

**Roles & Responsibilities
for the Vermont State Board of Education &
Agency of Education**

*****DRAFT REPORT*****

February 12, 2022

Overview

[Section 18 of Act 66](#) directed the Vermont State Board of Education (SBE) and the Agency of Education (AOE) to jointly report to the House and Senate Committees on Education with recommendations for how roles and responsibilities between the two organizations might be delineated to ensure that the State's education system meets the needs of all students, while maximizing operational and administrative efficiencies.¹

In response, SBE and AOE undertook a collaborative effort to develop a new framework that distinguishes roles and responsibilities for the two organizations. This framework was developed by a subcommittee, comprised of SBE members (Dr. Tammy Kolbe, subcommittee chair; Lyle Jepson; Jennifer O'Farrell; Oliver Olsen) and the AOE's Secretary (Dr. Dan French).² Input on the framework was solicited from the full SBE at its January 2022 meeting, and the framework was revised in response to comments and concerns.

This report describes the agreed-upon framework, and corresponding recommendations for its implementation. However, per Act 66, the report does not make specific recommendations for changes to existing statute (Section 18(c)).

The remainder of this report is organized as follows. First, we describe the six domains that comprise the framework that was developed to distinguish SBE and AOE roles and responsibilities. Then, for each domain, we summarize key recommendations and considerations. Additionally, as required by law (Section 18(b)), Appendix A provides a list of all federal and state statutory mandates and rules for which SBE and AOE are responsible.

Framework for Organizing Roles and Responsibilities

Six domains can be used to distinguish among the roles and responsibilities for which the SBE and AOE may be individually or jointly responsible:

1. Appellate powers/dispute resolution
2. Rulemaking
3. Public input and visioning
4. District and supervisory governance
5. Accountability and oversight
6. Approvals of independent schools and post-secondary institutions. (Figure 1)

The framework was used to describe the work in which the SBE and AOE are currently engaged and then identify the comparative strengths and weaknesses of how existing roles and responsibilities are delineated between the two organizations. The subcommittee tasked with developing recommendations considered where opportunities existed for clarification and

¹ Act 66 directed SBE and AOE to submit their report on or before December 15, 2021. On September 21, 2021, SBE Chair Olsen, on behalf of both organizations, requested an extension to this deadline. In lieu of the final report, an interim progress memorandum was submitted by SBE and AOE to the House and Senate Committees on Education on December 15, 2021.

² The subcommittee met five times between August 2021 and January 2022.

realignment in ways that may improve coherence in education policy and practice and organizational efficiency.

Through this process, both the SBE and AOE recognized that the shared responsibilities for rulemaking required special consideration. Rulemaking was the one function where there is considerable overlap between the two organizations' roles, and as a result, an area where there has been disagreement between the two organizations. The SBE and AOE were able to reach agreement on a new collaborative approach to rulemaking that carves out complementary roles and responsibilities for each organization in the process.

Recommendations

Appeals

[Section 164\(3\) of Title 16](#) assigns to the SBE, as a matter of its general powers and duties, the authority to, "Examine and determine all appeals that by law are made to it and prescribe rules of practice governing the appeals process, not inconsistent with the law." Additionally, there are provisions in statute that describe specific instances for either a SBE or an AOE role an appeal or dispute resolution process. (See Appendix A)

Recommendations

Roles & Responsibilities

- The **SBE** should retain its role and responsibilities to **prescribe rules of practice governing appeals and dispute resolution processes**, including those processes administered by AOE.
- The **AOE** retains **primary responsibility for adjudicating appeals and resolving administrative disputes that are not the result of decisions made by the Agency**.
- The **SBE** serves as a **neutral third party for appeals that involve a decision or action on the part of AOE**, and [retains its authority](#) to sit in a **quasi-judicial capacity where provisions in statute or rule call for a formal proceeding** (e.g., private school approval, tuition).

Other Considerations

- **Appeal from school board decision regarding tuition.** In 16 V.S.A. § 828, the SBE receives and is final decision maker of a parent's appeal from a school board's refusal regarding tuition. As approving entity for independent schools that may receive publicly funded tuition, SBE should review appeals to district decisions to pay (or not) tuition to a particular independent school.
- **Use of funds for education.** There are situations where SBE involvement in the appeal process is either unnecessary or duplicative. For instance, in 16 V.S.A. § 4029(d), the

SBE hears appeal from Secretary's decision that education funds used for a non-education purpose or that a municipality used education funds; the SBE decision is appealable to Superior Court. In this instance, once the Secretary makes a determination, it is sufficient that the appeal goes to Superior Court. It is not apparent that the SBE has expertise in financial matters to add value to this appeal process. Multiple administrative appeals are expensive for the State. In this case, the SBE would require its own legal counsel, and the State would bear the cost of the SBE hearing. Allowing the matter to proceed to Superior Court is more efficient and cost effective.

Rulemaking

At the heart of the discussion over delineating roles and responsibilities for the SBE and AOE is authority over rulemaking and regulations. It has been established through several Vermont court rulings (e.g., Brigham, 1997; and more recent rulings related to Act 46), that the State is ultimately responsible for educating all Vermont students. The state delegates considerable authority to local school districts to enact this responsibility, but the state cannot delegate its constitutionally derived responsibility.

When the State does delegate its authority over educational processes, it does so through statutory language and related rules and regulations. Together, this framework describes the State's education policies and the mechanisms to ensure these policies are achieved.

Currently, the powers and duties of the SBE include making regulations governing: (a) attendance and records of attendance of all pupils; (b) standards for student performance; (c) adult basic education programs; (d) approval of independent schools; (e) disbursement of funds; and (f) equal access for all Vermont students to a quality education. The AOE is responsible for implementing rules and regulations adopted by the SBE.

The existing delineation in roles and responsibilities between AOE and SBE for rulemaking should be reevaluated considering statutory changes put in place by [Act 98](#) (2012) that reshaped the relationship between the two entities.

Prior to Act 98, the SBE directed the work of the Department of Education and supervised the Commissioner of Education, who was responsible for implementing rules and regulations adopted by the Board. The Board was expected to direct the policy and technical direction of the Department, including rulemaking and developing regulations. The SBE also had a more direct role in ensuring its rules were implemented by the Department.

Act 98 shifted the roles between the SBE and AOE. It established the Agency of Education and elevated the prior Commissioner position to a cabinet-level Secretary of Education, appointed by, and reporting directly to, the Governor. In doing so, the SBE no longer had responsibility for overseeing the AOE's policies, programs, or resources – but, retained oversight with respect to the rulemaking process.

Put differently, the bifurcation in the roles and responsibilities for (a) making and maintaining the state's education rules and regulations (SBE) *and* (b) implementing the rules and regulations

(AOE) is an artifact of a governance arrangement between the two organizations that no longer exists.

