Outsourcing Requires Bargaining

A school board must negotiate with its local union before privatizing bargaining unit work, according to a strongly worded decision handed down by the Vermont Labor Relations Board.

“We are on well-trod ground in deciding this issue,” the board said in ruling against the Arlington School District’s decision last year to privatize food services. “The school board’s disregard of the collective bargaining process is a particular problem given the importance of what was at issue – i.e. the removal of work from the bargaining unit by giving the work to a private contractor.”

The board ordered the district to rehire the former food service workers and pay them back pay, at 12 percent interest. The labor board victory comes more than a year after the Arlington School Board laid off food service workers and signed a contract with Café Services in a bid to save the district money. Café Services, according to the labor board, is able to save money by shortchanging its employees.

“Café Services workers earn less in wage and have reduced benefits compared to the former unionized employees,” the board wrote.

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VEHI Changes Usher in Boards’ Agenda

The Vermont School Boards Association knows full well that for years Vermont-NEA has warned about the effects of health care changes that will have on local school boards and local educators. At every turn, our efforts on the Vermont Education Health Initiative board to mitigate the abruptness of these changes were rebuffed by that board’s majority. The VSBA’s agenda to push these changes on local boards – before even they may be ready – is what has caused a situation where every single contract in the state is up for renewal next year. The fact that this manufactured crisis may have center stage does not remove from the stage the dozens of matters besides health insurance that all must be resolved locally between school boards and its employees.

How did it get this way? What was a true partnership with a board of four representatives from each management and Vermont-NEA, the Vermont Education Health Initiative is now a majority of school board representatives. Thanks to a regulatory glitch VEHI had to correct, that balance was disrupted and became a 3-2 school board majority. Now not content with a majority on the VEHI board of directors, the Vermont School Boards Association engineered a vote that removed one of the two seats Vermont-NEA held.

The move means that the 40,000 or so people covered by VEHI health insurance plans have one vote on the five-member board, while school boards, superintendents, and business managers hold four. “It is really unfortunate that the VSBA is willing to rip apart the decades-long history of collaboration on health care that has brought educators and their families quality coverage while saving Vermont taxpayers millions of dollars,” said Vermont-NEA President Martha Allen. “Rest assured, we will work as hard as we ever have to represent the interests of the men and women who teach the state’s children.”

If you really want to know what the VSBA is up to, look no further. Here is the organization’s bargaining agenda. Over the coming months we’ll delve into what they mean. But you should take a moment so you understand what every negotiating team in the state is up against.

The VSBA’s Guidance on Upcoming Bargaining

Bargaining Over New VEHI Health Plans: Essential “Dos” and “Don’ts” For School Boards

April, 2016

1. Do notify the union immediately of the need and your desire to commence bargaining over the VEHI plan changes in order to avoid an 11th hour logjam next year. Suggest a specific start date, preferably within several weeks of your request to bargain. Starting this fall of 2016 will be too late!

2. Do establish a negotiations timeline that either reaches a settlement before the end of 2016, or triggers a declaration of impasse so that the parties can proceed promptly to the next steps required by statute.

3. Don’t risk allowing the process to drag into the spring or summer of 2017. You will get caught up in a logjam as scores of contract disputes compete for a limited number of available mediators and factfinders. This increases the likelihood of moving into the VEHI default option—which ties up significant premium dollars—or some other interim arrangement reached at the local level. Either way districts will confront a new list of complications and challenges at that time. It also increases the likelihood of the dispute carrying over into the next school year, which may require the carry-over of contract provisions like step movement and certain other benefits. Starting early and advancing the process will be your best courses of action.

4. Do consider informing district employees that effective January 1, 2018, all existing health plans offered by VEHI (Dual Option, “JW,” etc.) will no longer be offered, and that four new plan options will be made available to all covered employees. Where union contracts are in place, note that final details regarding health plans and related economic terms will be subject to negotiations with the bargaining agent.

