

Updated SBE Timeline for Act 173 Rulemaking

Vermont State Board of Education

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Notes: *SBE* indicates AoE staff to implement on behalf of SBE.

Underlined text indicates activities governed by 3 VSA Chapter 25, Administrative Procedures Act.

Squiggly underline indicates public comment period.

<i>AOE DRAFT RULES V.1 >>> AOE DRAFT RULES V.2</i>	
September 2019	19 September SBE retreat: review 'SBE Timeline for Act 173 Rulemaking'.
October 2019	16 October SBE meeting: Census-Based Funding Advisory Group to present concerns with <i>AOE DRAFT RULES V.1</i> with specific language for revisions. AoE to present its perspective.
November 2019	early November: AoE to complete <i>AOE DRAFT RULES V.2</i> , and disseminate to SBE, CBF Advisory Group, and other stakeholders. 20 November SBE meeting: AoE to present <i>AOE DRAFT RULES V.2</i>
<i>AOE DRAFT RULES V.2 >>> AOE DRAFT RULES V.3 >> SBE PROPOSED RULES for APA rulemaking</i>	
December 2019	18 December SBE meeting: CBF Advisory Group and other stakeholders to present concerns with <i>AOE DRAFT RULES V.2</i> with specific language for revisions. AoE to respond. SBE to provide guidance to AoE for revisions, if any, to be incorporated in <i>AOE DRAFT RULES V.3</i>
January 2020	21 January SBE meeting: AoE to present <i>AOE DRAFT RULES V.3 (Rule Series 1300, plus necessary revisions to Rule Series 2360)</i> . SBE to review <i>AOE DRAFT RULES V.3</i> and modify as necessary. <u>SBE to adopt <i>PROPOSED RULES</i> for APA rulemaking.</u> <u>SBE to vote to initiate formal APA rule-making process.</u>
<i>AOE PROPOSED DOCUMENTATION FOR APA >>> SBE DOCUMENTATION and PROPOSED RULES TO ICAR</i>	
February 2020	19 February SBE meeting: AoE to present to SBE all necessary <i>DOCUMENTATION</i> required for SBE filings with Interagency Committee on Rulemaking (ICAR) and required for filings with Secretary of State (SoS). SBE to review <i>DOCUMENTATION</i> , modify as necessary. <u>SBE to adopt as <i>SBE DOCUMENTATION</i> for submission with filings to ICAR and SoS.</u>
March 2020	before 18 March SBE meeting: *SBE* to pre-file <u><i>SBE PROPOSED RULES</i></u> and required <i>DOCUMENTATION</i> with Interagency Committee on Rulemaking (ICAR). late March (15 days after pre-filing with ICAR): *SBE* to file <u><i>SBE PROPOSED RULES</i></u> and required <i>DOCUMENTATION</i> with Secretary of State (SOS).

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SBE PROPOSED RULES COMMENT PERIOD>>> SBE FINAL RULES >>> SBE FINAL RULES TO LCAR

April 2020	<p>early April: <u>eight-month APA Rulemaking timeline to begin.</u> <u>Public comment period to open.</u></p> <p>early April (first Wednesday following filing with SoS): *SBE* to <u>publish online notice of SBE PROPOSED RULES.</u></p> <p>mid-April (if SBE proposed Rules are included in ICAR May schedule): <u>ICAR to conduct hearing on SBE PROPOSED RULES.</u></p> <p>15 April SBE meeting: SBE to review progress in Rulemaking, adjust timeline as necessary, and plan/confirm next steps.</p> <p>late April (eight days after notice published online): *SBE* to <u>publish notice of SBE PROPOSED RULES in newspapers of record.</u></p>
May 2020	<p>13 May SBE special meeting (30 days or more after online notice was published): <u>SBE to conduct first public hearing on SBE PROPOSED RULES.</u></p> <p>20 May SBE meeting: <u>SBE to conduct second public hearing on SBE PROPOSED RULES.</u></p>
June 2020	<p>17 June SBE meeting: <u>SBE to close public comment period.</u> SBE to reflect on public testimony, review <i>SBE PROPOSED RULES</i>, and determines revisions to be incorporated in <i>SBE FINAL RULES</i> to be adopted by SBE in July.</p>
July 2020	<p><i>(1 July 2020 = last date for SBE to start Rulemaking process, per Act 173, Sec 16.)</i></p> <p>mid-July SBE meeting: *SBE* to present proposed <i>SBE FINAL RULES</i> for adoption. SBE to discuss proposed final Rules and amend as necessary. <u>SBE to adopt SBE FINAL RULES.</u></p> <p>after mid-July: *SBE* to <u>file SBE FINAL RULES with Legislative Committee on Administrative Rules (LCAR) and with SoS.</u></p>

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SBE FINAL RULES AT LCAR >>> SBE RULES go into effect

August 2020	early August: <u>LCAR to conduct hearing on SBE FINAL RULES.</u> mid-August SBE meeting: AoE to brief SBE to on status of LCAR review.
September 2020	mid-September SBE meeting (allowing 45 days for LCAR review): *SBE* to file <u>SBE FINAL RULES</u> with SoS.
October 2020	early October (fifteen days after filing with SoS): <u>SBE FINAL RULES to become effective.</u> *SBE* to notify School districts
November 2020	<i>(late November: eight-month maximum allowable APA Rule-making period expires)</i>

JC: 21 Jan 2020