Recommendations

The SBE and AOE recommend the following organizational framework for future rulemaking:

- The **AOE will be responsible for rulemaking activities**, including the powers and duties to make and implement rules and regulations governing education in Vermont.
- The **SBE will be responsible for overseeing the rulemaking process**, including ensuring public input on proposed rules is sought and considered in a meaningful way.

The proposed realignment in roles and responsibilities between the organizations **realigns the rulemaking process with the educational governance structure put in place by Act 98**, where the Agency and State Board **complement each other** to promote: (a) Coherence state education policy and the mechanisms in place to ensure policy goals are attained; (b) organizational efficiency (for both SBE & AOE); and (c) opportunities for public input and assurance.

[Figure 1](#) describes the roles and responsibilities the SBE and AOE will assume under a revised rulemaking process. Specific activities for each organization are summarized temporally, and according to key tasks in the rulemaking process. Additionally, Figure 1 identifies key considerations for implementing the proposed changes.

Public Input & Visioning

Act 98 created a need for a clearer delineation between the SBE and AOE in roles for visioning and public input.

[Section 164 of Title 16](#) assigns to the SBE general powers and duties to, “Engage local school board members and the broader education community and ... establish and regularly update a long-term strategic vision for the delivery of educational services in Vermont; advise the General Assembly, the Governor, and the Secretary of Education on high-priority educational policies and issues as they arise.” This includes the authority to establish advisory commissions that will be of assistance in carrying out its duties.

Additionally, [Section 164\(a\) of Title 16](#) requires the SBE to, “Adopt through a public process a statewide strategic education plan to describe how the Agency will help school boards to improve student performance. The State Board will update and readopt the plan at least every five years.”

At the same time, as a state agency, AOE also has a role in establishing and implementing the State’s education policy priorities and adopts an annual strategic plan to guide its work.

Recommendations

Roles & Responsibilities

Visioning & Strategic Planning

- The **SBE** should play a **leadership role in developing a strategic vision** for education in Vermont.
- The **AOE** should be responsible for **establishing and implementing the Agency’s strategic work plan**.

Public Engagement

- The **SBE** should **develop and execute a plan for regular and sustained public engagement** and input, particularly from Vermont families and students.
- The **AOE** should regularly **engage with stakeholders and the public on key education issues**.

Other Considerations

[Section 164\(17\) of Title 16](#) requires the SBE to, “Report annually on the condition of education statewide and on a supervisory union and school district basis ... The Secretary shall use the information in the report to determine whether students in each school, school district, and supervisory union are provided educational opportunities substantially equal to those provided in other schools, school districts and supervisory unions.” Currently, the SBE does not have the resources, nor technical capacity, to generate a report of the scale and scope required by statute.

Direct & Supervisory Governance

Title 16, including Chapters 7 and 11, create a role for the SBE and assign a broad range of responsibilities for supervisory union and district governance.

Recommendations

Roles & Responsibilities

- The **SBE** should **retain its existing role and responsibilities with respect to supervisory union and district governance**. The SBE should **consider input and recommendations made by AOE** (in addition to local school districts and supervisory unions) in its deliberations.

Other Considerations

There is a need:

- To further clarify and refine the SBE’s role in school district governance realignment, in a way that is consistent with policy goals and the intent of existing statute (i.e., Act 46 and successor legislation). The SBE and AOE are already in

discussions with the General Assembly on potential updates to Chapter 11 of Title 16.

- For rulemaking that provides additional direction to the SBE and AOE with respect to performance standards for local school boards. For instance, the SBE and AOE could be directed to revise existing educational quality standards to incorporate standards for good governance and fiduciary responsibility on the part of local school boards and supervisory union boards.

Accountability & Oversight

The SBE and AOE both play important, albeit different roles, in accountability and oversight for education in Vermont.

Recommendations

Roles & Responsibilities

- The **SBE** plays a **public assurance** role in **maintaining and enforcing education quality standards (EQS)** that promote equal educational opportunities for all students.
- The **SBE** retains **oversight of school governance when questions of supervisory union or supervisory district organization overlap with education quality concerns**. For instance, the SBE determines – based on the Secretary’s recommendation – whether a school is subject to governance consequences for failing to meet or make sufficient progress toward the state’s EQS.
- The **AOE** is responsible for **overseeing implementation of the state’s EQS**. The SBE should not take a supervisory disposition to AOE’s work.
- The **AOE** is responsible for **disbursing and accounting for state and federal funding**.

Approvals for Independent Schools & Post-secondary Institutions

[Section 166 of Title 16](#) assigns the SBE a role and responsibilities for approving and recognizing the state’s independent schools. Additionally, [Chapter 3 \(Subchapter 2\) of Title 16](#) assigns broad responsibilities to the SBE for the state’s post-secondary schools.

Recommendations

Roles & Responsibilities

- The **SBE** retains its current **authority to approve and regulate independent and postsecondary schools**.

- The **AOE** retains its **investigative responsibility** when there are issues of concern. The SBE will adjudicate, when necessary.

Figure 1. Proposed Revisions to Delineation in Roles/Responsibilities for SBE & AOE in Rulemaking Process

Key Tasks in Rulemaking Process	Roles & Responsibilities			Considerations
	Application	AOE	SBE	
Initiation	Revisions to Existing Rules	AOE is responsible for initiating rulemaking (in response to legislation, petition, or due process) and developing a plan for revising the rule(s), including soliciting and incorporating expert opinions and stakeholder/public input pre-filing with ICAR & LCAR, where appropriate.	SBE will review and approve (by vote) the rulemaking process proposed by AOE. Where appropriate, AOE and SBE may agree upon a role for SBE to play in the rulemaking process, particularly with respect to supporting and ensuring stakeholder/public input.	Proposed revisions will: <ol style="list-style-type: none"> 1. Require AOE to notify SBE of its intent to make new or revise existing rules. Accompanying this notification will be a description of the process AOE will use to develop a rule, including public engagement pre- and post-filing with ICAR.
	New Rules	AOE is responsible for initiating the process for drafting new rules as provided by statute, <i>unless</i> statute stipulates otherwise (e.g., delegates the rulemaking process to SBE).	SBE will review and approve (by vote) the rulemaking process proposed by AOE. Where appropriate, AOE and SBE may agree upon a role for SBE to play in the rulemaking process, particularly with respect to supporting and ensuring stakeholder/public input. If statute stipulates that SBE is responsible for establishing a new rule, the SBE will work with AOE to collaboratively develop a rulemaking process that involves both AOE and SBE in key activities.	<ol style="list-style-type: none"> 2. The SBE may play a role in the process of developing a rule (e.g., constituting work groups, public engagement activities). The extent and nature of these activities will be rule-dependent and specified in the rulemaking process proposed by AOE. 3. Clarify that AOE may promulgate rules with/or only after approval of a rule making process approved by the SBE. ICAR will expect SBE approval prior to proceeding with its work. 4. SBE could disapprove AOE's request to proceed with rulemaking/proposed process with vote that exceeds a super majority of SBE's voting membership. 5. If the rulemaking process proposed by AOE (and approved by SBE) includes one or more stakeholder working groups as a mechanism to provide public/stakeholder input into the process, such groups will be advisory to the AOE and SBE – but, will not have “approval” authority over a revised or new rule.

