

MEMORANDUM

TO: Superintendents, Headmasters of Independent Schools
FROM: Daniel M. French, Ed.D., Secretary
SUBJECT: Required Checks of the Child Protection Registry
DATE: January 7, 2020

The Office of the Vermont State Auditor has recently concluded an [audit](#) of compliance with [Act 1 of 2009](#) by the Agency of Education (AOE) and supervisory unions/districts (SU/SDs) and independent schools in Vermont. Among the findings, the audit discovered that eleven SU/SDs had not conducted any of the required checks of the Child Protection Registry in 2018. This memo is to remind Vermont's SU/SDs and independent schools of their duties under the law.

Under 16 V.S.A. § 255(h), superintendents and headmasters are required to conduct checks of the Child Protection Registry and the Vulnerable Adult Abuse, Neglect and Exploitation Registry for any of the following individuals:

- full-time employees,
- part-time or temporary employees,
- persons directly under contract from an SU/SD who may have unsupervised contact with children,
- employees of persons directly under contract with an SU/SD who may have unsupervised contact with children,
- student teachers.

These mandatory registry checks are in addition to the criminal record checks also required for these categories of individuals by § 255(a). In addition, the AOE conducts checks of the Child Protection Registry and the Vulnerable Adult Abuse, Neglect and Exploitation Registry when an educator applies for or renews a license. A superintendent or headmaster's duty to conduct records and registry checks is especially important for non-licensed individuals, because the AOE only conducts checks related to licensure.

Each spring, the AOE hosts a series of seminars on licensing rules held throughout the state. Beginning this spring, we will include specific information about the responsibilities to conduct checks of the Child Protection Registry and Vulnerable Adult Abuse, Neglect and Exploitation Registry in these seminars.

Thank you for the work that you do to educate and protect Vermont's students. If you have further questions, please contact AOE General Counsel Emily Simmons at emily.simmons@vermont.gov or (802) 828-0047.