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MEMORANDUM

To: Members of the Approved Independent Schools Study Committee
From: Rebecca Holcombe, Ed.D., Secretary of Education 
Date: May 25, 2017
Re: Approved Independent Schools Study Committee

I am writing to invite you to the first meeting of the Approved Independent Schools Study Committee. I am required by law, signed on May 24, 2017, to convene this meeting on or before May 30, 2017.

The first meeting is scheduled on May 30 from 1 to 3 p.m. at the Agency of Education in Barre, VT.

Section 42 of Act ___ (H. 513) of 2017 established an *Approved Independent Schools Study Committee* "to consider and make recommendations on the criteria to be used by the State Board of Education for designation as an "approved" independent school." At the first meeting we will review our legislative mandate and elect a chair.

To provide a framework for the Committee's first meeting and relevant background for future meetings, the AOE has prepared a suggested agenda and a packet of supporting documents. Please see attached. The documents include relevant laws, legal opinions and a sample of letters provided to the State Board of Education by interested parties, including many who will be at the table on the 30th. Molly Bachman, the general counsel at the Agency, will review these documents with the Committee. We will also discuss a framework for reviewing specific risks and responsibilities that adhere to districts on the one hand and schools on the other as we consider recommendations with respect to the three legislatively identified criteria (enrollment policy, special education, and financial reporting) and other criteria identified by the Committee.

At the end of the meeting, the Committee will elect its chair.

Best to all, and I look forward to seeing you on the 30th.

Sincerely,

Rebecca Holcombe

**First meeting of the Committee on Independent School Approval Rules
Proposed Agenda**

1. Secretary convenes meeting - Introductions and Legislative Charge
2. Review of existing law related to independent school approval and responsibilities of districts (Molly Bachman)

Attachments:

1. Chapter I Article 7 of the Vermont Constitution and Chapter II § 68 of the Vermont Constitution
 2. Vermont's Public Accommodations Act, Sections 9 V.S.A. §§ 4500 – 4502
 3. 16 V.S.A. § 166 Approved and recognized independent schools
 4. 16 V.S.A. § 828 Tuition to approved schools
 5. Responses from Vermont Independent Schools Assn. (5/10/16)
 6. Letter from Vermont Independent Schools Assn. (2/14/17)
 7. Letter from Karen Richards, Vermont Human Rights Commission (2/17/17)
 8. Letter from Counsel of Independent Schools (5/9/16)
 9. Attorney General Opinion on Vermont Public Accommodations Act (2/9/17)
 10. Joint Memorandum from VCSEA and VSBA and VSA (1/3/17)
 11. Description of independent school approval process in neighboring states
 12. Memorandum from Karen Kennedy, Lyndon Institute (1/11/17)
 13. Legal Opinion of Jim DesMarais, Legislative Counsel (10/28/16)
 14. Joint Fiscal Office Issue Brief (4/25/17)
 15. ACLU Memorandum (12/6/16)
3. Review of SBE rule making authority (Molly Bachman)

Attachments:

 16. Attorney General Opinion on SBE rulemaking authority (12/19/16)
 17. 16 V.S.A § 164(7), (14)
 4. Overview of existing independent schools and services (diversity of sector)
 - General education
 - Special education only
 - Special purpose (state placed, mental health rehabilitation, substance abuse, etc.)
 - Tutorials
 5. Definition of task

Attachment:

 18. H. 513 Legislative charge
 6. Sharing of preliminary goals:

7. Election of Chair
8. Discussion of topics for next meeting (Agenda is responsibility of the Chair)