5. Do take advantage of this opportunity to make meaningful changes in how your district and its employees pay for health insurance. Insist the employees have greater “skin in the game” when it comes to utilization and spending; at a minimum,

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The holidays are upon us. Whether you are interested in these celebrations or not, you must contend with an added layer of excitement and anticipation in your schools. Getting your students to focus on the task at hand, whatever that might be, is very challenging.

I wish that the anticipation felt by our students was all because of good things; relatives coming to town, family get togethers, the possibility of gift giving and receiving, and the promise of a new year. But, unfortunately, many of our students won’t be experiencing those fun filled, loving gatherings. Instead, the anticipation is really anxiety and anticipation of the unknown.

Will there be heat in the house? Will the family be together? Will there be enough food? Will there be any gifts? With whom will they spend the holiday break, and for how long?

Your jobs are so much more than bus driving, paraeducating, teaching, counseling, librarianing, tech centering or whatever it is you do in your school district. You know that. You know that no matter where your students come from – a happy home, a trauma ridden home, or no home at all – you are there for your students.

Many people go into education in order to make a difference in their students’ lives. That may seem like a worn out mantra for educators, but it is so very true.

You do make a difference and that is so vitally important these days. We are all living in a different world than when we went to school or even when we started working in a school. Society has changed and not all for the good.

The challenges our students face today are tremendous. The stress is mindboggling. Many students do not want to let on about the struggles they contend with each day. Because of that, as some of the most consistent and reliable adults in many students’ lives, you do make a difference. You just may never know it.

Have you ever heard from a former student years after that student left your school? Sometimes, out of the blue, a student will contact someone from his or her school just to say thank you for being there.

This happened to me recently. I was very surprised to hear from this student, and his message to me was very touching. When you continue to support students, give them the benefit of the doubt, and trust that they will find their way in this world, they may surprise you someday and let you know that you helped them to get through a stressful time.

As you reflect on the past year and give thanks for so many things, know that there are students out there who thank you for your support. Even when a student brings you to the end of your patience and understanding, know that someday they may think back to their experiences with you and be grateful that you were there to teach, support, counsel, encourage and love them.

In this season of giving, remember that you give to your students each and every day. Never forget that you may be the most influential adult in a student’s life.

Thank you for your work. Thank you for looking at each of your students as individuals with great potential to become happy, healthy adults. It is what you are there for and believe me, it doesn’t go unnoticed.

I am so very proud to represent 12,000 amazing professionals in Vermont, and that means you!

Happy Holidays to each of you and may the New Year bring health and happiness your way!
6 Creative Ways to Use Your Interactive Whiteboard

Reprinted from NEA Member Benefits

After years of interactive whiteboards being touted as the next best thing for engaging students, the unfortunate reality is that while they have become common in many schools, they are often used as glorified projector screens. Interaction may take place with the board, but more often than not it’s being directed by the teacher and students merely consume the interaction in a passive way.

It doesn’t have to be this way!

I use interactive whiteboards (IWB) in my classrooms regularly and conduct best-practice training sessions for my district’s staff. Based on my experiences, I’ve put together a few tips, techniques, and tricks you can use to start making more effective use of your interactive whiteboard and get your students actively using it as a part of their daily educational experience.

1. Group note-taking

Use the board as you would your plain old regular whiteboard, but with one difference. SAVE the notes! Most IWB vendors include software that serves as a blank canvas for creating presentations and taking notes. Encourage your students to come up and jot down a few discoveries they made during independent work time or notes that might help the rest of the class on a particular topic or project. Save the notes at the end of the class—you now have a digital record of the day’s learning! Print out the notes or publish them as a PDF to your website for later student consumption.

2. Online interactivity

- **Starfall.com** - A great place for emergent readers to explore letters and words and play with them. Interactive multimedia books, complete with narration, make this website a great fit for IWBs.

- **National Library of Virtual Manipulatives** - A wide range of virtual manipulatives that work with almost all IWBs. Interactive digital tools for exploring data, algebra, geometry, and more can be found here ready to be “played” on your IWB.