Key Tasks in Rulemaking Process	Roles & Responsibilities			Considerations
	Application	AOE	SBE	
Drafting/Pre-Filing	Rule drafting or revision	AOE is responsible for overseeing and administering the rulemaking <i>process</i> that has been approved by SBE, including public/stakeholder engagement and drafting new or revising existing rules.	<p>SBE will monitor the rulemaking process executed by AOE to ensure compliance with the process that was approved by the SBE.</p> <p>Monitoring activities may take the form of periodic updates or direct observation of rulemaking activities. If SBE finds that AOE is not following the agreed upon process, the SBE has the authority to stop the rulemaking process and compel the AOE resolve issues prior to restarting rulemaking activities.</p> <p>At the conclusion of the rulemaking process, but pre-filing with ICAR, the SBE will conduct a comprehensive review/assessment of the rulemaking process, against what was initially approved by the SBE.</p>	<ol style="list-style-type: none"> 1. AOE will shoulder a large share of the responsibility for drafting new and revising existing rules. AOE is expected to follow the rulemaking process that is pre-approved by the SBE. If AOE finds it necessary to deviate from the preapproved process, it will seek prior approval from the SBE for an amended process. 2. The SBE’s role will consist of overseeing this process, according to the process approved by the Board. In some instances, SBE may take an active role in the rulemaking process – e.g., public engagement. The SBE role will be prespecified and specific to a particular rulemaking process. 3. SBE retains the authority to stop AOE’s work on a rule <u>if</u> there is evidence that the Agency is substantially deviating from the pre-approved process, without prior and explicit permission from the Board. SBE’s ability to exercise this option will be limited to specific criteria (defined in statute) that describe the circumstances under which SBE may stop AOE’s work on a rule until resolution can be reached regarding the rulemaking process going forward.
	Public Assurance	As a part of the rulemaking plan submitted to and approved by the SBE, AOE will provide regular updates to SBE on the plan’s implementation, particularly with respect to public/community engagement.	SBE will oversee the engagement plan proposed by AOE to ensure that the proposed process was followed.	

Key Tasks in Rulemaking Process	Roles & Responsibilities			Considerations
	Application	AOE	SBE	
Final review of process	Prior to filing, AOE will submit the rulemaking process and resulting rule to the SBE for review.	<p>SBE will conduct final review of rulemaking process prior to filing with ICAR, and with this provide formal assurance to LCAR that AOE provided sufficient opportunities for community engagement in the rulemaking process.</p> <p>The SBE will issue an opinion of the Board regarding the rule (e.g., certification). This opinion will consist of two parts: (1) A determination as to whether AOE followed the pre-approved rulemaking process; and (2) comment on whether the AOE followed the agreed upon process for integrating public comment on the rule. The SBE may also comment on whether the SBE finds that the full text of the proposed rule responsive to public input provided during the rulemaking process; however, is not compelled to do so.</p> <p>AOE will have the ability to respond to SBE concerns in writing. The SBE opinion, and when appropriate the AOE response, will be filed with the proposed rule.</p>	<ol style="list-style-type: none"> 1. The SBE will not have the authority to “veto” the content of a rule developed by AOE according to the approved process. 2. Prior to filing, SBE will certify that the approved rulemaking process was followed by AOE. This certification, including any concerns on the part of the SBE (with respect to process), will accompany the rule at the time it is filed with ICAR/LCAR. 3. As part of its certification, SBE will indicate whether it approves of the plan for seeking public comment once the rule has been filed with ICAR. If the SBE does not approve, in whole or in part, it will describe what revisions it sought with AOE prior to filing with the recommendation that ICAR require revisions in its review. 4. SBE will provide comment on whether it finds that AOE followed the agreed upon process for integrating public comment on the rule. This comment will accompany the rule at the time it is filed with ICAR/LCAR. 5. SBE action on a rule prior to filing will be time bound (e.g., within two meetings after receiving materials from AOE). 	

Key Tasks in Rulemaking Process	Roles & Responsibilities			Considerations
	Application	AOE	SBE	
Post filing		<p>AOE oversees the rulemaking process as articulated by Chapter 25, including ICAR’s requirements for public hearings and comment.</p> <p>At the conclusion of the public comment period, AOE will update the rule as appropriate and provide a written summary of changes to the rule to SBE. Where it opts not to make changes, AOE will provide written justification for why changes were not made.</p> <p>AOE is responsible for responding to comments made by LCAR.</p>	<p>The SBE is considered a “governmental subdivision” under 3 V.S.A. § 840. Accordingly, the SBE can compel public hearings once notice is published by SOS, but prior to LCAR.</p> <p>At the conclusion of the public comment period, SBE will the steps taken by AOE to integrate public comment. SBE will comment on whether the AOE followed the agreed upon process for integrating public comment on the rule. This comment will accompany the rule for review by LCAR.</p>	<ol style="list-style-type: none"> 1. AOE is largely responsible for managing the rulemaking process after filing with ICAR. 2. The SBE will retain its authority to monitor the process followed by AOE, particularly with respect to integrating public comment into the proposed rule. 3. Prior to filing with LCAR, the SBE <u>may</u> the process used by AOE to respond to public comment and provide comment on whether it finds that the AOE’s process is sufficient for integrating public comment into the rule. This comment will accompany the rule.

Appendix A: Summary of SBE & AOE Authorities and Duties, by Category

16 V.S.A. §__	
	MAKES/ ADVANCES POLICY
State Board	
164	engages local school board members & and the broader education community
164	advises the General Assembly, the Governor, and the Secretary of Education on high-priority educational policies and issues as they arise
1531(a)	* has overall responsibility for success of tech ed * collect information / take actions within its legal, financial, and personnel resources to ensure availability, coordination, usefulness, etc. of courses offered
Secretary	
212	executes policies adopted by BOARD
212(1)	coordinates public schools' work with higher ed
212(2)	identifies goals of public schools; provide alternatives to attain goals and promoting ed in the state [grammar odd - not sure of intent]
212(5)	supervises and directs execution of education laws
212(13)	ensures provision of services to emotionally disturbed students
212(22)	presents the Governor's policy priorities to the Board annually by September 1
2943	is Secretary of Ed for children with disabilities; works with others to ensure provision of services
Agency	
2941	purpose of chapter 101 is to enable AGENCY to ensure necessary SpEd
	ADOPTS RULES
State Board	
164(3)	prescribes rules of practices for appeals
164(6)	makes regulations re: attendance, attendance records, and deportment of public school students
164(7)	adopts rules necessary to execute its powers and duties
164(9)	implements and updates student performance standards and assessment methods – see § 165(a)(3)
164(11)	if deemed advisable, determines ed standards for admission to/grad from public schools
164(14)	adopts rules for independent school approval
164(15)	establishes criteria for SUs / districts to receive, deposit, account for, & disburse funds
164(16)	* develops guidelines to distribute fed / state / private funds for distance learning technology & encourage collaboration
175(f)	for secondary school closure, including for proper storage of student data
176(b)(3) & (i)	for postsecondary schools chartered in VT
176a(c)(5)	registration with AGENCY by postsecondary schools not chartered in VT
256(d)	criminal record retention
301	defines the term enrolled student "by rule"
559(b)(l)	shall establish general rules for prequalification of bidders (works w/ BGS to do so)
559(d)	shall establish rules defining the term "construction management" and related rules (works w/ BGS to do so)
559(f)	shall adopt by rule standards governing authority of Secretary to grant exceptions to public bid requirements
563(24)	adopts rules governing policies of districts re: integration of home study students
826(b) & (d)	defines by rule the programs for which school may charge separate SpEd charge
829	adopts PreK rules

