

SBE Timeline for Act 173 Rulemaking

Rule Series 2200

Vermont State Board of Education

19 May 2021

Notes: ***SBE*** indicates AoE staff to implement on behalf of SBE.

Underlined text indicates activities governed by 3 VSA Chapter 25, Administrative Procedures Act.

Squiggly underline indicates public comment period.

DRAFT RULES >>> SBE PROPOSED RULES FOR APA RULEMAKING >>> AO E PROPOSED DOCUMENTATION FOR APA >>> SBE DOCUMENTATION and PROPOSED RULES TO ICAR

May 2021	<p>19 May SBE meeting:</p> <ul style="list-style-type: none"> - SBE to review <i>PROPOSED DRAFT RULES</i> and modify as necessary. - <u>SBE to adopt <i>PROPOSED RULES</i> for APA rulemaking.</u> - <u>SBE to vote to initiate formal APA rule-making process.</u>
June 2021	<p>16 June SBE meeting:</p> <ul style="list-style-type: none"> - AoE to present to SBE all necessary <i>DOCUMENTATION</i> required for SBE filings with Interagency Committee on Rulemaking (ICAR) and required for filings with Secretary of State (SoS). - SBE to review <i>DOCUMENTATION</i>, modify as necessary. - <u>SBE to adopt as SBE <i>DOCUMENTATION</i> for submission with filings to ICAR and SoS.</u> <p>17 June: *SBE* to pre-file <u><i>SBE PROPOSED RULES</i> and required <i>DOCUMENTATION</i> with ICAR.</u></p> <p>*30 June 2021: Act 112 statutory deadline for SBE to initiate rulemaking.</p>

SBE PROPOSED RULES COMMENT PERIOD >>> SBE FINAL RULES >>> SBE FINAL RULES TO LCAR

July 2021	<p>12 July: <u>ICAR to conduct hearing on <i>SBE PROPOSED RULES</i>.</u></p> <p>early/mid-July (minimum 15 days after pre-filing with ICAR, but preferably after ICAR hearing): *SBE* to file <u><i>SBE PROPOSED RULES</i> and required <i>DOCUMENTATION</i> with SoS.</u></p> <ul style="list-style-type: none"> - <u>Eight-month APA Rulemaking timeline to begin.</u> - <u>Public comment period to open.</u> <p>mid-July (first Wednesday following filing with SoS): <u>SoS to publish online notice of <i>SBE PROPOSED RULES</i>.</u></p> <p>21 July SBE meeting: SBE to review progress in Rulemaking, adjust timeline as necessary, and plan/confirm next steps.</p>
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	<p>late July (eight days after notice published online): <u>SoS to publish notice of <i>SBE PROPOSED RULES</i> in newspapers of record.</u></p>
<u>August 2021</u>	<p>18 August SBE meeting or late August: (30 days or more after online notice was published): <u><i>SBE to conduct first public hearing on SBE PROPOSED RULES.</i></u></p>
<u>September 2021</u>	<p>15 September SBE meeting: <u><i>SBE to conduct second public hearing on SBE PROPOSED RULES.</i></u></p> <p>Late September or early October:</p> <ul style="list-style-type: none"> - <u><i>SBE to conduct third public hearing on SBE PROPOSED RULES.</i></u> - <u><i>SBE to close public comment period (allowing for required seven-day comment period following last hearing).</i></u> <p>*This timeline contemplates a public comment period of approximately seven weeks. The SBE could shorten or extend this period if desired.</p>
<u>October 2021</u>	<p>20 October SBE meeting: SBE to reflect on public testimony, review <i>SBE PROPOSED RULES</i>, and determine revisions to be incorporated in <i>SBE FINAL RULES</i> to be approved by SBE in November 2021.</p>
<u>November 2021</u>	<p>17 November SBE meeting:</p> <ul style="list-style-type: none"> - *SBE* to present proposed <i>SBE FINAL RULES</i> for approval. - SBE to discuss proposed final Rules and amend as necessary. - <u><i>SBE to approve SBE FINAL RULES.</i></u> <p>18 November: <u>*SBE* to file <i>SBE FINAL RULES</i> with Legislative Committee on Administrative Rules (LCAR) and with SoS.</u></p>
<u>December 2021</u>	<p>early/mid-December: <u>LCAR to conduct hearing on <i>SBE FINAL RULES.</i></u></p> <p>15 December SBE meeting: AoE to brief SBE to on status of LCAR review.</p>
<p><u><i>SBE FINAL RULES AT LCAR >>> SBE RULES GO INTO EFFECT</i></u></p>	