- **Interactive Whiteboard Resources from Topmarks** - A useful UK-based website that includes an index of dozens of websites, online activities, and web-based resources that play nicely with many IWBs.

3. Check your vendor’s lesson sharing community

Most of the IWB vendors now have interactive resource and lesson sharing communities to help teachers find new ways to use their boards. Many of these lessons are already tied to teaching standards and often include many engaging activities, interactive assessments, and tutorials for building your own interactive lessons. All of the sites listed below not only have great resources for your particular software and vendor, but they also have forums, blogs, and other community features that allow you to connect with other educators using the same products as you.

- **Promethean Planet** - Download interactive “flipcharts,” search through interactive web links and find images, sounds and movie resources in downloadable resource packs for Promethean ActivInspire software.

- **SMART Exchange** - Download SMART “notebooks,” connect with other teachers and find lessons tied to your standards. You can also create notebooks online using the SMART Express site and then save them directly to your computer.

- **WizTeach Share** - A fledgling teacher community for those using the interactive WizTeach software. Download lessons, contribute lessons you’ve made yourself or visit the forum to discuss with other teachers.

4. Give students control via center time

Once you feel comfortable navigating the tools and the new learning opportunities your IWB has to offer, turn it over to your students. Pull up one of the lessons you’ve downloaded from your vendor’s lesson plan sharing community and let your students work in small groups with the IWB. Your IWB can be a math, science, or language arts center instantly by adding it to the rotation of learning centers in your classroom. If you use an interactive lesson that you’ve already used in class, it can serve as a practice or reinforcement tool. Often students love to repeat interactive lessons when they’re the ones doing the “driving.”

5. Student created interactivity

It’s my experience that almost everyone loves games. Mix some gaming elements with study materials and you can begin to encourage students to create their own interactive learning resources. I’ve seen students create fully functioning interactive mazes, matching games and other games using our IWBs at school. By manipulating the learning material and exploring how to integrate it within a game or simulation, the students are exposed to the content in new ways over an extended period of time. Allow students to use your tools to see what they can create, but give them some guidelines. For example:

- The activity must include text and image, and may include video (most IWB software allows for video embedding)

- The activity must be able to be completed in one class period

- The activity must cover all important learning objectives and/or vocabulary for an unit

6. Capture lessons using screen recording tools

Being able to make a lesson more interactive through your IWB’s tools is a huge boon to engagement in your classroom, but being able to capture the learning experience to share with students is even better. Many of the IWB software tools include a screen recording tool, complete with audio capture via the computer’s microphone, but there are also tons of free screen recording tools available on the web.

DON’T JUST TAKE MY WORD FOR IT

NEA member Josh Smearer, 6th grade social studies and science teacher in Mattawan, Michigan is new to interactive whiteboards, but has already discovered the key to making them work with his students:

“We put our notes, games, reading and pretty much anything possible on the board so we can write on it and manipulate it to fit what we are doing. Also, the students are much more willing to get involved in what we are doing. Many of the students who would normally just sit and listen will be willing to get involved to be able to come up and use the board. If you just turn the board on it doesn’t do anything to involve them.”

Just having the students come up and take control is a big achievement—a great first step that can lead to more advanced uses of interactive whiteboards.

**Ben Rimes is an NEA member, K-12 Technology Coordinator for the Mattawan Consolidated School District in Mattawan, MI**
Boards Can’t Unilaterally Privatize Bargaining Unit Work

By failing to negotiate with the Arlington Staff Association before deciding to lay off the unionized food service workers, the board committed an unfair labor practice. “We view the actions of the school board in this matter as detrimental to good faith labor relations and precluding meaningful negotiations,” the board wrote. “When this case is reduced to its essence, the school board did not meet its burden to negotiate in a timely manner.” The message to school boards wishing to go down the privatizing route is clear: you can’t just decide to lay off bargaining unit employees and replace them with a contractor without first bargaining with the local association.

