

1 H.49

2 Introduced by Representatives Sullivan of Dorset, Browning of Arlington,

3 Dunn of Essex, and Gannon of Wilmington

4 Referred to Committee on

5 Date:

6 Subject: Education; State Board of Education; rule making; concurrence by the

7 Secretary of Education

8 Statement of purpose of bill as introduced: This bill proposes that the State

9 Board of Education shall not propose a rule without the concurrence of the

10 Secretary of Education.

11 An act relating to the State Board of Education and concurrence by the
12 Secretary of Education of proposed rules

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 16 V.S.A. § 164 is amended to read:

15 § 164. STATE BOARD; GENERAL POWERS AND DUTIES

16 The State Board shall evaluate education policy proposals, including timely

17 evaluation of policies presented by the Governor and Secretary; engage local

18 school board members and the broader education community; and establish

19 and advance education policy for the State of Vermont. In addition to other

20 specified duties, the Board shall:

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(7) ~~Adopt~~ With the concurrence of the Secretary, adopt rules pursuant to 3 V.S.A. chapter 25 as necessary or appropriate for the execution of its powers and duties and of the powers and duties of all persons under its supervision and control. Any rule adopted by the State Board on or after September 1, 2017 to which the Secretary has not informed the Board of his or her concurrence shall be void and of no effect.

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(14) ~~Adopt~~ With the concurrence of the Secretary, adopt rules for approval of independent schools. Any rule adopted by the State Board for approval of independent schools on or after September 1, 2017 to which the Secretary has not informed the Board of his or her concurrence shall be void and of no effect.

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Sec. 2. 16 V.S.A. § 212 is amended to read:

§ 212. SECRETARY'S DUTIES GENERALLY

The Secretary shall execute those policies adopted by the State Board in the legal exercise of its powers and shall:

* * *

1 (23) Review any rule proposed by the State Board pursuant to 3 V.S.A.
2 chapter 25 and inform the Board whether the Secretary concurs with the
3 adoption of the rule.

4 Sec. 3. EFFECTIVE DATE

5 This act shall take effect on September 1, 2017.