

**AGENCY OF EDUCATION**  
**Barre, Vermont**

**TEAM:** Legal

**ACTION ITEM:** Will the State Board of Education authorize the Agency of Education to initiate the administrative rule-making process by pre-filing the proposed State Board Rule 7000 Series amendments with the Interagency Committee on Administrative Rules (ICAR) for its review?

**SECRETARY'S RECOMMENDED ACTION:** That the State Board of Education authorize the Agency of Education to pre-file the proposed State Board Rule 7000 Series amendments with ICAR for its review process.

**STATUTORY AUTHORITY:** 16 V.S.A. § 164(7) and (14), 16 V.S.A. § 166(b), State Board Rule 2223

**BACKGROUND INFORMATION:** Vermont law requires the State Board of Education to approve independent schools offering elementary or secondary education if the Board finds both that the school “provides a minimum course of study pursuant to section 906 of [Title 16] and that it substantially complies with the Board’s rules for approved independent schools.” 16 V.S.A. § 166(b). State Board Rule 2223 permits the Board to grant approval to an independent school that is accredited by an agency listed in Rule 7320, without the need for additional evaluation or process.

The proposed amendment would repeal Rule 7320, effective July 1, 2024, as one step in the Board’s long-term plan to amend the Rule 2200 series to include either (i) substantive requirements and a process by which the State Board would recognize accrediting agencies or (ii) a list of State Board-recognized accrediting agencies.<sup>1</sup> This would supply ample opportunity for interested entities to provide support for continued inclusion on the list of recognized accrediting agencies and for the State Board to amend any relevant rule in the 2200 Series accordingly, eliminating the need for the cross-reference in Rule 2223 to a different rule series.

In addition, the proposed amendment would immediately repeal all other rules in the 7000 Series because they do not provide any new, substantive language, but rather cross-reference a statute or rule that addresses the topic of the rule’s title.

**COST IMPLICATIONS:** The Secretary of State charges a flat rate of \$2,200 for statutory publication of proposed rules. In addition, there may be costs for the public meeting held to solicit public comment, which would be an ancillary cost to the Agency.

**STAFF AVAILABLE:** Donna Russo-Savage, Staff Attorney

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<sup>1</sup> In connection with the State Board’s long-term plan, the Agency anticipates that the Board will add the Association of Independent Schools in New England (AISNE) to Rule 2223 as part of the Board’s current amendments to the Rule 2200 Series.