“I am pleased the labor board recognizes the importance of collective bargaining,” said Rebecca McBroom, Vermont-NEA’s labor attorney. “When something as fundamental as people’s jobs and livelihoods are at stake, this ruling makes it clear that employers can’t just take unilateral action.” McBroom said the ruling confirms the sanctity of the bargaining unit.

Burlington EA Settles Contract, Averts Strike

More than 15 months of frustration – including an imposition, a strike build-up and stalled negotiations – came to an end for the Burlington Education Association when it reached a contract settlement with the city’s school board on the eve of a planned walkout.

“I am pleased to tell Burlington students, parents and residents that school will begin on time tomorrow morning,” Fran Brock, a Burlington High School history teacher who serves as the president of the BEA, said at the time. “I know this has been a hard road, but we’re pleased to have reached an agreement with the school board.”

The settlement was an improvement over the terms imposed by the school board, and came about because the BEA’s 400 members came together in almost unprecedented ways. Several informational pickets drew hundreds of members; members and parents packed school board meetings; and members showed up in force for a strike authorization meeting.

“What was so impressive to me is watching my fellow members stand up for what is right, and, in doing so, demonstrating their commitment to their profession, their peers, and, most importantly, their students,” Vermont-NEA President Martha Allen said. “I am so proud of the BEA.”

The local had hoped that the school board would come to a quick agreement 16 months ago on what should have simply been a one-year rollover of their expiring three-year contract. Instead, impasse was declared, fact-finding occurred, mediation failed, and, as soon as they were able to, the board’s members voted almost unanimously to impose employment policies. They became only the 21st board to do so in Vermont’s nearly five decades of collective bargaining for teachers.

The association’s members responded shortly after by voting to authorize a strike if a scheduled bargaining session with a former federal mediator failed to achieve a settlement.

“Teachers take this action with thoughtfulness and sadness. We are acutely aware that a strike is disruptive for students, families, and for the community,” Brock said then. “But we can no longer stand by and allow the School Board to continue to demean us, to disrespect us, to devalue us and the teaching profession.”

“While the School Board chose to impose working conditions in September, they exercised a level of autocratic power that was unnecessary and dangerous. An important principle is at stake: we cannot stand by and allow the Board to set a precedent that could adversely affect future negotiations in Burlington and throughout the state.”

The buildup to what eventually became a settlement energized members in all of the city’s schools. Parents and other community supporters did their part, too: whether it was friendly posts on social media, talking to peers, working on lit drops (15,000 flyers were handed out) or even manning a table at City Hall Park during farmers’ market.

But the contract settlement, according to Brock, is not the end of a process, but the beginning. She said the union’s members are eager to stay organized, stay engaged, and be the biggest, loudest voices for Burlington’s children the city has ever seen.

And, like every single local in the state, the BEA is gearing up for another round of negotiations.
from p. 1

6. Do peg the employer dollar contribution levels to the Gold CDHP plan price, not the plan itself; never to the VEHI Platinum plan, and never greater than 80% of the premium cost. Remember, all four VEHI plans must be offered.

7. Do consider having different premium contribution sharing levels for the employee, a two-person plan, and a family plan. For example: The employer will contribute dollars equal to 80% of the premium cost for the employee only, 75% for a two-person plan and 70% toward a family plan.

8. Do consider limiting the employer’s exposure to future premium rate increases. For example, any future increase in premiums beyond 3% will be borne equally by the employer and the employee.

9. Do recognize that more generous premium sharing may be appropriate for support staff given their lower income levels.

10. Do insist that the employee pay the administrative costs for an HRA or HSA spending account, if negotiated. If administratively too complex, consider having employees pay an additional 1% of premium as an offset.

11. Don’t succumb to efforts by the union to use guilt in order to preserve the status quo. As a voting member of the VEHI Board of Directors, Vermont-NEA played an integral role in designing these plans, and it voted in favor of these new health plan offerings.

(Editor's note: Number 11 is factually incorrect. The current slate of plans was developed and passed over the OBJECTIONS of Vermont-NEA's two VEHI board members.)

