

1 H.850

2 Introduced by Representatives Juskiewicz of Cambridge, Batchelor of Derby,
3 Branagan of Georgia, Cupoli of Rutland City, Dickinson of St.
4 Albans Town, Fagan of Rutland City, Gage of Rutland City,
5 Goodwin of Weston, Hebert of Vernon, Hubert of Milton,
6 Larocque of Barnet, Lawrence of Lyndon, Lewis of Berlin,
7 Mitchell of Fairfax, Myers of Essex, Shaw of Pittsford,
8 Terenzini of Rutland Town, Van Wyck of Ferrisburgh, and
9 Wright of Burlington

10 Referred to Committee on

11 Date:

12 Subject: Education; teachers; reduction in force; collective bargaining

13 Statement of purpose of bill as introduced: This bill proposes to prohibit
14 school boards and teachers from negotiating the criteria for implementing a
15 reduction in force (RIF). Rather, the bill would require a board to consider
16 four specific factors when making RIF determinations: the teacher's area of
17 competence, the teacher's major and minor fields of study, the teacher's length
18 of service in the district, and the grades or subjects the teacher has taught or is
19 teaching.

20 An act relating to reduction in force determinations in schools

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. 16 V.S.A. § 2004 is amended to read:

3 § 2004. AGENDA; ISSUES SUBJECT TO NEGOTIATION

4 (a) The school board, through its negotiations council, shall, upon request,
5 negotiate with representatives of the teachers' or administrators' organization
6 negotiations council on matters of salary, related economic conditions of
7 employment, the manner in which it will enforce an employee's obligation to
8 pay the agency service fee, procedures for processing complaints and
9 grievances relating to employment, and any mutually agreed upon matters not
10 in conflict with the statutes and laws of the State of Vermont.

11 (b) The criteria for implementing a reduction in force (RIF) shall not be the
12 subject of negotiation. When determining which teacher or teachers shall be
13 subject to a RIF, a school board shall consider each of the following four
14 factors: the teacher's area of competence, the teacher's major and minor fields
15 of study, the teacher's length of service in the district, and the grades or
16 subjects the teacher has taught or is teaching. Length of service shall be the
17 determining factor only when all four considerations are substantially equal.
18 If there is disagreement among board members about the relative qualifications
19 of teachers, then the superintendent's determination shall govern the board's
20 decision. Determinations regarding RIF under this section shall not be subject
21 to the grievance process.

1 Sec. 2. EFFECTIVE DATE

2 This act shall take effect on July 1, 2014; provided, however, it shall apply
3 only to contracts negotiated on or after that date for fiscal year 2017 (academic
4 year 2016–2017) and after.