1071(b)	sets minimum number of hours of a school day
1162(a)	school board's policy re suspension / expulsion must be consistent with STATE BOARD rule
1165(a)	develops "policy" with others for education, discipline, and referral of students
1165(b) & (c)	adopts "regs" re: discipline, referral, etc. to guide school board policies
(1167)	(cannot regulate use of restraint by a school resource officer)
1262b	food programs: adopts "regs" for grants and otherwise in subchapter
1522(4)	tech centers: refers to State Board's authority to designate technical center regions by rule
1532(a)	tech centers: adopts rules relating to quality standards, minimum days and hours of operation, etc.
1532(b)	tech centers: "adopt[s] by procedure or rule" competencies for entrance into / graduation from tech programs; procedures for the SECRETARY to comment on candidate for position receiving state salary assistance; and procedures for the SECRETARY to review / approve credits as meeting state graduation requirements; etc.
1533(a)	tech centers: adopts rules on method of conducting evaluations
1534(a)	tech center courses: adopts rules on method of conducting evaluations
1544	tech center courses: refers to State Boards authority to adopt rules regarding technical and pretechnical courses offered in high schools

16 V.S.A. § ___	
1545(a) & (b)	Tech centers: *refers to rules adopted re: graduation requirements *requires that rules re: earning credits allow flexibility
1552(a)	tech centers: refers to Board's authority to adopt rules to define what is the actual cost of attending a technical center
1563	tech centers: may adopt rules to implement transportation assistance (note: statute doesn't specify who awards assistance? 1565 salary assistance is paid by State Board; 1566 incentive grants are paid by Secretary per State Board rule)
1565	tech centers: pays out salary assistance; adopts rules re salary assistance
1566(a)	tech training: adopts rules for competitive grant program
1568(a)	tech centers: adopts rules re: process and substance of technical center reports (financial, achievement, etc.)
1601(2)	apprenticeship: "adopts" [by rule?] industry competency standards developed by educators and business reps
2944(f)	SpEd: adopts rule that IEP includes certain federal references
2948(c)	SpEd: adopts rules re: EEE grants & that encourage coordination
2958(c)	adopts rules establishing policies/procedures for residential review team operations including (1) provision for SECRETARY to initiate procedure to challenge placement
2959(a) & (b)	SpEd: adopts rules governing eligibility & other aspects of SpEd; adopts rules re mediation
2962	SpEd: defines by rule the expenditures that shall include any expenditures required under federal law to implement IEPs and any costs of mediation by a mediator approved by the Secretary. BOARD shall establish the administrative process for SUs to submit claims for extraordinary reimbursement.
2963(c)	SpEd: defines by rule allowable special education expenditures [REPEALED effective July 1, 2022]
2969(a)	SpEd: adopts rules to estimate special ed payments and deal with overpayments/underpayments [REPEALED effective July 1, 2022]
3448(a)(1)	construction: adopts rules re: information required in preliminary application
3448(a)(3)	construction: adopts rules re: assignment of points
3448(a)(8)	construction: adopts space and cost parameters for eligible construction
3448(e)	adopts rules re: school construction and capital outlay
3448f(a)(1)	energy performance contracting: adopts rule to further define "cost-saving measure"
3448f(f)(3)	energy performance contracting: adopts rules to prioritize projects on separate list from § 3448 projects
3448f(f)(5)	energy performance contracting: adopts rules to establish criteria for what is eligible for aid
3454	deferred maintenance: adopts rules to define "significant deferred maintenance"
4016(b) & (c)	adopts rules to define "allowable expenditures" and "extraordinary transportation expenditures"
4030(e)	data submissions & corrections: adopts rules to implement section
Secretary	
511	jointly develops model ballot language to be adopted by the State Board by rule
570a(b)(8)	"may adopt rules" implementing independent review of harassment
2968(b)	SpEd reports: establishes procedures "by rule" to administer subsection (b) re: withholding payments/assessing penalty for failure to submit reports [REPEALED effective July 1, 2022]
DEVELOPS STANDARDS, GUIDELINES, CRITERIA, PROGRAMS & POLICIES/ MODEL LANGUAGE	

State Board	
165(a)(3)	(refers to the rules Board will adopt establishing school quality standards - see also § 164(9))
1602(b)(2)	apprenticeship program: establishes guidelines for preparation of worksite mentors
1603(a)	apprenticeship program: establishes entrance requirements for student to participate in an apprenticeship program
1604(1)-(5)	apprenticeship program [all by rule?]: <ul style="list-style-type: none"> *establish standards for operation of program *establish standards for student entrance into program *establish process for termination of participation *establish competency standards *establish guidelines to prepare worksite mentors
2903(b)	preventing early school failure: collaborates with others to develop and update every 5 years a plan to implement comprehensive services in grades 1-3 and ensure reading by end of grade 3
Secretary	
136(c)	works with other agencies to supervise health curricula; promote teacher prep programs; assist in development of wellness programs; create process to share data, etc.
212(20)	makes sample ballot language available
215	establishes and implements Challenge to Excellence Grant Program
254(c)	educator licensing: establishes policy for maintaining and destroying criminal records obtained under this section
261a(a)(12)	refers to model truancy policies developed by Secretary

