

Proposed language that AOE intends to present as public comment to Rule 2200.

Section 22276 Approval-

The Board shall approve an independent school that offers elementary or secondary education if it finds, after opportunity for hearing, that the school provides a minimum course of study pursuant to 16 V.S.A. section 906 of this title and that it substantially complies with the Board's rules for approved independent schools.

In order to be approved, an independent school that operates a boarding program, enrolls students as boarding students, or operates a residential treatment program shall be accredited by a state or regional agency recognized by the State Board for accrediting purposes or shall be licensed as a residential child care facility by the Department for Children and Families. This requirement does not apply to an independent school that enrolls only day students.

The board must make the following findings prior to approval:

The board may approve an independent school if it finds that:

22276.1 The description of the school in the approval application is accurate.

22276.2 The course of study offered is adequate to meet the educational purposes of the school and to provide a minimum course of study that is age and ability appropriate.

22276.3 The school has available support services necessary to meet the requirements of a minimum course of study and its educational purposes, including but not limited to library services, administrative services, guidance and counseling services and a system of records by which pupil progress may be assessed.

22276.4 The school has classroom, laboratory, library and other facilities necessary to operate its program,

22276.5 The school employs professional staff who are qualified by training and experience in the areas in which they are assigned as measured by the following:

22276.5.1 For teachers, a minimum of a bachelor's degree in their field of instruction or substantially equivalent time in training and experience in their field of instruction.

22276.5.2 For all professional staff, relevant experience and/or training in other programs not related to teaching or administrative duties to which they are assigned.

22276.6 The school has an adequate program of continuing professional staff development as demonstrated in the application.

22276.7 The school employs a sufficient number of professional staff for the population served.

22276.8 The school satisfies lawful requirements relative to its facilities, fire drills, and the immunization of its pupils against disease.

22276.9 The school maintains a register of the daily attendance of each of its enrollment.

22276.10 The school maintains an operating schedule that includes a total number of instructional hours each year which is not less than that required of a public school serving the same grades.

22276.11 The school has the financial capacity to carry out its ~~educational purposes~~stated objectives for the period of approval. For purposes of these rules, "financial capacity" shall mean anticipated revenue and funds on hand sufficient to meet a school's stated objectives.

2227.12 The school complies with the requirements of 16 V.S.A. §255 relating to criminal record checks and checks of the Child Protection Registry and the Vulnerable Adult Abuse, Neglect, and Exploitation Registry.

2243.3 Renewal of Certification

A school seeking renewal of certification shall apply in writing to the Secretary no later than six months prior to the end of any period of certification. Where appropriate, the school may incorporate by reference its prior application or any portion thereof. Certification of a school completing timely application shall extend until the State Board acts on further certification. Any school seeking renewal, that has obtained initial approval to offer or operate a program of college or professional education for credit or degree, on or after January 1, 2015, shall obtain accreditation from an accrediting entity recognized by the US Department of Education, in order to be considered eligible for renewal by the State Board within the first 10 years of operation.