

VERMONT

OVERALL RANK: 11TH¹
TIER 2 (STRONG)

STRONGER WEAKER

| OVERALL | 11 | | | |
|-----------------------------|----|--|----|----|
| 1. RESOURCES AND MEMBERSHIP | 6 | | | |
| 2. INVOLVEMENT IN POLITICS | | | | 44 |
| 3. SCOPE OF BARGAINING | 8 | | | |
| 4. STATE POLICIES | 2 | | | |
| 5. PERCEIVED INFLUENCE | | | 22 | |

AREA 1: RESOURCES AND MEMBERSHIP TIED FOR 6TH

Vermont’s teacher unions benefit from substantial resources from their members, who in turn enjoy generous education funding. A substantial 82.4 percent of teachers in the Green Mountain State belong to unions (the 24th-highest rate of 51 jurisdictions), and the NEA and AFT state-level affiliates bring in \$672 annually per Vermont teacher (9th). Further, 33.2 percent of state expenditures go to K-12 education, the highest such proportion in the nation. Per-pupil spending (a combination of state, federal, and local funds) amounts to \$17,847 annually, the 2nd-highest nationwide (behind Wyoming). Although only 52.8 percent (38th) of those dollars go to teacher salaries and benefits, the pie itself is quite large.

AREA 2: INVOLVEMENT IN POLITICS² TIED FOR 44TH

Vermont’s teacher unions are relatively uninvolved in state politics, at least on the metrics we examined. In the past decade, their donations amounted to just 0.08 percent of all contributions to candidates for state office (49th) and accounted for only 0.72 percent of contributions to state political parties (30th). These low levels of financial involvement are particularly interesting considering that it’s possible to be a major donor in Vermont without actually giving much money (the total of all donations to candidates and parties is one of the smallest in the nation). The teacher unions’ low level of activity in this regard may indicate that they are satisfied with the status quo (see sidebar). Note, too, that just 5 percent of the state’s delegates to

the Democratic and Republican national conventions were teacher union members (47th).³

AREA 3: SCOPE OF BARGAINING 8TH

Vermont is one of thirty-two states that require collective bargaining in education, and its bargaining laws are more union-friendly than in most other states. Unions can automatically collect agency fees (a key source of their revenue) from non-members, and teacher strikes are permitted. Vermont also grants unions a broad scope of bargaining: Of twenty-one items examined in this analysis, wages, hours, and grievance procedures are mandatory subjects of bargaining; the state is silent on the remaining eighteen, implicitly permitting negotiations on all of them.

AREA 4: STATE POLICIES TIED FOR 2ND

State policies in Vermont are more closely aligned with traditional teacher union interests than in any other state save West Virginia. Vermont does not support performance pay, does not require student achievement data to be factored into teacher evaluations or tenure decisions, and does not articulate consequences for unsatisfactory evaluations. Further, teachers earn tenure after two years (the national norm is three), and districts need not consider teacher performance when making layoffs. Vermont has no charter school law.⁴

AREA 5: PERCEIVED INFLUENCE TIED FOR 22ND

Vermont's teacher unions enjoy only a fair reputation for political influence when compared with unions in other states. Survey respondents rank their influence behind that of the state school board and legislature, but agree that they are effective in warding off education proposals with which they disagree and in protecting dollars for education. They note that while policies *proposed* by the governor during the latest legislative session were only *somewhat* in line with union priorities, *enacted* policies were *mostly in line* with those priorities (especially noteworthy given their lack of involvement in state politics). But they also observe that the positions of state education leaders are only sometimes aligned to those of teacher unions, and that unions typically compromise to see some of their favored policies enacted.

OVERALL 11TH

Vermont's teacher unions benefit from permissive bargaining laws and abundant resources. With state policies that are strongly aligned with their interests, and education leaders who show no strong appetite for changing the current state of affairs (see sidebar), they are strong without having to be major donors to state politics.

IF IT AIN'T BROKE...

Not every state is pressing for drastic education reform. In fact, lawmakers in the Green Mountain State—known for its long history of local control—don't seem to be seeking much change at all. In 2010, Education Commissioner Armando Vilaseca expressed little desire to overhaul current policies to meet federal Race to the Top (RTTT) guidelines: “What we're hearing from [Secretary of Education Arne Duncan] is a pretty strong line: [no] charter schools, you lose points. You don't have a teacher evaluation system that is tied into student outcomes, you lose points.”⁵ Rather than pass a charter law or change its evaluation system, Vermont did not apply (although in a letter to Duncan, Vilaseca attributed the choice to RTTT's seeming bias against rural states, critically noting that “based on the culture and demographics of our communities, some states [like Vermont] may take a different approach to accomplishing the same goals of ensuring each student is given the education they need to thrive in the 21st century.”)⁶ That same year, lawmakers and the Vermont-NEA agreed on a pension plan that saved the state \$15 million per year—after considerable horse trading. “What we've all produced is better: teachers working a bit longer, paying a bit more, but getting more when they retire,” says Vermont-NEA president Martha Allen.⁷

