Governor Douglas's have ranged downward from 72 to 49%.

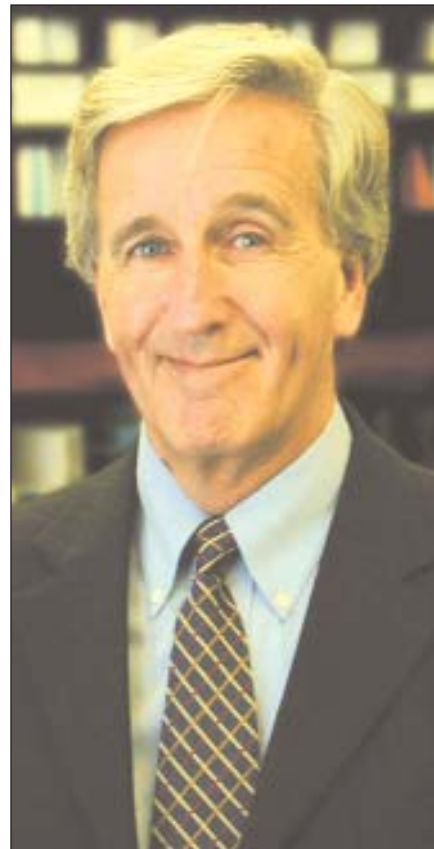
In the build-up to last year's election, Vermont-NEA cited the under-funding problem as one of five significant issues we wanted candidates to consider. We advocated for the development of a long-range plan to address it. As treasurer, Jeb Spaulding appropriately sounded the alarm as well, with facts and figures, leading to the creation of the commission.

It is now obvious to anyone that paying into the system less each year than is called for has had and will continue to have an increasingly “adverse impact” on the system and on the state.

Over the many years of under-funding, every teacher has contributed every penny required, and the Retirement System Board has obtained investment returns that are, frankly, the envy of most. Every teacher pays 3.4% of her salary into the system (plus a small share of the health benefit). The annual return on investments over the past decade has been nearly 10.5%, outperforming the vast majority of other large public pensions nationally.

Because it was deprived of the state's proper contribution level, the system had less money to invest. But for the state's decisions not to fund the system at proper levels, the annual investment now required would be roughly two-thirds what it has become.

At the first meeting of the commission, the treasurer presented what amounts to a menu of ways to address the problem. They range from doing nothing – hoping the stock market lifts us out of debt – to changing investment strategies, borrowing at possibly reduced interest rates and make up the difference on investments, increasing teacher contributions and changing program benefits, inducing state government funding discipline, and using any state surpluses that



Executive Director Joel D. Cook says, “We look askance at any approach to past under-funding that looks to teachers for payment.”

come along to reduce the shortfall.

Regarding this component of the problem – past under-funding of the system – the Association does not think it would be proper to saddle teachers – who met their obligation with deductions from each and every paycheck – with paying off this debt incurred by others. We look askance at any approach to past under-funding that looks to teachers for payment.

Future Funding

The Association, however, needs to flesh out its approach to discussing future funding and future benefits. The future of public pension programs is under discussion everywhere, certainly not just in Vermont. The facts that large private corporations have been reneging on their pension obligations, the president is intent on at least partially privatizing Social Security, and public pensions are starting at an obligation to begin accounting for the cost of benefits – primarily health care coverage – beginning in FY 2008 are all contributing to policy discussions in many states and municipalities about their pension plans.

To help the Association develop greater perspective, we intend to convene representative groups of members, from the ranks of those new to teaching, those in the middle of their careers, and those who've been teaching as long as the state has been under-funding their pension system. We want to discuss with them what they expect and want from their retirement system. We will inform you more about the when and where of these discussions as the school year gets underway. – JDC

A Message to ESP Leaders and Negotiators about Retirement Security

In April 2004, the Vermont-NEA Representative Assembly approved seven principles related to the pension and health care needs of retired ESP members and the advocacy responsibilities of Vermont-NEA in this domain. The principles, in a nutshell, reaffirmed that ESP members, like teachers, are deserving of a guaranteed pension system and retiree health benefits. They also directed Vermont-NEA to work with local ESP Associations to educate members about the long-term benefit of investing a portion of their income annually, during their employment years, in the *Vermont Municipal Employee Retirement System (VMERS)*.

