

## SBE Timeline for Act 173 Rulemaking for Special Education Rate Setting

Vermont State Board of Education

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Note: Underlined text indicates activities governed by 3 VSA Chapter 25, Administrative Procedure

### *AOE DRAFT RULES V.1 >>> AOE DRAFT RULES V.2*

<b>September 2019</b>	<b>19 September SBE retreat:</b> review 'SBE Timeline for Act 173 Rulemaking'.
<b>October 2019</b>	<b>16 October SBE meeting:</b> Census-Based Funding Advisory Group to present concerns with <i>AOE DRAFT RULES V.1</i> with specific language for revisions. AoE to present its perspective.
<b>November 2019</b>	<b>early November:</b> AoE to complete <i>AOE DRAFT RULES V.2</i> , and disseminate to SBE, CBF Advisory Group, and other stakeholders. <b>20 November SBE meeting:</b> AoE to present <i>AOE DRAFT RULES V.2</i>

### *AOE DRAFT RULES V.2 >>> AOE DRAFT RULES V.3 >> SBE DRAFT RULES*

<b>December 2019</b>	<b>18 December SBE meeting:</b> CBF Advisory Group and other stakeholders to present concerns with <i>AOE DRAFT RULES V.2</i> with specific language for revisions. AoE to respond. SBE to provide guidance to AoE for revisions, if any, to be incorporated in <i>AOE DRAFT RULES V.3</i>
<b>January 2020</b>	<b>15 January SBE meeting:</b> AoE to present <i>AOE DRAFT RULES V.3</i> SBE to review <i>AOE DRAFT RULES V.3</i> , modify as necessary, and adopt as <i>SBE DRAFT RULES</i> .

### *SBE DRAFT RULES >>> SBE PROPOSED RULES for rulemaking*

<b>February 2020</b>	<b>19 February SBE meeting:</b> SBE to receive public comment on <i>SBE DRAFT RULES</i> . AoE to present overview of Rulemaking process and <i>DOCUMENTATION</i> required to accompany filings.
<b>March 2020</b>	<b>18 March SBE meeting:</b> SBE to receive public comment on <i>SBE DRAFT RULES</i> . AoE to present overview and drafts of <i>DOCUMENTATION</i> required for filings with Interagency Committee on Rulemaking (ICAR) and required for filings with Secretary of State (SoS). SBE to provide guidance to AoE for revisions, if any.
<b>April 2020</b>	<b>15 April SBE meeting:</b> SBE to reflect on public testimony, review <i>SBE draft Rules</i> , and modify as necessary. <u>SBE to adopt <i>SBE PROPOSED RULES</i> for rulemaking.</u> <u>SBE to vote to initiate formal rule-making process.</u> SBE to review revised <i>DOCUMENTATION</i> (required for filings with ICAR and SoS) prepared by AoE and modify as necessary: <u>SBE to adopt as <i>SBE DOCUMENTATION</i> for submission with filings to ICAR and SoS.</u>

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### *SBE PROPOSED RULES >>> SBE FINAL RULES*

<p><b>April 2020</b> <i>(continued)</i></p>	<p><b>16 April:</b> <u>SBE to pre-file <i>SBE PROPOSED RULES</i> and required <i>DOCUMENTATION</i> with Interagency Committee on Rulemaking (ICAR).</u></p> <p><b>late April</b> (15 days after pre-filing with ICAR): <u>SBE to file <i>SBE PROPOSED RULES</i> and required <i>DOCUMENTATION</i> with Secretary of State SOS).</u></p>
<p><b>May 2020</b></p>	<p><b>early May:</b> <u>Eight-month Rulemaking timeline to begin.</u> <u>Public comment period to open.</u></p> <p><b>early May</b> (first Wednesday following filing with SoS): <u>SBE to publish online notice of <i>SBE PROPOSED RULES</i>.</u></p> <p><b>mid-May</b> (if SBE proposed Rules are included in ICAR May schedule): <u>ICAR to conduct hearing on <i>SBE PROPOSED RULES</i>.</u></p> <p><b>20 May SBE meeting:</b> SBE to review progress in Rulemaking, adjust timeline as necessary, and plan/confirm next steps.</p> <p><b>late May</b> (eight days after notice published online): <u>SBE to publish notice of <i>SBE PROPOSED RULES</i> in newspapers of record.</u></p>
<p><b>June 2020</b></p>	<p><b>17 June SBE meeting</b> (30 days or more after online notice was published): <u>SBE to conduct public hearing on <i>SBE PROPOSED RULES</i>.</u></p> <p><b>25 June SBE special meeting:</b> <u>SBE to conduct second public hearing on <i>SBE PROPOSED RULES</i>.</u></p>
<p><b>July 2020</b></p>	<p><i>(1 July 2020 = last date for SBE to start Rulemaking process, per Act 173, Sec 16.)</i></p> <p><b>mid-July SBE meeting:</b> <u>SBE to close public comment period.</u> SBE to reflect on public testimony, review <i>SBE PROPOSED RULES</i>, and provide guidance to AoE on revisions to be incorporated in <i>SBE FINAL RULES</i> to be adopted by SBE in August.</p>
<p><b>August 2020</b></p>	<p><b>mid-August SBE meeting:</b> AoE to present proposed <i>SBE FINAL RULES</i> for adoption. SBE to discuss proposed final Rules and amend as necessary. <u>SBE to adopt <i>SBE FINAL RULES</i>.</u></p> <p><b>mid-August:</b> <u>SBE to file <i>SBE FINAL RULES</i> with Legislative Committee on Administrative Rules (LCAR) and with SoS.</u></p>

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### SBE FINAL RULES

<b>August 2020</b> <i>(continued)</i>	<b>mid-August:</b> <u>SBE to file SBE FINAL RULES with Legislative Committee on Administrative Rules (LCAR) and with SoS.</u>
<b>September 2020</b>	<b>early September:</b> <u>LCAR to conduct hearing on SBE FINAL RULES.</u> <b>mid-September SBE meeting:</b> SBE to receive briefing on status of LCAR review.
<b>October 2020</b>	<b>mid-October SBE meeting</b> (allowing 45 days for LCAR review): <u>SBE to file SBE FINAL RULES with SoS.</u>
<b>November 2020</b>	<b>early November</b> (fifteen days after filing with SoS): <u>SBE FINAL RULES to become effective.</u>
<b>December 2020</b>	<i>(late December: eight-month Rule-making period expires)</i>