Vermont's “thanks but no thanks” attitude to RTTT persisted when, in June 2012, the state board rescinded its NCLB waiver application, citing heavy constraints—especially the requirement that teacher evaluations be tied to yearly test results. “We feel it should be left up to districts as to how much they want to do that and make sure they have multiple indicators,” said Allen.⁸ John Fischer, deputy commissioner of the Vermont Department of Education, also expressed confidence in Vermont schools and the seeming irrelevance of waivers: “Generally, in Vermont, we've got great schools. We [are] looking at a continuous improvement cycle, not turning around failing schools.”⁹ While it is true that student performance rankings consistently put Vermont near the top of the country, it's also true that their students are some of the more advantaged in the land.^{10,11}

VERMONT RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 11TH

| Area and Rank ^a | General Indicator | Sub-Indicator | Sub-Indicator Rank/Status ^b |
|---|---|---|---|
| AREA 1: RESOURCES & MEMBERSHIP 6* | Membership | By rank, what percentage of public-school teachers in the state are union members? | 24th |
| | Revenue | By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/ or AFT affiliate(s)? | 9th |
| | Spending on education | By rank, what percentage of state expenditures (of state general funds, state restricted funds, state bonds, and federal "pass-through" funds) is directed to K-12 education? | 1st |
| | | By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state? | 2nd |
| | | By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits? | 38th |
| AREA 2: INVOLVEMENT IN POLITICS 44* | Contributions to candidates and political parties | By rank, what percentage of the total contributions to state candidates was donated by teacher unions? | 49th |
| | | By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions? | 30th |
| | Industry influence | By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions? | 38th |
| | Status of delegates | By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions? | 47th |
| AREA 3: SCOPE OF BARGAINING 8 | Legal scope of bargaining | What is the legal status of collective bargaining? | Mandatory |
| | | By rank, how broad is the scope of collective bargaining? | 24th* |
| | Automatic revenue streams | What is the unions' legal right to automatically collect agency fees from non-members and/or collect member dues via automatic payroll deductions? | Permitted |
| | Right to strike | What is the legal status of teacher strikes? | Permitted |
| AREA 4: STATE POLICIES 2* | Performance pay | Does the state support performance pay for teachers? | State does not support |
| | Retirement | By rank, what is the employer- versus employee-contribution rate to the teacher pension system? | 31st |
| | Evaluations | What is the maximum potential consequence for veteran teachers who receive unsatisfactory evaluation(s)? | No consequences articulated |
| | | Is classroom effectiveness included in teacher evaluations? If so, how is it weighted? | Not required |
| | Terms of employment | How long before a teacher earns tenure? | Two years |
| | | Is student/teacher performance considered in tenure decisions? If so, how is it weighted? | Not included |
| | | Is seniority considered in teacher layoff decisions? If so, how is it weighted? | Optional; Weighted at district discretion |
| | | Is teacher performance included in teacher layoff decisions? If so, how is it weighted? | Not required |
| | | By rank, what percentage of the teaching workforce was dismissed due to poor performance? | 7th |
| | Class size | Is class size restricted for grades 1-3? If so, is the restriction higher or lower than the national average (20)? | Yes; Higher |

| Area and Rank | General Indicator | Sub-Indicator | Sub-Indicator Rank/Status |
|---|--|---|---------------------------|
| AREA 4: STATE POLICIES 2* (cont.) | Charter school structural limitations ^c | Is there a cap (limit) placed on the number of charter schools that can operate in the state (or other jurisdiction) and/or on the number of students who can attend charter schools? | N/A |
| | | Does the state allow a variety of charter schools: start-ups, conversions, and virtual schools? | N/A |
| | | How many charter authorizing options exist? How active are those authorizers? | N/A |
| | Charter school exemptions ^c | Are all charter schools automatically exempt from state laws and state/district regulations (except those that safeguard students and fiscal accountability)? If not, are they eligible for exemptions? | N/A |
| | | Are all charter schools automatically exempt from state teacher-certification requirements? If not, are they eligible for exemptions? | N/A |
| | | Are all charter schools automatically exempt from collective bargaining agreements (CBAs)? If not, are they eligible for exemptions? | N/A |

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|---|---|--|-------------------------|
| AREA 5: PERCEIVED INFLUENCE^d 22 | Relative influence of teacher unions | How do you rank the influence of teacher unions on education policy compared with other influential entities? | Third-most influential |
| | Influence over campaigns | On a scale from always to never, how often do Democratic candidates need teacher-union support to get elected? | Often |
| | | On a scale from always to never, how often do Republican candidates need teacher-union support to get elected? | Rarely/Sometimes |
| | Influence over spending | To what extent, from strongly agree to strongly disagree, do you agree that even in times of cutbacks, teacher unions are effective in protecting dollars for education? | Agree |
| | | Given recent budgetary constraints, would you say that teacher unions generally make concessions to prevent reductions in pay and benefits or fight hard to prevent those reductions? | Fight |
| | Influence over policy | To what extent, from strongly agree to strongly disagree, do you agree that teacher unions ward off proposals in your state with which they disagree? | Agree |
| | | On a scale from always to never, how often do existing state education policies reflect teacher-union priorities? | Sometimes/Often |
| | | To what extent, from totally in line to not at all in line, were state education policies proposed by the governor during your state's latest legislative session in line with teacher-union priorities? | Somewhat/Mostly in line |
| | Influence over key stakeholders | To what extent, from totally in line to not at all in line, were legislative outcomes of your state's latest legislative session in line with teacher-union priorities? | Somewhat/Mostly in line |
| | | On a scale from always to never, how often have the priorities of state education leaders aligned with teacher-union positions in the past three years? | Sometimes/Often |
| | Would you say that teacher unions typically compromise with policymakers to ensure that their preferred policies are enacted, or typically need not make concessions? | Generally compromise | |