VMERS is defined benefit retirement system, which means it returns a guaranteed pension to vested members. It offers three comprehensive plans, which are funded jointly by school boards and eligible employees. VMERS is administered by the Vermont State Treasurer's Office and a Board of Trustees.

Your local Association must bargain with your school board to become part of VMERS. Many locals across the state, in fact, have done this already. Others are learning more about VMERS, educating members about its retirement plans, or polling them about whether securing a retirement pension should be a primary goal in negotiations.

Vermont-NEA's UniServ Directors will be distributing information about VMERS at Regional Bargaining Council meetings beginning this fall. Information about VMERS also is available on the Vermont-NEA website at www.vtnea.org. If you think a presentation to your membership about VMERS would be helpful, contact Mark Hage at Vermont-NEA: 1-800-649-6375 (x. 120) or mhage@vtnea.org.

In this matter, as with others, local Associations are free to set their own negotiation priorities. We recognize that retirement may not be on the radar screen yet or be a top concern of a majority of your members. We also understand that having money deducted each pay period to fund a future pension may be a financial hardship for some ESP members.

But not being able to live with dignity and security in retirement leads to greater and more costly hardships. Vermont-NEA believes that bargaining for inclusion into VMERS should be a top priority for you and your local..

Vermont-NEA's Role in the Health Care Reform Debate

Vermont-NEA Photo by Tom Walters

By Mark Hage

In May 2004, the Vermont-NEA Board of Directors approved eight principles on *health care policy reform*. They do not commit the Association to a particular solution, but, rather, commit it to participating "...in the development of a consensus regarding how to change the health care system—in Vermont and nationally." Further, they articulate the need for *comprehensive, system-wide* reform, and call for health care to be established as a right of citizenship. The financing of health care, they assert, must be adequate, affordable and sustainable, and reform measures of any kind must protect the right of Vermonters to seek advice and treatment from medical providers they know and trust.

Our Record Fighting for Health Care

These principles acknowledge explicitly the centrality of health insurance to the medical and economic security of Vermont's educators, and the sacrifices they have made to win and retain high-quality health insurance coverage. Indeed, for 36 years Vermont-NEA locals have advocated and fought for – at the bargaining table, in the legislature, and on the picket line – affordable, high-quality health care for all public school workers. The Association also supported health care reform efforts in the past that would have expanded coverage to all Vermonters, or succeeded, at least, in providing access to care for our most vulnerable neighbors and children.

to boot. Our problems at the bargaining table stem largely from the fact that Vermont's health care costs – which rose 63% just between 1996 and 2002 – are not economically sustainable in the long term. Insurance premiums reflect high medical costs, and make bargaining over health benefits intense and difficult, particularly for uninsured ESP units. Not surprisingly, higher premium co-payments are standard fare in most management proposals.

Fiscal Challenges

Health care costs are exacerbating the fiscal challenges facing retiree pension systems and Medicaid, as well. The under-funded Vermont State Teachers' Retirement System is looking at health care costs rising from approximately \$10 million in FY 2005 to nearly \$26 million in 2010 and \$46 million in FY 2005. The Vermont Municipal Retirement System (VMERS) for ESP and other municipal workers has no health benefit plan, and given anticipated health costs, it will not be able to replicate the guaranteed health benefit plan of the teachers' system any time soon. Vermont's Medicaid deficit is projected to climb over \$100 million in the next few years. As this deficit grows, it will require a greater percentage of state revenues annually to keep the program fiscally solvent, which means less money for education, pension systems, and other vital public programs, and more shifting of unpaid medical services to the insured population as Medicaid restricts services for the poor and reduces the



As Director of Member Benefits, Mark Hage has represented Vermont-NEA on Coalition 21.

