

General Negotiation Terminology

ADM (Average Daily Membership) - Total number of pupils enrolled in a school district during a reporting period, divided by the number of school days.

Arbitration - Method of settling employment disputes and grievances, through recourse to an impartial third party, whose decision may be final (binding) or may be a recommendation (advisory).

BEST (Building Effective Support for Teaching) - Regional and state program designed to deliver professional development and related services to assist schools in dealing with students with emotional and behavioral disabilities.

Co-curricular - School-sponsored activities programs or clubs for students in addition to required subjects, such as drama, athletics, debate club, etc.

Collective Bargaining - Process used by a group of employees and their employers to make offers and counteroffers for the purpose of reaching a mutually acceptable agreement and a written contract incorporating that agreement.

Commission on Public School Employee Health Benefits - Created in 16 V.S.A. Sections 2101-2108, the Commission negotiates healthcare benefits for all school district employees statewide. The Commission is composed of 5 Employee Commissioners and 5 Employer Commissioners. The latter are appointed by the VSBA. For more information, visit their website at <https://www.vthealthbargaining.org/>.

Data Disaggregation - System of comparing the performance of sub-groups of students categorized by poverty, limited English proficiency, ethnicity, and special education.

Due Process - Principle of law guaranteeing a meaningful opportunity to protest and be heard prior to legal action. In special education, this assures parents of disabled children a hearing before placement or reassignment outlined by the Individualized Education Plan (IEP). Substantive due process guarantees certain rights and privileges that a government cannot take away from its citizens.

Employer Commissioners - Five representatives of school employers who have an understanding of health care and employer-employee relations are appointed by VSBA to serve on the Commission on Public School Employee Health Benefits.

Equalized Pupil - Weighted formula that recognizes that some students cost more than others to educate. A new study of pupil weighting factors was conducted in 2019 and has been under review by a legislative task force. At press time, implementation of the new factors is unresolved.

ESS (Educational System of Support) - Defined by Act 157 and stipulated in Sec. 9. 16 V.S.A. § 2902, each public school shall develop and maintain an educational support system for children who require additional assistance that, at a minimum, includes an educational support team (EST) and a range of support and remedial services, including instructional and behavioral interventions and accommodations.

EST (Educational Support Team) - Staff from a variety of teaching and student support services that advise and implement the Educational System of Support (ESS).

Fact Finding - Step usually following unsuccessful mediation in trying to resolve impasse in collective bargaining; the fact finder holds informal hearings with the parties in dispute, collects their records and information, and makes written reports with advisory recommendations not binding on either party.

FAPE (Free and Appropriate Public Education) - Special education requirement outlined in federal IDEA (Individuals with Disabilities Education Act) legislation.

FTE (Full-time Equivalency) - Unit used to count the personnel assigned to a school or other administrative unit, consisting either of a full-time employee or two or more part-time employees together working a number of hours equivalent to one full-time employee.

Governance - In the context of the relationship between school district voters, school boards, school administrators, and the legislative and executive branches of state government, governance is the assignment of roles and responsibilities to each of those entities, and the organizational structures created to allow each entity to carry out its responsibilities.

Grievance - A complaint by an employee that a provision of the collective bargaining agreement has been violated.

Internal controls - A system of checks and balances implemented to discover and correct errors in a timely fashion and to prevent improprieties.

IPDP (Individual Professional Development Plan) - A teacher's professional development plan created for and reviewed by each school's Local Standards Board. The plan must address specific school and community criteria and be implemented before each teacher is relicensed every 7 years.

IDEA (Individuals with Disabilities Education Act) - Current name for the federal special education legislation (the original 1976 law was called Public Law 94-142) that affirms the right of all individuals with disabilities to be provided with a free and appropriate public education in the least restrictive environment.

IEP (Individual Education Program) - Component of IDEA that requires a written plan of instruction for each child receiving special services, giving a statement of the child's present levels of educational performance, annual goals, short term objectives, specific services needed by the child, dates when these services will begin and be in effect, and related information. The plan is developed by a team, which includes the parents, educators, and administrators.

In-Service Education - General term used to describe the program to deliver professional development to employees while on the job.

Job Description - Written statement of the various responsibilities, duties, and other essential factors concerned in a job; usually based on a job analysis including employee requirements and training in order to qualify for the job.

License - Every teacher and administrator must be licensed or licensable before a school board can offer them a contract. A superintendent can lose their license for failure to comply.

LEA (Local Education Agency) - An entity that receives and distributes funds and is responsible for education accountability. Depending on the program or funding source, the LEA could be either the local school district or the supervisory union.

Multi-Year Plan - Individual plan for students with learning disabilities that lead to completion of basic graduation requirements.

MTSS (Multi-Tiered System of Support) - A comprehensive, evidence-based, and systemic framework for teaching and learning that unifies general and special education in an intentional, ongoing collaboration.