16 V.S.A. §	
570(b)&(d)	develops model harassment, hazing, and bullying policies
822a(c)	develops, reviews, and updates guidelines for schools to set capacity limits
1047a(b)	establishes and implements a grant program jointly with the DMV
2902(e)	establishes guidelines re: federal laws re: students with disabilities and re: this §
2969(e)	SpEd payments: establishes procedures/ criteria for awarding funds; may award more \$\$; etc.
Agency	
1054(b)	refers to AGENCY's authority to establish graduation requirements
(1167)	(cannot regulate use of restraint by a school resource officer)
APPROVES APPLICATIONS, PROPOSALS & REQUESTS/ MAKES DECISIONS	
State Board	
11(a)(34)	evaluates and approves "approved education programs"
164(13)	acts as state approval agency for institutions conducting AE&L programs
165(f)	removes designation of an " independent school meeting school quality stds" if not meeting them
166(b)	approves "approved independent schools" if comply with rules - see also § 164(14)
166(b)(5)	May revoke/suspend independent school approval after hearing
166b(g)	approves list of impartial hearing officers re: home study programs
167	grants high school equivalence certificates
175(a)	if postsecondary school is closing: approves form of student records for transfer to safe repository and designates person to be repository
176(c) & (e)	postsecondary schools: receives applications and grants certificate of approval/ degree granting courses
176(g)	postsecondary schools: revokes certificates
176a(d)	postsecondary school not chartered in VT: after initial approval, school annually registers with BOARD, which may refuse/ revoke registration
244	a secondary principal may assume supervisory responsibilities outside that school only with Board approval
261(a)	SU boundaries: may regroup existing SUs or create new SUs on its own initiative or upon request
261(b)	SU boundaries: gives timely consideration to a district's request to adjust SU boundaries
261(c)	SU Boundaries: may designate any K-12 school district to be a supervisory district
706c(b)	reviews report of union school district study committee and recommendations of Secretary, may request additional investigation, and makes final decision
559(g)	may deny state construction aid / debt service to a district that violates the public bids section
706n	union school districts: union school district may reduce number of grades only after pre-approval by Board
721	addition of potential new member to existing union school district: approves study
721a(c)	Review withdrawal or dissolution of union school district and ratify if conditions satisfied
724	ditto re: withdrawal from unified union school district
828	section refers to it approving tutorial programs
1045(b)	approves driver ed course component re: driving and alcohol and drug use (see Agency for approval of course itself)
1073(b)(3)(A)	approves pregnant/parenting residential programs
1522(7)	may designate a service region for 2 or more comprehensive HSs if not served by a technical center

1531(b)	designates service region for each technical center, including for comprehensive HSs
1531(c)	may approve a non-Vermont technical center for geographically isolated school districts
1545(a) & (b)	tech centers: refers to State Board approval of technical center courses/ programs
1546(c)	comprehensive schools: refers to Board's authority to designate technical center service region and its responsibility to ensure accountability
1552(b)	has the authority to determine that a student receiving tech ed in another state is eligible for tuition assistance
1573	tech center districts: considers report for new district, requests more information, amends report, approves report
1576(a)	tech center districts: refers to approval by State Board - not specified, but must mean per§ 1573
1601(5)	apprenticeship program: determines which licensed professional educators are qualified to be student apprenticeship coordinators
1603(f)	apprenticeship program: issues industry competency certificate to successful student apprentice
1604	apprenticeship program: certify students as meeting competency standards and keep list of students
1695	professional stds bd: decides if rulemaking proceeds or if proposed standard is remanded to standards bd
2061	interstate agreement on qualification of educators: must approve contracts before Secretary enters into them on behalf of state
2958(e)	approves residential SpEd facilities to whom state will pay costs of student

16 V.S.A§ ____	
2974(f)(2)	SpEd high spending: makes final determination if there will be a second year of withholding upon hearing district's explanation/ plans [REPEALED effective July 1, 2022]
3448(a)(3)	construction: assigns points to prioritize preliminarily approved projects
3448(a)(5)	construction: final approval
Secretary	
11(A)(8)	makes continuity & other decisions for state placed students
11(b)	approves name of union, incorporated, and interstate school districts
166(c)	recognized independent schools: requires & conducts a hearing if believes school not able to meet/not meeting requirements; requires specific action to comply; "find" the school may not operate
166b	home study programs: receives notice of enrollment; sends notice of acknowledgement with determination of whether notice is complete and when child may be enrolled; designs form of report and receives report of progress; may call for hearing before or during enrollment period; selects impartial hearing officer from among list approved by BOARD
259	unauthorized disclosure of criminal record: may review professional licensure of any person who willfully discloses record received under this subchapter
267(c)	SU Joint Agreements: must agree on SUs' plan to allocate costs for joint programs, services, or facilities
829	jointly (w/ OCF) approves plans of 3 STAR providers to achieve 4 STAR rating
1046	pre-approves superintendent's choice of driver ed course to put into requesting school
1049a	high school completion program: approves entities to be "approved providers"
1049a(b)	high school completion program: assigns people not enrolled in school to a high school district
1075(b)	determines the residence of state-placed students
1075(c)(l)	approves alternative plans for education of state-placed student
1533(a)	tech centers: evaluates each center at least once in 5 years
1534(a)	tech center courses: evaluates tech center courses at least once in 5 years
1541(d)(3)	tech centers: may consent to use of technical center facility for an alternative use
1566(b) & (c)	te.ch training: solicits proposals and awards competitive grants (per BOARD rule); advised by advisory group
1568(b)	tech centers: may withhold funds and charge penalty for failure to file report (may waive it - see below)
1577(2)	tech center districts: hears and makes final decision whether requested alternative action is required for sound administration of district
1577(7)	tech center districts: with the auditor of accounts, give "advice and consent" re: accounting system
1695	professional stds bd: may object to new/ revised licensing standard proposed by stds bd for rulemaking
1696(a) & (e)	receives proof that applicant has completed all requirements for licensure / denies licenses to applicants under certain circumstances
2944(d)	SpEd: with ADVICE of STATE BOARD makes grants to SpEd teacher prep programs/ individuals
2948(g)	approves SpEd programs provided by residential and other specialized facilities
2962(c)	extraordinary services reimbursement: approves mediators
2963a(a)-(b)	SpEd: exceptional circumstances: determines reimbursements to be made under this section; decision is final

2964(b)	SpEd: may withhold funds due "under this title" for SU's failure to submit service plan of expected future SpEd expenditures
2968(b)	SpEd reports: may withhold funds due under "this title" for delay in submission; shall assess daily penalty for delay in submission (but may waive penalty)
2973(a) & (b)	SpEd independent school: establishes minimum standards and maximum tuition rates; may approve higher tuition, room, and board rates for out-of-state schools
2974(f)	SpEd high spending: notifies district if progress on remediation plan is satisfactory or that will withhold 10% SpEd reimbursement if unsatisfactory; may release withheld funds for prior fiscal year upon satisfactory progress
2975	SpEd: may use funds to help district with unexpected/unusual expenses; decision is final
3448(a)(l) & (2)	construction: receives, reviews, and may approve preliminary application
3448(a)(5)	construction: may permit construction to begin before Board gives final approval
3448(a)(7)(B)	construction: determines which ancillary costs are eligible for 75% renewable energy aid
3448(a)(7)(C)	construction: decides, and decision is final, eligibility for 50% school consolidation aid
3448(d)	construction: may grant emergency aid
3448(f)	construction: can award aid in excess of statutory% if general assembly approves??
3448e(e)	teched construction: allocates costs between technical ed and non-technical ed portions of a project
3448f(f)(l) - (2)	energy performance contracting: receives application and approves a complete application
3454	deferred maintenance: determines if construction project is due to "significant deferred maintenance"
4014	early education: solicit proposals for early ed programs; receives & evaluates grant proposals and may award grants; gives preference to underserved areas; may set other terms for the grant