Now, more than ever, the Association needs a common vision of what constitutes affordable, high-quality health care and a strategy to achieve it.

This past spring, the Orleans Central Education Association in the Northeast Kingdom took to the picket line to improve their health insurance coverage – and prevailed. Their unity and resolve gave hope to members in other locals who are facing the threat of rollbacks. As tough as bargaining is over health insurance costs, settlements are being reported still that show well-organized locals holding the line on or slowing the pace of further premium concessions. Equally inspiring, several ESP units have bargained first-time insurance benefits or expanded the scope of their coverage. Collective bargaining, without question, substantially improves the lives of education workers in Vermont, and good health insurance continues to be one of our most important bargaining goals.

The Crisis

Without detracting from our organizational strengths and accomplishments, it is also true that our health care system is in crisis, and this is driving a passionate debate in the Vermont legislature and elsewhere over how best to reform the system. The 2005 legislative session ended with Governor Jim Douglas siding with insurance companies and vetoing a bill that would have committed the state of Vermont, through incremental reform measures, to provide all citizens equal access to affordable health care.

The 2006 legislative session is likely to commence with a renewed effort by the Democratic-controlled legislature to pass a law that promotes universal access to health care and rational cost control. In short, the health care reform debate will be one of great urgency in the legislature and the state at large, and Vermont-NEA has a critical role to play in it.

As your Association begins its fourth decade leading the struggle for affordable health care, it faces many of the same old challenges and new ones

number of citizens eligible for them.

The significant increase in the number of *uninsured* Vermonters in recent years is also attributable to rising health costs. In 2001, there were 43,000; today, there are 63,000 – roughly one-tenth of the state's population. This presents not only a profound ethical and social problem – every day without health protection is like gambling with your life and economic security – but it adds to the cost of health insurance as doctors and hospitals are forced to shift the expense of caring for the uninsured to insured workers, their employers and the government.

At this time, we are all experiencing the start – or are in the midst – of a long struggle to blunt political forces that would wipe out easy access to good health care for union workers, for workers in general, and for retirees. Insurance companies, for their part, to protect profits and derail efforts for system-wide reform, are aggressively marketing new, cheaper plans with less coverage and significantly higher out-of-pocket costs, thus laying the foundation for the end of traditional health benefits like JY and the Dual Option Plans. So-called "health savings accounts" linked to high-deductible insurance plans are a fundamental component of this campaign.

The Effect on Retirement

Retirees are against a wall, too. In the private sector there has been a marked acceleration to eliminate retiree health benefits for former employees, both pre- and Medicare-eligible, and to set caps on contributions to retiree premiums or to provide "access-only" retirement plans (e.g., the company holds a group retiree health plan in its name, but the cost of that plan is borne entirely by employees). Pension systems for unionized public employees are being pressured to move in the same direction. Our governor, for example, is enamored of the idea of

transforming "defined-benefit" retirement plans like VSTRS to privatized, "defined-contribution" accounts that are managed by individual workers and do *not* provide a guaranteed benefit.

The Campaign for Reform

The intellectually serious debate at this time on health care reform in Vermont appears to be between legislators (Democrats and Progressives mostly, but also some Republicans) and their supporters who believe that government must play a central role in financing and providing basic health insurance to everyone, and those, like the Governor, who would continue, even expand, the current model through which the insurance industry in effect controls our access to health care. One of the things that distinguishes this debate from previous ones is the growing number of Vermont business owners who are desperate for relief from skyrocketing insurance rates and are open to considering publicly financed and administered alternatives to the present health care system.

