

**AGENCY OF EDUCATION
Montpelier, Vermont**

TEAM: School Finance

ITEM: Will the State Board of Education grant renewal of general independent school Mount Snow Academy, West Dover, VT, to serve a maximum of 40 students in grades 6-12, with an interest in pursuing freestyle and alpine skiing and snowboarding competitions, in its five-month winter term academic program, and in addition approve the addition of grades four and five?

SECRETARY'S RECOMMENDED ACTION:

Mount Snow Academy meets the criteria for renewal of approval and the addition of grades four (4) and five (5), except for Rule 2227, which applies to an independent school that operates a boarding program, enrolls students as boarding students, or operates a residential treatment program. As a school with a boarding program, Mount Snow Academy is required to be accredited by a State Board recognized accreditor; or licensed as a residential childcare facility by the Department for Children and Families (DCF). Mount Snow Academy has not received accreditation and is not licensed by DCF. Accordingly, the Secretary of Education cannot recommend renewal of approval due to noncompliance with Rule 2227 at this time.

If the State Board of Education moves forward with renewal of independent school approval, this approval is conditional on the requirement that the school reports to the Agency of Education within five business days whenever any changes occur in enrollment, programs, policies, facilities, financial capacity, staffing or administration during the approval period.

STATUTORY AUTHORITY: Title 16 V.S.A. § 166 (b)
State Board Rules 2200

1. An independent school may operate and provide elementary and secondary education if it is approved by the State Board of Education.
2. The State Board of Education shall approve an independent school if it substantially complies with the Board's rules for independent schools, promulgated as Series 2200 (Independent School Program Approval).

3. Mount Snow Academy is seeking renewal of general independent school approval and the addition of grades four and five to its programming.
4. Mount Snow Academy was last granted renewal of State Board approval on August 18, 2015 through December 1, 2020, to serve students in grades 6-12.
5. Four sections of the new independent school rules took effect upon adoption on May 10, 2022. Those rule are: Rule 2223 (Procedure), Rule 2224 (Reciprocity), Rule 2226 (Application) and Rule 2227 (Approval). Mount Snow Academy School has provided a signed addendum attesting to meeting these new rules.

FISCAL IMPLICATIONS: none

STAFF AVAILABLE:

Patrick Halladay, Director of Educator Quality Division

Cassandra Ryan, Director of Regulatory Compliance and Risk Management