

SBE Timeline for Act 173 Rulemaking for Special Education Rate Setting Vermont State Board of Education Rev 3.3, 19 September 2019, page 1 of 3 <i>Note: <u>Underlined text</u> indicates activities governed by 3 VSA Chapter 25, Administrative Procedure</i>	
<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 DRAFT RULES</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	15 January SBE meeting: AoE to present <i>AOE DRAFT RULES V.3</i> SBE to review <i>AOE DRAFT RULES V.3</i> , modify as necessary, and adopt as <i>SBE DRAFT RULES</i> .
<i>SBE DRAFT RULES >>> SBE PROPOSED RULES for rulemaking</i>	
February 2020	19 February SBE meeting: SBE to receive public comment on <i>SBE DRAFT RULES</i> . AoE to present overview of Rulemaking process and <i>DOCUMENTATION</i> required to accompany filings.
March 2020	18 March SBE meeting: SBE to receive public comment on <i>SBE DRAFT RULES</i> . AoE to present overview and drafts of <i>DOCUMENTATION</i> required for filings with Interagency Committee on Rulemaking (ICAR) and required for filings with Secretary of State (SoS). SBE to provide guidance to AoE for revisions, if any.
April 2020	15 April SBE meeting: SBE to reflect on public testimony, review <i>SBE draft Rules</i> , and modify as necessary. <u>SBE to adopt <i>SBE PROPOSED RULES</i> for rulemaking.</u> <u>SBE to vote to initiate formal rule-making process.</u> SBE to review revised <i>DOCUMENTATION</i> (required for filings with ICAR and SoS) prepared by AoE and modify as necessary: <u>SBE to adopt as <i>SBE DOCUMENTATION</i> for submission with filings to ICAR and SoS.</u>

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Vermont State Board of Education

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SBE PROPOSED RULES >>> SBE FINAL RULES

<p>April 2020 <i>(continued)</i></p>	<p>16 April: <u>SBE to pre-file <i>SBE PROPOSED RULES</i> and required <i>DOCUMENTATION</i> with Interagency Committee on Rulemaking (ICAR).</u></p> <p>late April (15 days after pre-filing with ICAR): <u>SBE to file <i>SBE PROPOSED RULES</i> and required <i>DOCUMENTATION</i> with Secretary of State (SoS).</u></p>
<p>May 2020</p>	<p>early May: <u>Eight-month Rulemaking timeline to begin.</u> <u>Public comment period to open.</u></p> <p>early May (first Wednesday following filing with SoS): <u>SBE to publish online notice of <i>SBE PROPOSED RULES</i>.</u></p> <p>mid-May (if SBE proposed Rules are included in ICAR May schedule): <u>ICAR to conduct hearing on <i>SBE PROPOSED RULES</i>.</u></p> <p>20 May SBE meeting: SBE to review progress in Rulemaking, adjust timeline as necessary, and plan/confirm next steps.</p> <p>late May (eight days after notice published online): <u>SBE to publish notice of <i>SBE PROPOSED RULES</i> in newspapers of record.</u></p>
<p>June 2020</p>	<p>17 June SBE meeting (30 days or more after online notice was published): <u>SBE to conduct public hearing on <i>SBE PROPOSED RULES</i>.</u></p> <p>25 June SBE special meeting: <u>SBE to conduct second public hearing on <i>SBE PROPOSED RULES</i>.</u></p>
<p>July 2020</p>	<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: <u>SBE to close public comment period.</u> SBE to reflect on public testimony, review <i>SBE PROPOSED RULES</i>, and provide guidance to AoE on revisions to be incorporated in <i>SBE FINAL RULES</i> to be adopted by SBE in August.</p>
<p>August 2020</p>	<p>mid-August SBE meeting: AoE to present proposed <i>SBE FINAL RULES</i> for adoption. SBE to discuss proposed final Rules and amend as necessary. <u>SBE to adopt <i>SBE FINAL RULES</i>.</u></p> <p>mid-August: <u>SBE to file <i>SBE FINAL RULES</i> with Legislative Committee on Administrative Rules (LCAR) and with SoS.</u></p>

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SBE FINAL RULES

August 2020 <i>(continued)</i>	mid-August: <u>SBE to file SBE FINAL RULES with Legislative Committee on Administrative Rules (LCAR) and with SoS.</u>
September 2020	early September: <u>LCAR to conduct hearing on SBE FINAL RULES.</u> mid-September SBE meeting: SBE to receive briefing on status of LCAR review.
October 2020	mid-October SBE meeting (allowing 45 days for LCAR review): <u>SBE to file SBE FINAL RULES with SoS.</u>
November 2020	early November (fifteen days after filing with SoS): <u>SBE FINAL RULES to become effective.</u>
December 2020	<i>(late December: eight-month Rule-making period expires)</i>