Vermont-NEA's Role

Vermont-NEA's advocacy will be shaped or influenced by the emerging health care reform campaign – and those who oppose it. In 2004-05, the Association played a leading role in the statewide debate on health care reform as part of *Coalition 21*, an organization of business leaders, organized labor, doctors and nurses, insurance companies, the Vermont Medical Society and Hospital Association, advocates for elderly, disabled, and low-income Vermonters, and state legislators. The Coalition was formed to explore ways to transform Vermont's health care system to ensure universal access to care and contain costs. Its groundbreaking principles, approved last January, were influential in the 2005 legislative debate on health care reform.

Now, more than ever, the Association needs a common vision of what constitutes affordable, high-quality health care and a strategy to achieve it. Our union needs to approach this challenge with the same passion, strategic thinking and bargaining savvy that has defined our mission since the late 60s. This year, Vermont-NEA staff and Board of Directors will be meeting with local leaders and members about the health care crisis, and working to build a broad consensus within the Association on the most effective political and bargaining strategy to pursue in the years to come. – MH

The Schoolhouse and the Statehouse: Making the Connection

By Tom Walters

The governor, legislators, school boards and a host of other public officials make decisions about compensation, school funding, accountability, testing, certification, retirement, special education and countless other issues, all vital to the health and survival of public education in Vermont. Yet, many of these elected officials have no idea of the issues public school employees face on a daily basis.

The late Speaker of the House of Representatives "Tip" O'Neil once said, "All politics is local." Why not show legislators around your local school? All it would take is a phone

call. What better way to teach students about civics than to have an actual legislator in your classroom?

Once the students go home, why not host a social gathering of Vermont-NEA members and legislators? It does not need to be a heavy-handed structured debate or press conference. Make it fun! Simply talk. The idea is to open up lines of communication and to educate decision-makers about the realities of teaching and learning in today's world.

There are other ways to participate. For instance, donating to the Vermont Fund for Children and Education is an excellent way to maintain the voice of Public Education in the

Statehouse. The overall mission of the Vermont-NEA Fund for Children and Public Education, or VFCPE, is to help elect people willing to learn about the realities of public education and to address issues negatively affecting schools. No Vermont-NEA dues money can be used for contributions to candidates for public office. Voluntary VFCPE contributions are what give Vermont-NEA members their clout in state and local elections.

For further information concerning participating in politics or donating to the Vermont Fund for Children and Public Education, please contact Tom Walters, Organizer, at 1-800-649-6375 or twalters@vtnea.org.

HQT Status Is No Basis for Teacher Termination

According to Vermont-NEA Executive Director Joel Cook, who has worked for some two years on this issue, Vermont Education Commissioner Richard Cate is telling school districts to back away from any teacher terminations based on not having attained "highly qualified" status.

This memo was sent to superintendents and principals on Thursday, May 26. Joel says the final sentence is the most important.

Since I became commissioner, I have had a variety of inquiries regarding the effect that a teacher's Highly Qualified Teacher (HQT) status has on one's employment. Since there was no formal guidance from the federal Department of Education, I responded

that administrators should not take any personnel actions related to HQT status and that we hoped to get clarification in the future.

At a recent public meeting in Washington with other chief state school officers and Deputy Secretary of Education Ray Simon, I asked the Deputy Secretary what the Education Department's position is regarding what effect HQT status should have on employment after the deadlines that are listed in the NCLBA. He responded that a teacher's HQT status should not have any effect on their employment. He said that the Department of Education does expect that districts will continue to issue annual parental notifications in the case of

teachers employed in Title I schools and that states will set high standards for the licensure of teachers.

Based on the Deputy Secretary's response to my question, please continue to make all reasonable efforts to ensure that educators in your schools meet the Vermont standards for HQT and that parental notification requirements are met. However, in meeting these federal requirements it is not necessary to take personnel actions on the basis of educators failing to meet these standards. Any personnel action taken against an educator should have a state statutory or contractual basis as there is no independent basis for taking such actions.

— Richard

Victory for School Bus Drivers!

Our NEA reports that Congress has passed a one-year extension of the implementation date for the new S Endorsement for school bus drivers – a change NEA and a number of NEA affiliates were aggressively pursuing in recent months.