16 V.S.A§ ___	
4028(c)(2)	may authorize portion of high spending penalty to be used by district to reduce spending in future
4029(c)	may determine that ed funds have been used for non-ed purposes or that municipality has paid for ed expenses
Agency	
1045(a)	approves driver ed course jointly with OMV
WAIVES REQUIREMENTS	
State Board	
261(d)	SUs: may waive any requirements of chapters 5 or 7 re: board structure, composition, etc.
1071(c)	may grant waiver for unanticipated closings
1071(g)	may grant waiver from minimum number of days after voter approval
Secretary	
166(c)(7)	Recognized independent schools: may waive requirements for “deep religious convictions shared by an organized group”
261a(a)(6)	may grant waiver to SU that demonstrates that SpEd services can be provided better in whole/part at district level
261a(a)(8)	may grant waiver if SU shows that district(s) can better provide any of a listed number of services,
558(b)	may grant a waiver from prohibition of a school board member also being employed by the district/ SU
559(f)	(by implication) Secretary may grant waivers per Board rule re public bid process
822a(l)	hears and is final decision-maker on school board's request for waiver from statewide public high school choice provisions
1071(e)	may grant waiver for tech center region to have more than one calendar
1075(c)(4)	may permit a state-placed student to continue enrollment despite change in residency
1264(b)	may grant emergency temporary waiver from requirement to provide meals (see§ 1264(b) below under "Agency")
1265(e)	may grant SU/ district a waiver from school meal requirements upon proof that can be more efficient otherwise
1568(b)	tech centers: may waive penalty for failure to file report
2944(e)	may allow person over 21 to continue SpEd services until program complete
Agency	
1264(b)	receives request for emergency temporary waiver from requirement to provide meals (see§ 1264(b) above under "Secretary")
APPELLATE POWERS/ DISPUTE RESOLUTION	
State Board	
164(3)	examines/determines appeals
828	receives and is final decision maker of parent's appeal from school board's refusal re: tuition

4029(d)	hears appeal de novo from Secretary's decision that ed funds used for non-ed purpose or that municipality used ed funds; decision is appealable to Superior Court de novo
Secretary	
563(2)	decides (and decision is final) whether school board's action is required for sound administration of district and is proper under subdivision (2)
821	hears and is final decision-maker on parental appeals from district's decision not to pay for elementary student to attend geographically-closer school
1073(b)(3)(B)(iii)	hears and is final decisionmaker re: disputes about nonresidential teen parent programs
1075(b)	hears and is final decisionmaker re: disputes as to residency may order temporary enrollment pending decision of local school board shall order temporary enrollment pending appeal
1075(c)(l)	hears and is final decisionmaker re: residence of state-placed student
1545(b)	hears and decides appeals from school board's decision not to apply tech ed credits towards graduation requirements
1546(c)	hears and decides appeals from regional advisory board's distribution of funds to comprehensive high school
2959(b)	mediates SpEd disputes of parents, children, districts, agencies
REVIEWS/ MAKES RECOMMENDATIONS/ ANALYZES & CALCULATES	

16 V.S.A §	
State Board	
164(4)	reviews/ comments on agency budget presented by Sec'y
176(i)	postsecondary schools: "performs investigations"
1693(b)	Governor consults with Board re: professional standards board appointments
Secretary	
164(17)	uses State Board's report to determine if substantially equal opportunities per§ 165(b) [switch duties?]
165(b)	determines whether students have substantially equal educational opportunities
165(b)	describes actions school district must take to meet school quality standards
165(b)	recommends to State Board ongoing actions to ensure that a district has made suff progress toward improving student progress (& (e))
165(f)	assesses if an "independent school meeting school quality standards" is meeting the school quality standards
212(3)	evaluates program of instruction in public schools
212(4)	advises legislature [in general]
563(11)	divided vote: determines the statewide average district education spending per equalized pupil each year & other amounts
706c(b)	receives report from union school district study committee and makes recommendations to state board
825(a)	defines the calculated net cost per pupil
829	works with DCF Commissioner to develop PreK rules to present to State Board
836(a)	[calculates and] sends to each receiving and sending school the calculated net cost per pupil of the receiving school
1262a(b)	food program: may recommend to State Board that facilities be shared within SU or among SUs
1573	tech center districts: receives planning committee's report, consults with human resources investment council, and makes recommendation to State Board
1700	licensing investigations: assigns an investigator and a prosecuting attorney to serve on investigation committee; receives recommendation from investigation committee re: whether to conduct formal investigation; decides whether to conduct formal investigation; notifies parties; receives recommendations from investigation committee's formal investigations; decides whether to affirm or reverse licensing decision
1701 & 1704	licensing investigations - appeals: decides whether to issue a formal charge of unprofessional conduct / incompetence; prepares formal charge and files it w/ hearing panel; has burden of proof in actions re: unprofessional conduct or incompetence
1702(b){2}	licensing appeals: makes recommendations for a pool of people to serve as impartial hearing officers
2869	annually consults with VSAC board re: critical shortage of science, math, and computer science teachers
2945(a)(l)	SpEd: advises Governor on appointment of members
2967(a)	SpEd: publishes estimate of state assistance necessary to fully fund §§ 2961-2963
2974(c)	SpEd: reviews low spending districts to see if there are replicable strategies
4001(8)	refers to what the Secretary considers when calculating the "poverty ratio"
4010(a), (b), (c) & (h)	determines average daily membership of each district by December 1 annually, long-term membership of each district, weighted long-term membership, and equalized pupil count for next fiscal year

COLLECTS DATA (CREATES FORMS)/ CONDUCTS RESEARCH/ PUBLISHES DATA & OTHER INFORMATION	
State Board	
563(25)	develops/ make available a form for veterans to request a high school diploma
Secretary	
new 136(d)	maintains website with youth risk survey results
new 136(d)	researches funding opportunities for wellness/ comprehensive health programs
212(8)	provides methods to inform the public re: educational opportunities and conditions; and for other educational "publicity"
212(9)	establishes requirements for data submission from schools
212(11)	provides information and assistance on school construction
212(12)	distributes school quality information to approved independent schools
212(14)	annually sends superintendents a list of information that needs to be made available to others under state & federal law
212(15)	informs superintendents and principals of best practices for students with life threatening allergy, e.g.
212(19)	establishes information clearinghouse

