

2024 Legislative Session Recap

As always, issues affecting you, your colleagues, your families, your schools, and your students occupied a lot of time under the Golden Dome this year. We highlight the key bills that matter most to educators, unions, and children.

Secretary of Education Confirmation Vote – We want to start by saying thank you. You and your fellow members did an amazing job making your voice heard. Make no mistake, you made history. The Senate’s 19-9 vote to not confirm Governor Scott’s nominee for Secretary of Education is something that, as best we can tell, has never been done before. Unfortunately, the Governor in an insulting disregard for Vermont’s constitution and the Senate itself, immediately appointed his nominee the “interim” Secretary. While we don’t know how this will play out going forward, what we do know is that several Senators are exploring legal options to ensure that the impacts on Gov. Scott’s decision don’t erode key pillars of our state’s democracy.

Education Spending/Yield Bill (H.887) – As is often the case this year’s public education spending bill features dynamic policy and fiscal provisions that caused it to be one of the last pieces of legislation to pass before adjournment. The House normally completes their work on this bill by the middle of March soon after school budgets are initially voted on, but this year didn’t send the bill to the Senate until the last week in April. This left the Senate with little time to spend on the bill. The dynamics of this conversation were deeply influenced by local budgets votes, and revotes, H.850 that passed in February, and overall conversations about the “cost-drivers” in public education. We worked in collaboration with the school management associations to fight back some bad proposals that would have changed our funding system prematurely and other notions that would have placed caps on local education spending. In the end, as passed by the House and the Senate, the education spending bill does several things beyond setting the tax rate increases at 13.8% for both residential and non-residential rates (down from a projected 20% in December): the measure introduces new revenue; invests one-time funds; updates income sensitivity; reduces the excess spending threshold; and establishes a commission on education funding.

Boards of Cooperative Education Services (BOCES) and Community Schools (H.630) – H.630 moved through the House easily and survived intact in the Senate. This legislation will allow up to seven BOCES to be formed across the state and ensures that both licensed and unlicensed employees of any new BOCES are covered by the same labor and pension statutes governing all other public-school employees. Additionally, the extension of the Community School pilot program and \$1 million to fund it were added to this bill. Vermont-NEA was the leading advocate of Act 67 of 2021, creating the community schools pilot program. Legislators continue to be very invested in the community school model.

Literacy education for elementary age students (S.204) – S.204 emerged from the Senate with many significant concerning provisions that were not only insulting to our members but also crossed a red line of legislating curriculum and even prohibiting a specific instructional practice. Working closely with the Chair of the Literacy Council, the House Education Committee rewrote the bill, erasing most of the concerning provisions the Senate included. This also meant tracking those provisions already required under the special education law known as Act 173. The House

Education Committee, after hard work from active Vermont-NEA members Rep. Erin Brady and Rep. Kate McCann, the bill went to conference committee and ultimately emerged late on the last day of the session. As passed, the bill has no prohibition on any instructional practice and removed significant and complicated PD requirements. With its passage we expect the issue will not be taken up any time in the near future.

Prescription Drug Affordability Board (S.98) and RBP (H.883) – S.98 passed the Senate and House with extraordinarily strong tri-partisan support. This effort has been six years in the making and Vermont-NEA lead the charge, with little involvement from other advocates. As passed the bill creates two new permanent positions at the Green Mountain Care Board to beginning the process of planning for and regulating Big Pharma. Since the GMCB is already a regulatory body the bill doesn't initially give them any new authority but does ask them to come back in January, after hiring their new staff, if they believe they need additional authority to begin taking on this task. This is a policy that will impact all Vermonter, because prescription drug costs are the second leading cost driver not just for VEHI but for all health plans in Vermont. Additionally, we worked closely with VSEA, to insert in the State Budget (H.883) language for a study and \$15,000 to hire RAND Corporation to analyze Reference Based Pricing (RBP) for our two health care pools. Based upon initial estimates this \$15,000 analysis could show savings across both pools of \$50million annually.

School Construction (H.871) – H.871 passed both the House and Senate with little change. The bill helps set up a process that allows districts to plan for a time -- hopefully soon – when the moratorium on state aid for school construction is no longer in place. The bill creates a new task force that is charged with setting up a process to tackle the more than \$6 billion worth of repairs and construction that have been neglected for years. The task force's recommendations will be considered by legislature next year.