Background: Federal regulations mandated by the Motor Carrier Safety Improvement Act require all school bus drivers to obtain a special "S" (school bus) Endorsement on the Commercial Drivers License in addition to the "P" (passenger) Endorsement already required. To obtain the S Endorsement, all drivers will be required to pass a written knowledge test. Additionally, some drivers will

be required to pass a Road Skills Driving test, however most may be exempted from this portion.

With the school year set to open soon in several states, there was a deadline of September 30, 2005 for implementation of the new S Endorsement requirement. It became clear earlier this year that several state DMVs were not prepared to administer the proper tests to adequate numbers of school bus drivers. NEA feared that failure of state DMVs to meet the requirements of the law could lead to disruptions in student transportation and even the possibility of school closings.

NEA's Department of ESP Qual-

ity acted several months ago to meet the pending crisis. Along with the New Jersey Education Association, ESPQ distributed thousands of "train the trainer" videos to state and local affiliates. Still, it was clear that several states had problems with the impending deadline.

Congressional Victory: Just prior to adjourning last week, Congress passed a massive highway bill. Included in that bill, which the President is expected to sign into law soon, is a provision that helps school bus drivers by delaying implementation of the S Endorsement for school bus drivers for one year, until September 30, 2006.

Classroom Catches up to Technology with the NEW Online Teacher Toolkit

Washington, D.C. – As teachers head back to school, there is a new online teacher toolkit with 21st century technology and up-to-date tools to help focus efforts on improving student achievement and saving teachers time with monitoring student educational progress.

Our NEA partnered with Progress Education Corporation to create the NEA Teacher ToolKit, the first com-

prehensive online resource of its kind. It offers:

- Advanced tracking of student attendance and behavior
- An easy, eight-step process for creating individualized education plans (IEP) for special-needs students
- Access to student learning standards for every state
- A year-long plan book and searchable lesson plans

- 200,000 assessment items for creating tests linked to state standards
- A library of online resources
- Up to 12 hours of online professional development, and more...

Some of the tools in the NEA Teacher ToolKit are free, while advanced tools are available for a modest subscription fee. Visit the NEA Teacher ToolKit at <http://www.neateachertoolkit.com>

Upcoming Association events...

September 5

Labor Day parade & picnic in Burlington

September 10

Vermont-NEA Board meets in Montpelier

September 19

Deadline for October issue of Vermont-NEA Today

October 10

Vermont-NEA Seminar on Retirement Security and Financial Planning at the Double Tree (formerly the Clarion), South Burlington

October 19-21

Vermont-NEA Educators' Exposition, Essex Junction

October 20

Vermont-NEA Board meets at the Educators' Exposition

October 24

Vermont-NEA Seminar on Retirement Security and Financial Planning at the Putney Inn

October 31

Vermont-NEA Seminar on Retirement Security and Financial Planning at the West Mountain Inn, Arlington

Save the Date: Nov. 4, 2005

Making a Difference: Building & Sustaining Effective Mentoring Programs

This conference features Dr. Susan Villani, Senior Program/Research Associate for WestEd's Learning Innovations in Woburn, MA. She is the author of several books on mentoring including *Mentoring Programs for New Teachers: Models of Induction and Support*. Dr. Villani frequently presents at national and regional conferences.

Who: Principals, special education administrators, curriculum coordinators, superintendents, mentoring coordinators, teachers

Why: ▪ Identify basic standard components and guidelines for all mentoring programs. ▪ Hear diverse examples of successful mentoring programs in Vermont schools. ▪ Identify resources to assist in implementing effective mentoring programs. ▪ Develop initial plans for creating a mentoring system or improving a current system

Where: Hampton Inn, Colchester
Cost: \$50 – includes continental breakfast, lunch, and resource materials.

Contact: Andrea Wasson, andreawasson@education.state.vt.us or 828-1239

1/2 Page NEA Member Benefit Ad

1/2 Page AIG Ad