In reaction to school board representatives voting in October, at the annual meeting of VEHI, to reduce Vermont-NEA's number of representatives on the VEHI Board, thousands of public school employees have demanded a fundamental change to how the board is structured and decisions made.

After the October action, the VEHI board will consist of 4 school board representatives and just 1 union representative, even though the trust’s 42,000 covered lives are overwhelmingly unionized school employees and their dependents.

In a petition, the signatories ask the VEHI Board to give employees and their families an equal voice, or, at the least, institute consensus decision-making. It reads in part:

“We are among the more than 14,000 public school employees currently obtaining health insurance and related benefits, by agreement with our school board, through VEHI. As such, we must respond to developments that have changed VEHI from a successful partnership of school employers and school employees into an employer-dominated enterprise.”

The petition also asks Vermont-NEA to explore alternatives to VEHI if the board refuses to seriously consider or, ultimately, to make the changes the signatories are seeking:

“We call upon Vermont-NEA, if VEHI is not responsive to this request, or its efforts to achieve them fail, to explore alternative ways obtaining health coverage for its active members, retired teachers, and their families,” the petition says.

The petition was to be presented to the VEHI board at its December 15 meeting.
Fannon Tapped to Be Union’s Next Executive Director

Jeff Fannon, the long-time chief lawyer for Vermont-NEA, will become the union’s new executive director on Jan. 1, replacing the retiring Joel Cook.

The union’s board of directors unanimously chose Fannon after a national search. “On behalf of the entire board, I am pleased that Jeff will continue his career-long dedication to working families and his deep commitment to Vermont’s educators and students,” said Martha Allen, a K-12 librarian from Canaan who serves as Vermont-NEA president. “We look forward to Jeff’s enthusiasm for unions as he works with the board, staff, and, most importantly, the members to making Vermont-NEA the strongest advocate for students it can be.”

Fannon takes over the reins from Cook, who will retire after a 24-year career with the union.

“For the past 15 years, I have been honored to work on behalf of Vermont’s educators, helping them protect their rights, influence their profession, and securing great working conditions so that Vermont’s students can thrive,” Fannon said. “I am excited to lead a dedicated staff of people whose commitment to our members is second-to-none.”

Fannon became the union’s general counsel in 2001, after two years as a lawyer in what was then known as the Vermont Department of Banking, Insurance, Securities and Health Care Administration. Before that, he was a labor attorney at Mooney, Green, Baker, Gibson & Saindon PC, a private practice law firm in Washington, DC. Prior to that, he was an attorney for the Seafarers International Union in Maryland. He is a 1994 graduate of the Georgetown University Law Center in Washington, and he holds a bachelor’s degree from the University of Vermont. He lives in Adamant with his wife, Sharon Winn, and their children, Jack and Iline.

Cook Roasted by Friends, Family at Farewell Fete

Retiring Vermont-NEA Executive Director Joel Cook took hours of ribbing from friends and colleagues during a farewell party attended by more than 125 people.

The November 4 event at the Capitol Plaza Hotel in Montpelier drew current and former staffers; many board members; members; politicians; and many others from Joel’s nearly quarter century of advocacy on behalf of Vermont’s educators, students and schools.

Of course, his reward was a night filled with barbs: about his perfect hair, his perfect teeth, his natty dressing. Longtime friends made a running joke of his proclivity to site Seinfeld episodes, and his, shall we say quirky winks, sighs and obvious signs of what he thinks on any given matter.

Cook, at the end of the evening, managed to thank everyone, despite the roasting.

“I really will miss being surrounded every day with the most devoted cast of characters I know,” he said. “It’s hard for those outside what we call ‘organized labor’ truly to get in their gut what our work means to us and to our members: A constant struggle on behalf of working people seeking to obtain and retain security, dignity, and simple respect so they can focus on what they do for others every day.”