16 V.S.A§ ____	
242(4)	develops format for superintendents to report financial data to Secretary AND Board
254(a)-(d)	obtains criminal records of any educator seeking initial/ reinstated licensure or person offered a superintendency
254(e)	obtains information from the child abuse and vulnerable adult registries for educator/superintendent
563(11)	prescribes categories to be included in district budget; prescribes format for district budgets
7060	union school districts: union school district annually provides statistical information requested by Secretary
829(6)	from districts: costs of private PreK providers
829(8)	from districts: annual PreK expenditures
829(11)	from districts: PreK child progress
1166(c)	firearms: develops form for/ receives reports re: expulsions
1224	receives annual report from superintendents re: number and expense of students transported and boarded
1321	with approval of State Board, determines form used for attendance and other data (chapter needs updating)
1568(a)	tech centers: collects data required by STATE BOARD rule (costs; student achievement; etc.)
1708(c)	licensing matters: maintains list of complaints, which is a public record
2902(c){6}	ESTs: receives an annual update from each EST on ways needs met; creates format
2904	ESTs: receives annual reports from superintendents on ESTs; creates format
2959a(e)	SpEd / Medicaid: receives annual written justification from school districts re: use of Medicaid funds
2964{a}	SpEd: receives annual service plan from SUs of expected SpEd expenditures in future
2968(a) & (c)	SpEd: receives annual report of SpEd expenditures from SUs; reviews/monitors reports under this section and § 2964
4011(i)	education payments: sends data to districts AND publishes on AGENCY'S website

4014	early education: investigates underserved areas and distributes data collected
4027(b)	creates form for reporting budgets
4030(a) - (d)	data submissions & corrections: receives reports of data submission errors; uses data submitted to calculated amounts due to school districts; uses some corrected data and other times does not
Agency	
1481	a school's records of fire and emergency preparedness drills are available for Agency to inspect
4003(a)	(refers to detailed financial reports due to Agency: no aid if district fails to provide)
4027(b)	receives reports of adopted budgets from superintendents
MAKES REPORTS	
State Board	
164(17)	reports annually on education statewide & school: school (incl. hazing/harassment; stds attainment) [Note: Secretary then uses report to determine if substantially equaled opps -- should roles be reversed?]
164(21)	reports to Gov. and G.A. annually re: policy progress
3448(a){4}	construction: gives H/S Institutions Committees its funding request and priority list
3448f(fl(3)	energy performance contracting: includes a separate line item in request for appropriation
Secretary	
822a(m)	annually reports to House & Senate Ed on implementation of statewide public high school choice(notwithstanding 2 VSA 20(d))
2975(a)-(b)	SpEd: reports annually to State Board re SpEd costs, outcomes, etc.; includes data re: high and low spending districts
4010(i)	weighted membership: biennially reviews weights and advises House & Senate Ed if should be adjusted
RECEIVES NOTIFICATIONS/ NOTIFIES OTHER ENTITIES	
State Board	
175(a)	receives notice that postsecondary school is closing
559(b)(l)	may/ shall [?] provide notice of public bids to BGS and BGS will provide specific advice to school district
Secretary	
166(b)(4)	notifies school officials per§ 1126 if independent school notifies Secretary of student's terminated enrollment
166(c)	provides/ receives form that "recognized independent school" will operate
166(c)(6)	notifies school officials per§ 1126 if independent school notifies Secretary of student's terminated enrollment

16 V.S.A§	
255(d) & (f)	re: person applying to an independent school: receives VCIC records and notifies headmaster and applicant
256(b) & (c)	receives and maintains criminal records sent by superintendents & headmasters; releases records on person's request; destroys records after certain period
706b(a)	union school district formation: receives notification of study committee formation
706g	receives certified vote from districts designates districts as union dist if positive vote - NOTE: title of§ 706g says STATE BOARD Designation certifies designation to secretary of state
721	addition of potential new member to existing union school district: receives certified votes; designates new union school district
721a	withdrawal of member from union school district: receives certification from secretary of state of one member's vote; receives notification that union board ratified vote
724	ditto re: withdrawal from unified union school district
826(a)	is notified by schools of intent to raise tuition
1265(b)-(d)	receives notice of school board meeting to discuss not offering meals program; notifies school board when voted-upon exemption is about to expire; receives notice of decision made at school board meeting
1541(b)	tech centers: receives notification from local board that it has rejected the regional advisory board's recommendation
1575	tech center districts: receives results of vote; if in favor then declares the new structure to replace the old and certifies declaration to secretary of state
1696(f)	licensing: receives notification of appeal and transmits it to the hearing panel per§ 1700
1699(a)	receives written report from superintendent who believes a licensee has engaged in unprofessional conduct or is incompetent
1701(a)	licensing investigations: receives notice of appeal and informs hearing panel
1708(f)(3)	licensing matters: notifies superintendent if alleged conduct places students in immediate physical or emotional jeopardy
1756	damages suits: receives notice of required insurance and 30 days' prior notice of cancellation
2.958(a)	SpEd: receives notice that district wants to place a student in a residential facility
4002(b)	notifies superintendent or CFO(?) of SU of state/federal payments made to districts
Agency	
176a(c)(5)	receives initial registration from postsecondary school not chartered in VT (per BOARD rule)
PROVIDES ASSISTANCE/ TRAINING/ ADVICE	
State Board	
164(16)	in cooperation with SECRETARY, ensures that AGENCY develops information, plans, & assistance for technology to be available/ coordinated in all districts [still?]
Secretary	

216 new 136(d)	assists schools/SUs to provide teacher training re: wellness programs
212(7)	arranges conferences etc. for superintendents and teachers (and principals?)
212(10)	makes recommendations to school bds {SUs??} re: transportation
212(16)	annually convene meeting about subject and geographic needs for teachers
212(17)	encourages/facilitates collaboration re: uncommon SpEd
212(18)	makes CPR resources available
241	advises SUs on hiring of superintendent
706b(a)	union school district formation: cooperates with study committee; may make staff available to help
1049(a)	may provide ABE programs for adult students
1421	with state board of health, prepares and furnishes necessary materials to schools for testing sight and hearing plus instructions
1422	consults with Comm'r of Health on preparation of hearing & vision screening guidelines
1431	concussions: develops statewide guidelines, forms, etc. for schools
2974(e) & (h)	SpEd high spending: with AGENCY assists high spending districts
4014(c)	early education: helps underserved areas prepare grant proposals
Agency	
133(c)	works with medical authorities to update secondary school cervical cancer module
135(a)	assists districts/ SUs to provide teacher instruction re: comprehensive health ed
909	tobacco, alcohol, & drug use: develops curriculum; provides training, teaching materials, technical assistance, encouragement
910	works with schools and several departments to coordinate services for children w/ severe emotional disturbances

