



219 North Main Street | Suite 402 | Barre, VT 05641  
(p) 802-479-1030 | (f) 802-479-1835 | [education.vermont.gov](http://education.vermont.gov)

**TESTIMONY PROVIDED TO: House Education Committee**  
**FROM: Bill Talbott, CFO and Deputy Secretary, Agency of Education**  
**TOPIC: Independent Schools and Public Schools – Differences in Requirements**  
**DATE: February 3, 2015**

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The House Education Committee requested information from the Agency as to how rules affect independent schools and public schools differently. What follows is a list of examples of the mandates that are required of public schools and not independent schools, from the Agency of Education staff. This question relates to work across virtually the entire agency (programmatic, fiscal, licensure, etc.). It may not be an entirely exhaustive list.

**Fiscal Requirements**

1. Report financial data to Agency of Education
2. Annual audits
3. Annual meetings and budget votes
4. Shall go out for public bids for most costs in excess of \$15,000
5. Shall provide all text books, learning materials, equipment, and supplies
6. Shall return an audited surplus to the voters either as a revenue or as a voter approved reserve fund
7. Shall add an audited deficit to the next adopted budget unless voters choose to repay the deficit over a period of up to three years

**Educator Licensure and Evaluation Requirements**

8. Teachers must be licensed and reports of unprofessional conduct must be made to the Secretary, as may be required, pursuant to the reporting requirements at 16 V.S.A. Sec. 1699.
9. Special Educators must be licensed (independent schools approved for special education categories by the Agency must deliver those services through a licensed special educator.)
10. Needs-based professional development based on State Board of Education educational standards and performance goals
11. Shall provide educator licensure information and school scheduling to determine Highly Qualified Teacher analysis (public schools must do so pursuant to Title statutes and the receipt of Federal funds which independent schools are not eligible.)
12. Teacher and leader evaluation models would be evaluated by the Agency.

**Programmatic and Reporting Requirements**

13. Special education shall be provided to all eligible resident children. (independent schools approved by the Agency are required to do this)
14. Special education audits must be conducted (independent schools approved by AOE are required to do this)

15. Multiple and varied data collections (many of these are required pursuant to receipt of funding):
  - a. Act 113 School Safety and Disciplinary Report
  - b. Annual Statistical Report Data Collection
  - c. Educator Census Data Collection
  - d. Education Support System Survey
  - e. Health Service Screening
  - f. Office of Civil Rights Survey (federal)
  - g. Perkins Grant Funding Report (only applicable for independent schools serving as a career and technical center)
  - h. Restrictive Behavioral Intervention Survey
  - i. Safe and Healthy Schools Data Collection
  - j. School Readiness Project Survey
  - k. Safe and Drug Free School Report
  - l. School Arts Survey
  - m. Student Educator Course Transcript Data (federal)
16. Shall abide by the Family Medical Leave Act
17. Alcohol and drug reporting
18. Annual action plan to improve student performance within school
19. Shall administer state and federal assessments (for accountability purposes)
20. Shall maintain computer-based information systems to record and report data
21. Shall report annually to the public
22. Shall ensure students are furnished educational services in a nondiscriminatory fashion in accordance with state and federal entitlements (except when independent schools serve as a CTE center)
23. Shall partake in public high school choice
24. Shall offer 10 hours of high quality prekindergarten education for 35 weeks during the academic year
25. Flexible pathways
  - a. High school completion program
  - b. Personalized learning plans (public funded students are eligible for dual enrollment vouchers and early college and are required to have a PLP for that purpose.)
  - c. Dual enrollment
  - d. Early college
26. Shall accept for enrollment any resident individual who does not have a high school diploma
27. Shall educate all state-placed pupils within a district
28. Shall appoint a truancy officer
29. Shall operate a food program to make lunch and breakfast available as well as a summer food program

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