

AGENCY OF EDUCATION
Barre, Vermont

TEAM: Legal/Finance—Postsecondary Rules

ACTION ITEM: Will the State Board of Education vote to authorize the Agency of Education to conduct another public hearing and additional public comment period on the proposed revised amendment of SBE Rule 2240, Certification of Postsecondary Schools, prior to filing with LCAR?

RECOMMENDED ACTION:

That the State Board of Education authorize the Agency of Education to conduct another public hearing and additional public comment period on the proposed revised amendment of SBE Rule 2240, Certification of Postsecondary Schools, prior to filing with LCAR?

STATUTORY AUTHORITY: 16 V.S.A. § 176

BACKGROUND INFORMATION: In its August 2016 meeting, the State Board of Education authorized the Agency of Education to file the final proposed amendment to the postsecondary rules with the Legislative Committee on Administrative Rules (LCAR). Agency staff determined the rule required further revision to be compliant with the enabling statute which was revised in 2001. The version of the rule which was presented to ICAR and published for public comment needs to be amended prior to submission to LCAR.

The Agency proposes to republish the revised rule on the website, inform stakeholders and hold another public hearing since the rule has been revised between ICAR and LCAR.

POLICY IMPLICATIONS: The postsecondary rules must comply with the enabling statute and are superseded until amended.

COST IMPLICATIONS (i.e., Monetary Resources; Staff Resources): The Agency may incur fees for any public meeting it holds to solicit public comment. Any such fee is expected to be an ancillary cost to the Agency.

STAFF AVAILABLE: Clare O'Shaughnessy, Staff Attorney; Cassandra Ryan, School Finance