

# The Vermont Statutes Online

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## **Title 16 : Education**

### **Chapter 003 : State Board of Education**

#### **Subchapter 001 : General Provisions**

**(Cite as: 16 V.S.A. § 164)**

#### **§ 164. State Board; general powers and duties**

The State Board shall engage local school board members and the broader education community and, consistent with the provisions of this title, its own rules, and rules adopted by the Secretary, establish and regularly update a long-term strategic vision for the delivery of educational services in Vermont; advise the General Assembly, the Governor, and the Secretary of Education on high-priority educational policies and issues as they arise; and act in accordance with legislative mandates, including the adoption of rules and executing special assignments. In addition to other specified duties, the Board shall:

(1) Establish such advisory commissions as in the judgment of the Board will be of assistance to it in carrying out its duties. Advisory commission members shall serve with or without compensation at the discretion of the Board but shall receive actual expenses incurred in pursuance of their duties.

(2) Have the authority to enter into agreements with school districts, municipalities, states, the United States, foundations, agencies, or individuals for service, educational programs, or research projects.

(3) Examine and determine all appeals that by law are made to it and prescribe rules of practice in respect thereto, not inconsistent with law.

(4) [Repealed.]

(5) [Repealed.]

(6) Make regulations governing the attendance and records of attendance of all students and the department of students attending public schools.

(7) Adopt rules pursuant to 3 V.S.A. chapter 25 to carry out the powers and duties of the Board as directed by the General Assembly, within the limitations of legislative intent.

(8) [Repealed.]

(9) Implement and continually update standards for student performance in appropriate content areas and at appropriate intervals in the continuum from kindergarten to grade 12 and methods of assessment to determine attainment of the standards for student performance. The standards shall be rigorous, challenging, and designed to prepare students to participate in and contribute to the democratic process and to compete in the global marketplace. The standards shall include a standard for reading level proficiency for students completing grade three.

(10) [Repealed.]

(11) If deemed advisable, determine educational standards for admission to and graduation from the public schools.

(12) [Repealed.]

(13) Be the State Board for the program of adult education and literacy and perform all the duties and powers prescribed by law pertaining to adult education and literacy and to act as the State approval agency for educational institutions conducting programs of adult education and literacy.

(14) Adopt rules for approval of independent schools.

(15) Establish criteria governing the establishment of a system for the receipt, deposit, accounting, and disbursement of all funds by supervisory unions and school districts.

(16) In cooperation with the Secretary, ensure that the Agency develops information, plans, and assistance to aid in making technology and telecommunications available and coordinated in all school districts. The State Board shall develop guidelines for distribution of federal, State, or private funds designated for the development or expansion of distance learning technologies. The guidelines shall encourage, consistent with any terms or conditions established by the funding source, collaboration between schools and school districts to realize economic and educational efficiencies.

(17) Report annually on the condition of education statewide and on a supervisory union and school district basis. The report shall include information on attainment of standards for student performance adopted under subdivision (9) of this section, number and types of complaints of hazing, harassment, or bullying made pursuant to chapter 9, subchapter 5 of this title and responses to the complaints, financial resources and expenditures, and community social indicators. The report shall be organized and presented in a way that is easily understandable by the general public and that enables

each school, school district, and supervisory union to determine its strengths and weaknesses. To the extent consistent with State and federal privacy laws and regulations, data on hazing, harassment, or bullying incidents shall be disaggregated by incident type, including disaggregation by ethnic groups, racial groups, religious groups, gender, sexual orientation, gender identity, disability status, and English language learner status. The Secretary shall use the information in the report to determine whether students in each school, school district, and supervisory union are provided educational opportunities substantially equal to those provided in other schools, school districts, and supervisory unions pursuant to subsection 165(b) of this title.

(18) Ensure that Vermont's students, including students enrolled in secondary career technical education, have access to a substantially equal educational opportunity by developing a system to evaluate the equalizing effects of Vermont's education finance system and education quality standards under section 165 of this title.

(19) [Repealed.]

(20) Pursuant to section 806g of this title, constitute the State Council for the Interstate Compact on Educational Opportunity for Military Children and appoint to the Council a Compact Commissioner and Military Family Education Liaison, who may be the same person. The Board may appoint additional members.

(21) 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. (Added 1969, No. 298 (Adj. Sess.), § 15; amended 1971, No. 14, § 5, eff. March 11, 1971; 1975, No. 48, §§ 3, 14, eff. April 15, 1975; 1975, No. 147 (Adj. Sess.), § 3; 1981, No. 151 (Adj. Sess.), § 5; 1983, No. 247 (Adj. Sess.), § 4(1); 1983, No. 248 (Adj. Sess.), § 4; 1987, No. 97, § 4, eff. June 23, 1987; 1987, No. 228 (Adj. Sess.), § 6; 1989, No. 118, § 3; 1991, No. 24, § 11; 1991, No. 204 (Adj. Sess.), § 7; 1997, No. 60, § 3, eff. June 26, 1997; 1997, No. 138 (Adj. Sess.), § 3, eff. April 27, 1998; 1999, No. 113 (Adj. Sess.), § 1a; 1999, No. 120 (Adj. Sess.), § 3; 2001, No. 151 (Adj. Sess.), § 50, eff. July 1, 2003; 2005, No. 214 (Adj. Sess.), § 12; 2007, No. 154 (Adj. Sess.), § 6; 2011, No. 43, § 2, eff. July 1, 2011; 2011, No. 45, § 7a, eff. May 24, 2011; 2011, No. 98 (Adj. Sess.), § 4, eff. April 1, 2013; 2013, No. 56, § 22, eff. May 30, 2013; 2013, No. 92 (Adj. Sess.), §§ 8, 9, 302, eff. Feb. 14, 2014; 2013, No. 142 (Adj. Sess.), § 26; 2015, No. 23, § 18; 2015, No. 131 (Adj. Sess.), § 23; 2019, No. 1, § 2, eff. Mar. 29, 2019; 2019, No. 131 (Adj. Sess.), § 53; 2021, No. 66, § 20, eff. June 7, 2021.)