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H.117

Introduced by Representatives Scheuermann of Stowe, Beck of St. Johnsbury,
Browning of Arlington, Chesnut-Tangerman of Middletown
Springs, Cupoli of Rutland City, Donahue of Northfield, Frenier
of Chelsea, Gannon of Wilmington, Juskiewicz of Cambridge,
Keefe of Manchester, Morrissey of Bennington, Myers of
Essex, Pearce of Richford, Poirier of Barre City, Sibilias of
Dover, Strong of Albany, Sullivan of Dorset, Toll of Danville,
Van Wyck of Ferrisburgh, Willhoit of St. Johnsbury, and
Wright of Burlington

Referred to Committee on

Date:

Subject: Education; State Board of Education; limitation of authority

Statement of purpose of bill as introduced: This bill proposes to (1) eliminate
the authority of the State Board of Education to propose candidates for the
office of Secretary of Education to the Governor, and (2) eliminate the
authority of the State Board of Education to adopt rules and transfer this
rulemaking authority to the Secretary.

An act relating to the State Board of Education

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

2 Sec. 1. 3 V.S.A. § 2702 is amended to read:

3 § 2702. SECRETARY OF EDUCATION

4 (a) With the advice and consent of the Senate, the Governor shall appoint a
5 Secretary of Education ~~from among no fewer than three candidates proposed~~
6 ~~by the State Board of Education~~. The Secretary shall serve at the pleasure of
7 the Governor.

8 (b) The Secretary shall report directly to the Governor and shall be a
9 member of the Governor's Cabinet.

10 (c) At the time of appointment, the Secretary shall have expertise in
11 education management and policy and demonstrated leadership and
12 management abilities.

13 Sec. 2. 16 V.S.A. § 164 is amended to read:

14 § 164. STATE BOARD; GENERAL POWERS AND DUTIES

15 The State Board shall evaluate education policy proposals, including timely
16 evaluation of policies presented by the Governor and Secretary; engage local
17 school board members and the broader education community; and establish
18 and advance education policy for the State of Vermont. In addition to other
19 specified duties, the Board shall:

20 * * *

1 (25) Adopt rules for the approval of independent schools.

2 Sec. 4. CONFORMING REVISIONS

3 When preparing the Vermont Statutes Annotated for publication, the Office
4 of Legislative Council shall change references to rules or regulations in
5 relation to adoption by the State Board of Education to adoption by the
6 Secretary of Education throughout the statutes as needed for consistency with
7 Secs. 2–3 of this act, as long as the revisions have no other effect on the
8 meaning of the affected statutes.

9 Sec. 5. EFFECTIVE DATE

10 This act shall take effect on passage.