

## **Definition of Public School Before and after 1991**

### **16 VSA § 11(a) in 1990**

(7) "Public School" means elementary and high schools which are principally supported by public taxation or tuition payments derived from public funds. A school district may maintain evening or summer schools for its pupils and they shall be considered public schools. This definition shall not be construed to require any public school not managed by a school board to comply with provisions of law relating to teachers.

### **16 VSA § 11(a) Today**

(7) "Public school" means an elementary school or secondary school operated by a school district. A public school may maintain evening or summer schools for its students and it shall be considered a public school.

## **Public School approval**

### **16 VSA § 165 in 1997**

#### **APPROVAL OF PUBLIC SCHOOLS**

(a) On application, the state board shall approve a public school if it finds, after opportunity for hearing, that the school provides a minimum course of study and that it substantially complies with the board's rules of approved public schools.

(b) Approvals under this section shall be for a term established by rule of the board.

(c) The state board may revoke or suspend the approval of a public school, after opportunity for hearing, for substantial failure to comply with a minimum course of study or with the rules for approved public schools. Upon revocation or suspension, students enrolled in that school shall become truant unless absent with legal excuse or they enroll in another approved public school, approved or recognized independent school or home study program.]\*

## **16 VSA § 165 Today – Excerpts only**

§ 165. Education quality standards; equal educational opportunities; independent school meeting education quality standards

- (a) In order to carry out Vermont's policy that all Vermont children will be afforded educational opportunities that are substantially equal in quality, each Vermont public school, including each career technical center, shall meet the following education quality standards:

Subdivisions (1) - (8) omitted

- (b) Every two years, the Secretary shall determine whether students in each Vermont public school are provided educational opportunities substantially equal to those provided in other public schools. If the Secretary determines that a school is not meeting the education quality standards listed in subsection (a) of this section or that the school is making insufficient progress in improving student performance in relation to the standards for student performance set forth in subdivision 164(9) of this title, he or she shall describe in writing actions that a district must take in order to meet either or both sets of standards and shall provide technical assistance to the school. If the school fails to meet the standards or make sufficient progress by the end of the next two-year period, the Secretary shall recommend to the State Board one or more of the following actions:

Subdivisions (1) – (5) omitted

Subsections (c) – (f) omitted

# Independent School Approval

## 16 VSA § 166 – Excerpts only

### Approved and recognized independent schools

(a) Authority. An independent school may operate and provide elementary education or secondary education if it is either approved or recognized as set forth herein.

**(b) Approved independent schools.** On application, the State Board shall approve an independent school that offers elementary or secondary education if it finds, after opportunity for hearing, that the school provides a minimum course of study pursuant to section 906 of this title and that it substantially complies with the Board's rules for approved independent schools. Except as provided in subdivision (6) of this subsection, the Board's rules must at minimum require that the school has the resources required to meet its stated objectives, including financial capacity, faculty who are qualified by training and experience in the areas in which they are assigned, and physical facilities and special services that are in accordance with any State or federal law or regulation. Approval may be granted without State Board evaluation in the case of any school accredited by a private, State, or regional agency recognized by the State Board for accrediting purposes

Subdivisions (1) – (7) omitted

**(c) Recognized independent schools.** Upon filing an enrollment notice, a recognized independent school may provide elementary or secondary education in Vermont. The enrollment notice shall be on a form provided by the Secretary and shall be filed with the Secretary no earlier than three months before the beginning of the school year for the public schools in the town in which the applicant proposes to locate.

Subdivisions (1) – (7) omitted

(d) Council of Independent Schools. Text omitted

(e) Harassment, hazing, and bullying policies. Text omitted

(f) An approved independent school that accepts students for whom the district of residence pays tuition under chapter 21 of this title shall bill the sending district monthly for a State-placed student and shall not bill the sending district for any month in which the State-placed student was not enrolled.

(g) An approved independent school that accepts students for whom the district of residence pays tuition under chapter 21 of this title shall use the assessment or assessments required under subdivision 164(9) of this title to measure attainment of standards for student performance of those students. In addition the school shall provide data related to the assessment or assessments as required by the Secretary.