Multiple Intelligences - Learning style research that many schools are using to develop curricula, behavior management systems and teacher instruction, that is based on the premise that students learn in a variety of ways.

Long Term Membership - The mean average of the district's average daily membership, excluding full-time equivalent enrollment of state-placed students, plus full-time equivalent enrollment of state-placed students for the two-year period. Reduces spikes in enrollment trends.

Mainstreaming - Integrating students with special needs in regular classrooms.

Mediation - First step in trying to resolve impasse in collective bargaining; a mediator is a neutral third party who communicates with employee union and employer to attempt to reach an agreeable settlement. A mediator is not empowered to force a settlement.

Paraprofessional - Non-certified individual who assists teachers in the classroom; also known as teacher's aide or classroom aide.

PBIS (Positive Behavior Intervention Supports) - A proactive approach to establishing the behavioral supports and social culture needed for all students in a school to achieve social emotional and academic success.

Portfolio Assessment - Assessment system that chronicles students' best pieces of schoolwork to demonstrate learning mastery.

PreKindergarten - Act 166, passed by the Vermont legislature in 2014, entitles all three-, four-, and five- year-olds not enrolled in kindergarten to ten hours per week of publicly funded prekindergarten education (PreK) for the thirty-five week school year.

Regressive Bargaining - making proposals that are, as a whole, less generous to the other party than prior offers

Residential Placement - Placement which allows for the provision of needed educational services as well as living arrangements; in special education, a residential placement is considered one of the most restrictive placements but in some cases is deemed a necessity.

S.A.T. (Scholastic Achievement Test) - Instrument used to measure ability, administered by the College Entrance Examination Board to students in grades 11 or 12; used as a criterion for college and university admission.

SBAC (Smarter Balance Assessment Consortium) - Online testing in English and Math for grades 3-8 and 11th grade. These assessments replaced the NECAPs in 2015.

School Reports - School districts must report on student performance as a requirement under Act 60. The frequency and general content are specified by law; the format and specific information are local decisions.

SPED (Special Education) - Provision of facilities, instruction, supervision and other educational services, to ensure a free appropriate public education for children with disabilities.

Standardized Test - Evaluation instrument given under similar, controlled circumstances to students from many schools and states.

Supervisory Union - In Vermont, the combination of several school districts into an administrative unit; the public schools in each supervisory union are under the general supervision of a superintendent of schools selected by members of the school boards in each district.

Technical Assistance - When the Secretary of Education determines that a school is not meeting quality standards or that the school is making insufficient progress in improving student performance, the Agency is required to provide technical assistance.

Unified Union District - A union school district that provides for the education of PreK-12 students by either operating a school(s) for all grades, operating a school for one or more grades and paying tuition for other grades, or paying tuition for all grades.

Union School - School operated jointly by two or more school districts; a union school district has "all the rights and responsibilities which a town district has in providing education for its youth."

Vermont Early Learning Standards (VELS) - Inform families and early educators about the development and capabilities of children from birth through grade 3 and guide educators in the development and selection of program-wide curriculum and educational strategies for children from birth through grade 3. These standards are central to the shared vision of what we want for young children in Vermont and highlight the importance of high quality early childhood experiences as the foundation for school success and lifelong learning. **Vermont Education Statutes Annotated** - Annually updated compilation of education laws from the Vermont Legislature that refer to school operation published by the VSBA and offered to interested parties for purchase. The volume is colloquially referred to as "the green book."

WIB (Workforce Investment Board) - Created by the Vermont Human Resource Investment Council to bring all education and training providers and resources together to network and deliver services more effectively.

Worker's Compensation - Payments made to an employee by the employer for an injury, not necessarily arising out of the duties related to employment but occurring during working hours.

Education Grant - State funds received by each school district to support basic education costs allocated on the basis of equalized pupils.

Education Spending - The amount of the school district budget, including any assessment for a union school, or joint contract school, or technical center payments, made on behalf of the district, and any amount added to pay a deficit.

Encumbrance - Accounting device which marks certain dollars as set aside for a specified purpose; entered when a purchase order or requisition is made.

Ending Balance - Dollars remaining available to the district after all expenditures are made during a fiscal year.

Equalized Grand List - "Fair market value of taxable property" as determined by the Vermont Department of Taxes.

Expenditure - The budget's most detailed sections set forth the district's planned expenditures for the coming fiscal year.

Financial Report - Annual document published after each fiscal year ends; it sets forth actual expenditures and revenues and is usually subject to outside audit to verify its accuracy.

FY (Fiscal Year) - The 12-month period, beginning on July 1st, used by the school district as the basic accounting period for annual budget development and implementation. The educational fiscal year is identified by the calendar year in which it ends so, for example, the 2025-2026 school year will be FY 2026.