We’ll miss you Joel! Enjoy your well-deserved retirement with your family. And to your family, the Vermont-NEA family says: good luck!
Every year, we ask you to apply for $500 mini-grants for cool projects you design for your students. This year’s awardees were notified a few weeks ago, and their projects promise to engage students in the months to come. Without further ado, here are this fall’s mini-grant winners:


- Elizabeth Evens, Burlington High School, Burlington EA – Yogic Interventions for Trauma; Martha Santa Maria, Middlebury Elementary/Middle School, Middlebury EA – Lego for Language and Equity; Sara Taylor, Union Street School, Springfield TA – Union Street School Composting; Kyri Cimonne, West Rutland School, Rutland Central EA – Igniting Your Future; Krista Battles and her 7th Grade science enrichment students, Barre Town Elementary Middle School, Barre Town EA – BTMES Energy Efficiency Project; Jodi Sanders, Hardwick Elementary School, Hardwick Elementary EA – River of Light; Myriah Cogswell, Robinson Elementary School, Addison Northeast EA – Outdoor Learning; Nichole Vielleux, Dothan Brook School, Hartford EA – Third Grade Goes to Town.

- Monica Lubic, Michelle Filardi, Shannon Spellman, Charlotte Central School, Chittenden South EA – Units of Study in Reading; Tricia Pfeiffer, Dothan Brook School, Hartford EA – Third Grade Goes to Town; and Kathy Bulley, Dean Melen, SB Chamberlin School, South Burlington EA – Mentors and Young Leaders: Building Sparks!

- “I am amazed every year by our members’ creativity when it comes to making learning fun and engaging,” said Vermont-NEA President Martha Allen. “The ideas our members have are limitless, and the real winners are Vermont’s students.”

**Your Union**

**Push for Family, Medical Leave Insurance Underway**

A coalition of statewide organizations – including Vermont-NEA – launched a campaign for a statewide family and medical leave insurance program.

The push is for an insurance program to which working Vermonters would contribute and benefit from. This program would allow Vermonters to have access to paid, job-protected leave to bond with or care for a new child, recover from a serious long-term illness or injury, or care for a family member with a serious long-term illness or injury.

“Paid family and medical leave is a step toward pay equity, and central to that is the powerful support it brings to families – mothers, fathers, grandparents, children, and everyone who needs to balance caring for themselves and their loved ones with making a living,” said Cary Brown, Executive Director of the Vermont Commission on Women.

Former Gov. Madeleine Kunin was also on hand, saying, “Unpaid leave either means you go right back to work because you can’t miss a paycheck... or you don’t go back to work, and you are poor as a result. We’re not going to listen to those who say it can’t be done.”

Vermont-NEA believes that this is just one program that can make the state better for working families. “This is about expanding our economy and making Vermont an attractive place for businesses and families,” said Vermont-NEA President Martha Allen.
Vermont-NEA Scholars Bowl Kicks Season Into Gear

From the obscure to the sublime to the simple and impossible, questions raged recently throughout Montpelier High School during a regional tournament of the Vermont-NEA Scholars Bowl.

The high school students from all over Vermont, New Hampshire and New York compete in a year-round series of tournaments designed to test knowledge, speed, and attention to detail. Sponsored for many years by your union, the Vermont-NEA Scholars Bowl remains the only statewide student quiz competition.

During this recent regional tournament, scholars bowlers tackled a dizzying array of topics. Answers to questions ranged from Queen Elizabeth I to the atomic number of chromium to Newton Minnow to the square root of 2. Oh, and Caligula even made an appearance.

"I kept thinking as I watched these incredible students, ‘how do you know this stuff?’" said Vermont-NEA President Martha Allen. "I am very proud of them, and it’s great to see an interscholastic competition focused on academic prowess."

Happy Holidays!

We hope winter break gives you a chance to rest, recharge, reconnect and enjoy time with friends and family. As a reminder, the Vermont-NEA offices will close on December 23 and reopen on January 3.

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Montpelier EA’s Jerry Tillotson gets ready for Vermont-NEA Scholars Bowl Tournament.