

MEMORANDUM

TO: Members of the State Board of Education
 FROM: Emily Simmons, AOE General Counsel
 SUBJECT: SBE rules and dates that rules were last revised
 DATE: October 15, 2020

Background

Many State Board of Education rules are in need of revision. Some changes are needed to conform the language of the rules to the current relationship between AOE, an independent, cabinet-level agency, and the Board, an independent, executive branch board/council. Some rules have not been reviewed in many years, and could likely benefit from updates based on changes in federal and state education practices. Some rules need to be changed in response to legislation. The table below is intended to give the Board a starting place in planning which rules it will focus on first.

Dates of Most Recent Revision

<u>Title</u>	<u>Content</u>	<u>Date of Last Revision</u>	<u>Comments</u>
Series 1100 - State Department of Education	Lays out authority of DOE and Commissioner. States the organizational divisions of the DOE.	1992	Outdated by Act 98.
Series 1200 - State Board of Education	Establishes regular meeting days, use of Roberts Rules. Procedural rules for SBE business including formal hearings. Provision for waiver of SBE rules.	2010	Important rules for formal proceedings, in need of update per Act 98 and to reflect desired process of current board.

Series 2000 - Education Quality Standards	The state's standards for public school quality standards.	2014	
Series 2200 - Independent School Program Approval		Upcoming in 2021	
Series 2300 - Length of School Day and Year; Vermont GED; Driver Education	School calendar requirements; rules for GED and Driver Education courses.	2006	
Series 2360 - Special Education Rules		Ongoing	
Series 2370 - Career and Technical Education	Gives rules for operation of CTE centers. Establishes CTE regions.	2002	
Series 2400 - Vermont Adult Education Rules	Establishes an Adult Education Board and its duties.	1997	These rules have never been put into practice, based on a review of Agency records.
Series 2500 - School Accountability System Based on Student Achievement	Gives rules for statewide student assessments.	2004	
Series 2600 - Prekindergarten Education	Rules for approval of PreK programs that can receive Act 166 funds.	2016	
Series 3000 - School District Organization	Covers adjustment of SU boundaries,	2006	

	appointment of superintendents, SU fiscal operations.		
Series 3400 - Proposals for Alternative Structures Under Act 46 (2015)	Act 46-specific rules.	2017 (delayed effective date)	These rules do not apply outside of the specific Act 46 deadlines that have passed.
Series 4000 - Pupils	Rules for student conduct policies, response to student substance abuse, discipline due process procedures, referrals to law enforcement for student conduct.	2010	
Series 4500 - Use of Restraint and Seclusion in Schools	Prohibits improper restraint or seclusion, requires training, documentation.	2011	
Series 6000 - School Buildings and Sites	Describes the process for building projects that seek state construction aid.	2000	
Series 6001 - 6005 - School Bus Idling	Prohibits bus idling, on school grounds, with exceptions.	2008	
Series 6300 - General Rules for Prequalification of Bidders on Contracts over \$ 500,000	Governs activities of school districts under the bid law.	2000	

Series 6400 - Construction Management	Bidding requirements on contracts for construction managers.	2000	
Series 7000 - Relationship with Public, Other Agencies, and Institutions	Enumerates several intertate compacts, state agencies and education institutions that work collaboratively with SBE.	Unknown	It is not clear if this is an APA rule or a Board policy.
Series 8100 - School Lunch Programs	Governs the school lunch grant program.	Not listed	
Series 8200 - Child and Adult Care Food Program	Rules for provision of meals in day care settings.	1994	
Series 9000 - Public Bids	Definitions and procedures under the school district bid law.	1997	
Series 9100 - Net Cost Per Pupil	Definitions and rules for calculating average announced tuition.	1996	
Series 9200 - Full-time Equivalent Enrollment of Pupils	Rules for counting enrollment for purposes of SU assessments.	2001	
Series 9300 - Allowable and Extraordinary Transportation Expenditures	Lists allowable and extraordinary expenses for transportation reimbursement grant.	1998	

Series 9400 - Sliding Scales Calculation	For FY19999 only, rules for calculating local share of education spending.	1998	Sunset in 1999, can be deleted from website.
Series 9500 - Reporting Students for Whom English Is Not the Primary Language Under the Equal Education Opportunity Act	Counting of weighted ADM for ELL within the education funding formula.	1998	
Series 10000 - Coordination of Services to Children and Adolescents with a Severe Emotional Disturbance	Coordination among state agencies to support students.	1991	