

Vermont State Board of Education

Annual Report

December 2021 - DRAFT

Among its many responsibilities, the Vermont State Board of Education (SBE) has a statutory duty to report annually, as follows:

- 16 V.S.A. §164(17) directs the SBE to “Report annually on the condition of education statewide and on a supervisory union and school district basis.”
- 16 V.S.A. §164(21) directs the SBE to “Report annually to the Governor and the General Assembly on the progress the Board has made on the development of education policy for the State.”

These directives are remnants from the days when the Agency of Education (AOE) was under the control and direction of the SBE.

Since the passage of Act 98 in 2012, the AOE has been under the control and direction of the Secretary of Education, who is appointed by the Governor. The information within the report specified at 16 V.S.A. §164(17) is effectively provided through a variety of reports that are issued periodically by the AOE. The SBE, which is essentially a volunteer board, lacks the resource capacity to develop this type of reporting. We assume that the General Assembly did not intend for the SBE to have continued responsibility for this report. Accordingly, we recommend that the General Assembly amend this statute to shift responsibility for this report to the Secretary of Education.

The requirement for the SBE to report annually on the development of policy is similarly inconsistent with legislative intent pertaining to the role of the SBE. Act 66 of 2021 explicitly removed the SBE’s authority to create education policy by striking the clause “...establish and advance education policy for the State of Vermont” from the powers and duties of the SBE specified in 16 V.S.A. §164. The SBE recommends the elimination of the reporting requirement of 16 V.S.A. §164(21) to be consistent with the intent expressed in Act 66.

While the duties of the aforementioned reporting requirements are no longer relevant to the SBE’s role, the SBE executed a variety of duties that remain within its statutory charge, including:

- Rulemaking; particularly the implementation of Act 173
- Adjudicating tuition appeals
- Adjudicating a petition for declaratory judgement
- Convening public conversations on issues related to the state of Vermont’s education system
- Preparing for the implementation of Act 1