Function - Expenditure category defining a general purpose for which district money is spent, used in organizing a standard line-item budget; examples might include "instruction," "administration," or "support services."

Fund - Accounting device used to track revenue dollars which can only be used for specified purposes and to record the expenditures which meet those restrictions.

Homestead - Act 68 term for dwelling and no more than two acres of the surrounding parcel of land that is owned or rented as a principal residence.

Homestead Tax Reduction (Act 68 feature) - Income sensitivity system of reducing property taxes for Vermont families under a specific household income and whose primary home is in Vermont.

House-site Income - Modified adjusted gross income received in a calendar year by all individuals living in the residence.

Line-Item Budget - Standard format for presenting financial plans now in use in most public school districts; provides figures on a district-wide basis, including an estimated beginning balance, expected revenue listed by source, planned expenditures listed by function and object, and resulting ending balance.

Local Share Property Tax - Tax assessed on real property used as a homestead.

Object - Expenditure category defining a type of specific thing the district will purchase; examples might include "personnel salaries" or "materials and supplies."

Program Budget - A budget format organized around expenditures on specific services (programs) provided by the school system; an alternative to the usual line-item budget statement which presents expenditures by function and object.

Proposed Budget - Budget recommended to the school board by the superintendent or business manager that's developed based on a process of administrative planning.

Revenue - Dollars the district receives from various sources; revenues plus the beginning balance comprise the money available to the district to pay for all needed expenditures.

Site-based Budget - Format presenting the expenditures to be made by individual schools; an alternative to the usual line-item budget statement which presents expenditures by function and object.

Small Schools Grant - State grant given to schools that have a two-year average combined enrollment of fewer than 100 students.

State Education Tax Rate – Beginning in FY 2017 the state education tax rates are fixed: the homestead tax rate is \$1.00 per \$10,00 of assessed property value and the income-based statewide tax rate is 2% of income. Local property taxes are calculated considering a local district’s per pupil spending, the yields announced by the legislature annually, and the local common level of appraisal.

Statewide Property Tax - Tax assessed in the fiscal year on resident, non-resident, and business property to support public education.

System of Accounts - Statement of what is included under each category in the district budget and other financial documents; in effect, a dictionary defining how the district classifies its funds, revenue source headings, function headings, and object headings. Effective in FY 2019 the system of accounts for all school districts was standardized statewide.

TCO (Total Cost of Operation) – Budgeting strategy that integrates maintenance and training/ professional development with purchasing costs of fixed assets so that school leaders can plan more effectively for long-term funding needs.

Unfair labor practices (ULPs) - actions taken by employers or unions that violate the rights of employees or employers as defined by labor laws. These practices can disrupt the balance of power between employers and employees and undermine fair treatment of workers.

Legislative Terminology

The Acts listed below are Vermont statutes. The Titles listed below are federal laws. This information may be mentioned during negotiations.

Act 11 – An act passed in 2018 created the Commission on Public School Employee Health Benefits which negotiates statewide health insurance benefits for school employees.

Act 46 – An act passed in 2015 which established a deadline of July 1, 2019 for education in Vermont to be decreased through “sustainable governance structures” that meet specific criteria. The act created incentives and disincentives to promote district governance change.

Act 60 (Equal Educational Opportunity Act) – Vermont’s education funding law of 1997.

Act 77 of 2013 - Created a Flexible Pathways Initiative within the Agency of Education to expand opportunities for secondary students to complete high school and achieve postsecondary readiness.

Act 98 of 2012 – An act relating to creating an agency and secretary of education and clarifying the purpose of the state board.

Act 166 of 2015 – Allowed for provision by a school district of 10 hours a week of Pre-K to all children in the district.

Act 173 of 2018 – Enhanced the effectiveness, availability, and equity of services provided to all students who require additional support in Vermont’s schools. New funding and reporting mechanisms to be implemented by FY 2022.

Title I - Federal funds targeted to schools based on poverty level to support continuous academic improvement, especially in special target populations such as low-income, English language learners, homeless and migrant students.

Title II (Eisenhower Professional Development Act) - Federal funds targeted to support intensive, sustained professional development to all members of the instructional staff and to improve teaching skills of teachers in math, science and all other “core subject areas.”

Title IV (Safe and Drug-Free Schools and Communities Act) - Federal funds to support programs to meet state and national goals by involving parents and coordinate related federal, state and community efforts and resource toward the prevention of violence in and around schools and by strengthening programs that prevent the illegal use of alcohol, tobacco, and other drugs.

Title VI (Innovative Education Program Strategies Act) - formerly known as Chapter 2 - Federal funds targeted for the use of technology, library and instructional resources, education reform projects, programs for gifted and talented, students school reform activities, school improvement programs for at-risk students, and to combat illiteracy.

Title IX – Federal program that requires equity of school program offerings for males and females. Each district must also identify an equity coordinator to investigate compliance concerns.