* Tied with another state

^a Area ranks are calculated using a weighted average of sub-indicators. For a more detailed description, see Appendix A.

^b Where possible, we report a state's rank as compared to other states on a given metric. For example, out of 51 states, Vermont has the 24th-highest percentage of teachers who are union members. Otherwise, we report a status: Vermont has mandatory collective bargaining, and union agency fees are permitted. For a more detailed description of our metrics and methodology, see Appendix A. To request the raw data for your state, send an email to uniondata@edexcellence.net.

^c Vermont does not have a charter school law.

^d For all survey questions, stakeholders were asked specifically about teacher unions, candidates, policies, and leaders in their state. In addition, we asked about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

ENDNOTES

¹ A state's overall rank is calculated as follows: First, we score it on multiple sub-indicators (sub-indicator data and scores for Vermont are shown in the table, *Vermont Rankings by Area and Indicator*). Second, we take a weighted average of the sub-indicators in each of five areas. In each area, we use that average to place the states in rank order. For example, in Area 1: Resources and Membership, Vermont is ranked 6th of 51 based on the weighted average of its sub-indicators. To generate the state's overall rank, we average the five area ranks together, then re-order the states. For a more detailed description of data sources and methodology, see Appendix A.

² Readers should note that these figures include only direct donations from unions and union-connected PACs, but not their spending on electioneering/advertising, mobilizing the union's own membership, lobbying, or advocacy. A recent *Wall Street Journal* report found that donations and lobbying activities account for a small share of union political spending compared with their expenditures on member mobilization and advocacy. Even the AFT agreed, making the argument that since its mission is organizing and activism, it will naturally spend significant amounts on these activities. Thus, the percentages we report here are extremely conservative representations of what unions actually spend on politics. For more information, see Appendix A, Area 2; Tom McGinty and Brody Mullins, "Political Spending by Unions Far Exceeds Direct Donations," *Wall Street Journal*, July 10, 2012; and Jeff Hauser, "Wall Street Journal Compares Union Political Spending to Corporate Donations," AFL-CIO, July 10, 2012.

³ At the time of publication, the 2000 conventions were the most recent for which such detailed data were available in forms that met rigorous standards. However, 2008 data provided by the Democratic National Convention were highly correlated with the reliable figures from 2000.

⁴ We do not include data for sub-indicators pertaining to charters when calculating the ranking of states that do not have charter school laws. While some might argue that the lack of such a law is in itself evidence for union strength, we do not have sufficient data to link that absence to union activity. The nine states without charter laws are home to very different contexts—while teacher unions in some states may have played a significant role in keeping charter laws at bay, in others, they played little or none.

⁵ John Dillon, "Education Chief Says Vermont A Longshot For Federal Grant," *VPR News*, April 19, 2010, http://www.vpr.net/news_detail/87803/education-chief-says-vermont-longshot-for-federal/.

⁶ Armando Vilaseca, "Commissioner Villaseca's Letter to Secretary Duncan," August 25, 2009, http://education.vermont.gov/new/pdfdoc/dept/recovery_act/vilaseca_duncan_letter_082809.pdf.

⁷ Stephen C. Fehr, "Unlike Some States, Vermont Works With Teachers Union To Solve Pension Problems," *NewJerseyNewsroom.com*, March 25, 2010, <http://www.newjerseynewsroom.com/nation/unlike-some-states-vermont-works-with-teachers-union-to-solve-pension-problems>.

⁸ Lisa Rathke, "Vermont Opts Out Of No Child Left Behind Waiver," *Associated Press*, June 3, 2012, http://www.boston.com/news/education/articles/2012/06/03/vermont_opts_out_of_no_child_left_behind_waiver/.

⁹ Ibid.

¹⁰ "NAEP State Comparisons," National Center for Education Statistics, accessed August 15, 2012, <http://nces.ed.gov/nationsreportcard/statecomparisons/>.

¹¹ The demographics in Vermont reveal that 95.5 percent of its population is white, with an above-average per-capita income and one of the lowest levels of inequality in the country (<http://www.census.gov/prod/2011pubs/acs-16.pdf>). This may be one of the reasons why Vermont lacks a charter law, as there is a common public sentiment that middle-class children do not need more schooling options.