Private Schools – While policy changes were not made this session, the efforts of public-school allies in the House and the Senate to educate, agitate and organize around the issue were felt. House and Senate allies used several opportunities through various committee and floor amendments to the education funding bill (H.887) to raise the issue of public dollars going to schools that discriminate, that are not following the same standards as public schools and have no accountability and transparency. While they weren't ultimately successful, the work to ground lawmakers on the concept of public money going solely to public schools is catching on and will have an impact going forward.

Tech in Schools (S.284) and Keeping Kids Safe (S.289/H.121) – This session Vermont-NEA testified in support of a statewide policy on prohibiting cell phones in schools during instructional hours and a bill to take on big tech to make the internet safe for kids and youth. S.284, the cell phone bill, passed the Senate but ran out of time in the House before adjournment. The House Education Committee is committed to taking it up in January. S.289, the Kids Safe Code bill, passed the Senate and the House. However, it got caught up in another broader data-privacy bill. As a reminder S.289 would take on big tech and help protect the data of kids and youth while also working to remove the addictive constructs baked into various social media platforms. A compromise

emerged on the last day of the legislative session that kept the language of S.289 but put in the larger data-privacy bill H.121. The data-privacy bill has a provision in it related to something called a “private right of action” for individuals that is raising concerns for businesses and the Governor. It is possible he may veto the bill. We are working with the Kids Safe Code Coalition to help get this across the finish line in a veto session if necessary.

School Libraries (S.220) – As the legislative session began the Vermont School Librarians Association (VSLA) reached out about their work to get a bill introduced in the House to ensure public schools have a clear policy for the procurement and review of library materials. We were happy to work with them, support their efforts and provide consultation. It was clear by the end of February the bill that they had worked to get introduced in the House was not going to move on its own; however, there was a bill, S.220, related to municipal libraries that was moving in the Senate. We agreed that we would try to get their language added to S.220 in the House. However, after a conversation with Vermont-NEA, Sen. Martine Gulick agreed to move an amendment on the floor to add the totality of the VSLA language into S.220. It was supported by Senate Education and passed on the floor of the Senate. S.220 moved easily through the House, with the public-school language attached. The VSLA leaders had several opportunities to testify while we connected with legislators inside the State House. S.220 passed the House and should be on to the Governor soon.

Tax the Rich (H.828) – The House, under the leadership of Ways and Means Chair Emilie Kornheiser, passed H.828 a bill that would have invested over \$100 million in housing for middle- and working-class Vermonters by taxing the richest 1% of Vermont families. Unfortunately, it was unable to move forward in the Senate where it got caught up in broader politics related to housing and Act 250 reforms. Furthermore, a provision of H.827, which would establish a wealth tax on folks with assets over \$10million, ended up in a study. That said, the Fund Vermont’s Future Coalition, of which Vermont-NEA is a leader, continues and is working closely with legislative allies to plan for the next session.

Pensions (H.839/H.883) – As a reminder H.839, the FY24 Budget Adjustment Act, included the language to fix the COLA issue and utilized the \$9.1 million plus another \$200,000 to fully fund it. This became law on March 13th. Furthermore, the State budget passed by the House and the Senate, and recently signed by the Governor (H.883) has full funding for the VSTRS ADEC and ADEC+ payment of \$12 million, that was part of the 2022 pension deal. It was gratifying to see lawmakers continue their commitment in ensuring our public pensions are strong and able to provide retirement security for decades to come.

Workers’ Rights – Vermont PROAct and Proposal 3 – In coalition with other labor unions and Working Vermont, Vermont-NEA advocated for the successful passage of two pro-union efforts. S.102, also known as the Vermont PROAct, allows card check for union elections, makes captive audience meetings illegal, and expands collective bargaining rights to domestic workers. S.102 became law without the governor’s signature recently. Additionally, Proposal 3, an amendment to the Vermont State Constitution that would enshrine the right to collectively bargain, passed unanimously in the Senate and nearly unanimously in the House. As is the case with all potential

amendments to the state constitution, it will now have to pass both the House and the Senate again next biennium. If it passes, then it will be on the ballot for Vermonters to vote on in the November 2026 general election.