

1 H.100

2 Introduced by Representative Graning of Jericho

3 Referred to Committee on

4 Date:

5 Subject: Education; Agency of Education; Department of Education;

6 Commissioner; Secretary; State Board of Education

7 Statement of purpose of bill as introduced: This bill proposes to transform the
8 Agency of Education to the Department of Education, which shall be
9 supervised and managed by the State Board of Education. This bill would
10 eliminate the position of Secretary of Education and create the position of
11 Commissioner of Education who shall be employed by the State Board as the
12 chief executive officer and secretary of the Board, subject to approval of the
13 Governor.

14 An act relating to creating a Department and Commissioner of Education

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 16 V.S.A. § 164 is amended to read:

17 § 164. STATE BOARD; GENERAL POWERS AND DUTIES

18 The State Board shall ~~engage local school board members and the broader~~
19 ~~education community and, consistent with the provisions of this title, its own~~
20 ~~rules, and rules adopted by the Secretary, establish and regularly update a long-~~

1 ~~term strategic vision for the delivery of educational services in Vermont;~~
2 ~~advise the General Assembly, the Governor, and the Secretary of Education on~~
3 ~~high priority educational policies and issues as they arise; and act in~~
4 ~~accordance with legislative mandates, including the adoption of rules and~~
5 ~~executing special assignments. In addition to other specified duties, the Board~~
6 ~~shall have supervision over and management of the Department of Education~~
7 ~~and the public school system, except as otherwise provided, and shall:~~

8 * * *

9 (4) Biennially cause to be prepared a recommended budget for all
10 money to be expended by the Department of Education.

11 * * *

12 (10) Establish an information clearinghouse and accessible database to
13 help districts share information about educational programs and practices that
14 improve student performance and well-being. Educational programs and
15 practices include those designed to create and sustain a safe learning
16 environment.

17 * * *

18 (17) Report annually on the condition of education statewide and on a
19 supervisory union and school district basis. The report shall include
20 information on attainment of standards for student performance adopted under
21 subdivision (9) of this section; number and types of complaints of hazing,

1 harassment, or bullying made pursuant to chapter 9, subchapter 5 of this title
2 and responses to the complaints; financial resources and expenditures; and
3 community social indicators. The report shall be organized and presented in a
4 way that is easily understandable by the general public and that enables each
5 school, school district, and supervisory union to determine its strengths and
6 weaknesses. To the extent consistent with State and federal privacy laws and
7 regulations, data on hazing, harassment, or bullying incidents shall be
8 disaggregated by incident type, including disaggregation by ethnic groups,
9 racial groups, religious groups, gender, sexual orientation, gender identity,
10 disability status, and English language learner status. The ~~Secretary~~
11 Commissioner shall use the information in the report to determine whether
12 students in each school, school district, and supervisory union are provided
13 educational opportunities substantially equal to those provided in other
14 schools, school districts, and supervisory unions pursuant to subsection 165(b)
15 of this title.

16 * * *

17 (19) Develop, in consultation with the Secretary of State, and make
18 available to school boards, sample ballot language for items that may be voted
19 on by Australian ballot and for which no statutory language exists.

20 * * *

1 together with such recommendations as the Commissioner deems proper for
2 the promotion of the educational interests of the State.

3 § 212. ~~SECRETARY'S~~ COMMISSIONER'S DUTIES GENERALLY

4 The ~~Secretary~~ Commissioner shall execute those policies adopted by the
5 State Board in the legal exercise of its powers and shall:

6 * * *

7 (14) Annually, communicate to each superintendent a list of information
8 that a supervisory union, a school board, a school district, a school, a school
9 district employee, or a supervisory union employee is required under State or
10 federal law to make available to the electorate, community members, parents,
11 or students. It is the intent of this subdivision that the ~~Secretary~~ Commissioner
12 shall make a good faith effort to compile a complete list of the information to
13 be made available. Due to the difficult nature of compiling such a list, it is
14 also the intent that failure to include relevant information on the list shall not
15 constitute grounds for an action against the ~~Secretary~~ Commissioner.

16 * * *

17 (19) ~~Establish an information clearinghouse and accessible database to~~
18 ~~help districts share information about educational programs and practices that~~
19 ~~improve student performance. Educational programs and practices include~~
20 ~~those designed to create and sustain a safe learning environment. [Repealed.]~~

1 (1) the Commissioner of Education shall assume all powers, duties,
2 rights, and responsibilities of the Secretary of Education; provided, however,
3 that if a Commissioner appointed by the State Board has not assumed office on
4 or before January 1, 2026, then the Secretary or acting Secretary of the Agency
5 on that date shall continue to perform the duties until the day on which the
6 Commissioner assumes office, but shall report to the Board and not the
7 Governor; and

8 (2) the Department of Education shall assume all the powers, duties,
9 rights, and responsibilities of the Agency of Education.

10 Sec. 8. LEGISLATIVE COUNSEL; PREPARATION OF A DRAFT BILL

11 On or before January 15, 2026, the Office of Legislative Counsel shall
12 prepare and submit a draft bill to the House and Senate Committees on
13 Education that makes statutory amendments of a technical nature and identifies
14 all statutory sections that the General Assembly shall amend substantively to
15 effect the intent of the act.

16 Sec. 9. EFFECTIVE DATE

17 This act shall take effect on July 1, 2025.