16 V.S.A§ ___	
2950(a)	SpEd: with others, provides consultation/ technical assistance to district with new state-placed student
2950(b)	SpEd: pays educational costs of student placed in resid facility (most of the time) identifies placement agencies for which will pay ed costs if it places child
2950(c)	SpEd: pays ed costs of state-placed student placed & attending public school outside VT
2959a(a)	SpEd: works with locals to maximize Medicaid receipts (w/ AHS)
APPOINTS PEOPLE TO BOARDS/ CREATES BOARDS/ IS MEMBER OF A BOARD	
State Board	
164(1)	establishes advisory commissions
164(20)	constitutes Military Compact council; appoints liaison
Secretary	
133(a)	with BOARD APPROVAL appoints person to develop curricula etc. for comprehensive health ed
new 136(b)	with BOARD APPROVAL establishes an advisory council that helps the AGENCY plan, coordinate, and encourage wellness & comprehensive health programs
166(d)	appoints members and received advice from Council of Independent Schools
570(d)	establishes an advisory council that reviews/coordinates anti-bullying/hazing/harassment activities and reports annually to the State Board
570a(b)(l)	co-develops and maintains list of neutral individuals to conduct independent review re: harassment
1942(B)	teachers retirement board: serves ex officio
2061	interstate agreement on qualification of educators: is the "designated state official"
2958(b)	SpEd: may establish a residential review team
3852(a)	education & health buildings financing agency: serves ex officio
ACCEPTS (etc.) FEDERAL AID	
State Board	
168(a)	sole agency to establish and administer any statewide plan that is condition of receipt of federal funds
168(b)	subject to approval of Governor, may accept and utilize federal funds
168(b)	establishes criteria/ procedures necessary for federal requirements re: use of funds
14413(a) NEW 171	as sole state agency administers federal ESEA & NCLB education funds
172	may accept/ use federal funds for school meals
3581	may accept federal construction aid
3582	may make any state plan required by congress related to federal construction aid
Secretary	
169	may order Treasurer to accept, distribute, and account for federal funds
169	ensures that reports and audits are sent to feds with any required supporting documents (who prepares report?)
ADMINISTERS/ CONTRACTS/ PAYS OUT\$\$/ ETC.	
State Board	
164(2)	enters into contracts with any individual or entity for service, educational programs, or research projects

213	employs, determines tenure, sets compensation, and removes DEPUTY COMMISSIONERS & HELPING TEACHERS
1262a(a) & (c)	food: uses money appropriated to AGENCY to award grants to school boards that have food program
1262a(b)	food: uses money appropriated to AGENCY to award grants to SUs to begin/expand food program
1322	annually sends enough registers (for attendance etc.) to each SU as are needed in the schools
2949	SpEd: enters into reciprocal agreements with other states with approval of AG
2973(c)	SpEd independent school tuition: may enter into interstate contracts re: tuition etc.
Secretary	
212(6)	supervises expenditure and distribution of state ed funds
212(21)	prepares agency's budget
1049a(c)	high school completion program: reimburses school districts; establishes/ negotiates amount of reimbursement
1073(b)(3)(A)	pays for pregnant/ parenting pupil in residential program
1693(e)	professional stds bd: employs a director, develops an annual budget, administers appropriated funds; budget of standards board is part of agency's budget; employs administrative staff; incurs other necessary expenses; is custodian of records; conducts annual training
29S0(a)	pays 100% of SpEd for state-placed student; may reimburse other costs
2959a(c)	SpEd / Medicaid fund: pays out/ may withhold funds

16 V.S.A§__	
2959a(f)	SpEd / Medicaid: may spend money only as approved by legislature
2965	SpEd: uses funds to pay unexpected additional costs AGENCY incurs because another entity didn't meet its obligations to child with disability or parents
2969(c) & (d)	SpEd payments: uses up to 1% of funds each FY for program development etc. re: emotional behavioral needs; uses up to .75% of funds each FY for training teachers etc.
401l(e)	annually pays 87% of base amt to VAST
4011(f)	annually pays 26% of base amount for adult diploma program
401l(g)	annually pays district% of amt it paid for teched students not in its adm
401l(h)	makes all payments required by ch23, sub 5 (driver ed)
4012(a)-(b)	state-placed students: receives requests/ makes payments to non-operating districts; is considered the "receiving district" for recovering tuition overcharge
4015(b)	pays annual grants to small schools
4016(c)	receives requests and pays out\$ for extraordinary transportation expenditures
Agency	
1048	administers the driver's ed subchapter, including the training/ qualification of instructors and selection of instructional materials
1049(B)92)	administers adult diploma program
1049(B)(3)	jointly administers GED testing program
1049a(a)(3)	high school completion program: enters into contracts with "contracting agencies" to provide adult ed services
1693(d)	reimburses and compensates members of professional standards board
1693(e) & 1702(b)	"office" within the AGENCY {defined in§ 1691a(8)} provides administrative services to professional standards board
2959a(b)	SpEd/ Medicaid: reimbursement special fund is established within Agency
2959a(d)	SpEd / Medicaid: incentive fund is established within Agency develops formula for payment from fund to SUs
2959a(f)	SpEd / Medicaid: may use some Medicaid funds for admin costs
MISCELLANEOUS	
State Board	

164(13)	"constitutes the state board" for AE & L programs
164(13)	perform all duties/ powers re: AE & L programs [still?]
175(d)	if postsecondary school is closing: brings action in superior court if school doesn't comply with records requirements; can obtain temp custody of them
175(e)	if postsecondary school is closing: expends state funds for storage of documents if necessary
176(k)	postsecondary school: requests attorney General to seek an injunction if school in violation
1562	tech centers: may use money available for tech ed to reimburse part of programs designed to allow students to try a class
2945(d)(2) & (4)	SpEd: receives SpEd Advisory Council's advice re SpEd rules, regs, state plans, etc.
3448(a)(9)	construction: certifies to Finance & Mgmt that project is eligible for first payment of aid; may certify payment (first or final) if out of priority order
3448f(f)(6)	energy performance contracting: certifies to Finance & Mgmt that project is eligible for award
Secretary	
262(a)	calls first meetings of SU board after State Board approves a new SU
706i & 706j	union school districts - organization meetings: draws meeting notice; calls meeting to order
706q(b)	union school districts: sets amount of bond required from board of school directors in a union school district before they begin their official duties
825(c)	investigates school board complaints about tuition charged it may contract for audits re: accuracy of allocation of expenditures & revenues
3448(a)(9)	construction: certifies project is eligible for final award
Agency	
12	Oath: affirmation of Constitution by (among others) teacher "in an independent school or other educational institution accepted by the [AGENCY! as furnishing equivalent education" [what does "accepted" mean here? STATE BOARD approves independent schools] Also - rewrite for grammatical clarity?
1049(c)	fees received under ABE section to offset AGENCY costs
177	Postsecondary Approval Fees - receives fees from postsecondary schools; phrased as offsetting costs to AGENCY (not BOARD) for approval, etc.

