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Prepared by **Friends of Vermont Public Education**

## ***Side-by-Side Overview of Public and Independent School Requirements***

*(Includes representative—not exhaustive—examples across key categories)*

<b>Category</b>	<b>Public Schools</b>	<b>Independent Schools</b>
<b>Governance</b>	Public schools governed by elected board with legal duties.	No required governance structure; must describe it in approval.
<b>Governance</b>	State supervises public schools to ensure compliance.	No direct oversight; only during approval and renewals.
<b>Transparency</b>	Board meetings must be open, warned, and recorded.	No requirement for open meetings.
<b>Transparency</b>	Records are public under the Public Records Act.	Not subject to the Public Records Act.
<b>Transparency</b>	Must follow public bidding laws for contracts.	No public bidding requirement.
<b>Transparency</b>	Voter approval needed for property deals or long leases.	No public approval required for property decisions.
<b>Transparency</b>	Board members restricted from conflicts of interest.	No conflict law; depends on internal school policy.
<b>Transparency</b>	Public servants prohibited from receiving kickbacks.	Not covered by public servant kickback law.
<b>Financial</b>	Budget must be created and approved by local voters.	No public vote required; budget set by school.
<b>Financial</b>	Treasurer must keep and report detailed records.	No required format or role for treasurer.
<b>Financial</b>	Must follow state accounting standards and GAAP.	No required accounting standard.
<b>Financial</b>	Required to maintain internal financial controls.	No law requiring internal controls.
<b>Financial</b>	Must keep formal system of accounts.	No required account system.
<b>Financial</b>	Annual report to voters on school status required.	No required public or state report.
<b>Financial</b>	Must share proposed annual budget with voters.	No public budget disclosure required.
<b>Financial</b>	Surplus use regulated (carryover, reserve, refund).	No regulation; independent schools decide how to use surplus.
<b>Financial</b>	State law governs tuition payment by districts.	Independent school set their own rates; district payments capped.

Source: [Vermont State Auditor. "Approved Independent Schools Are Not Subject to Most of the Statutes and Rules That Govern Public Schools." December 18, 2020.](#)

<b>Financial</b>	Must submit financial reports and audits to state.	No financial reports required; only notify state of major issues like missed payroll.
<b>Financial</b>	Must have annual independent audits.	No law requiring audits.
<b>Financial</b>	Public schools backed by taxes and state aid.	Must prove financial stability for approval.
<b>Personnel</b>	Must employ a licensed superintendent.	No superintendent required.
<b>Personnel</b>	Each school must have a principal or head.	No principal required by law.
<b>Personnel</b>	Teachers must hold Vermont licenses.	No requirements for teachers to be licensed.
<b>Personnel</b>	State sets detailed licensing standards.	No required licensing process.
<b>Personnel</b>	State can revoke licenses for misconduct.	Not applicable – teachers not licensed by state.
<b>Personnel</b>	Professional development must be provided.	Must have a PD program but content is up to school.
<b>Personnel</b>	Class sizes capped by rules (e.g. K–3 <20).	No set size limits; must have enough staff.
<b>Personnel</b>	Teachers must get written contracts.	No required contract terms or timelines.
<b>Personnel</b>	Teachers accrue paid sick leave.	No required paid leave.
<b>Personnel</b>	Staff can unionize and bargain collectively.	No requirement to recognize or bargain with unions.
<b>Personnel</b>	State defines due process for teacher discipline.	No due process for teacher discipline; only contract or general labor law applies.
<b>Personnel</b>	Teachers join the state retirement system.	Not eligible unless specially designated (only five schools).
<b>Enroll/Procedure</b>	Must accept all resident students for free.	No requirement to accept all; may limit admissions and charge tuition.
<b>Enroll/Procedure</b>	Cannot discriminate; civil rights laws apply.	Same non-discrimination rules apply; currently not being enforced for independent schools.
<b>Enroll/Procedure</b>	Must provide EST teams for struggling learners.	Not required to offer EST or similar services.
<b>Enroll/Procedure</b>	Required to provide all needed learning supplies.	No requirement to supply materials.
<b>Enroll/Procedure</b>	Must adopt truancy policies and officers.	No requirement for truancy officers or policies.

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<b>Enroll/Procedure</b>	Must have formal discipline policies and procedures.	No oversight of discipline policies; set by the school.
<b>Enroll/Procedure</b>	Must follow due process for suspensions/expulsions.	Not bound by state process rules.
<b>Enroll/Procedure</b>	Drug/weapons policies required by law.	No specific law requiring these policies.
<b>Enroll/Procedure</b>	Restraint/seclusion use tightly regulated.	No state rules; schools create their own.
<b>Enroll/Procedure</b>	Pregnant/parenting students have Enroll/Procedure rights.	Same protection applies.
<b>Curriculum etc</b>	Must follow EQS (e.g. flexible pathways, PLPs).	Not required to follow EQS.
<b>Curriculum etc</b>	Must develop continuous improvement plans.	No continuous improvement planning requirement.
<b>Curriculum etc</b>	Curriculum must align with state standards.	No curriculum alignment requirement.
<b>Curriculum etc</b>	EQS ensures adequate curriculum quality.	No EQS; must only offer adequate curriculum to meet goals.
<b>Curriculum etc</b>	Must offer support services to deliver curriculum.	Must have staff, library, records, and guidance.
<b>Curriculum etc</b>	Facilities must support curricular needs.	Must have adequate facilities for approval.
<b>Health/Safety</b>	Staff must undergo fingerprint/background checks.	Same background check requirements.
<b>Health/Safety</b>	Mandated reporters of child abuse.	Same mandated reporter rules.
<b>Health/Safety</b>	Must conduct regular emergency/fire drills.	Same drill requirement.
<b>Health/Safety</b>	Must follow school bus safety laws.	Same school bus requirements.
<b>Health/Safety</b>	Must create and update emergency response plans.	No emergency plan requirement beyond fire drills.
<b>Health/Safety</b>	Must keep facilities safe, clean, and insured.	No specific maintenance or insurance law.
<b>Health/Safety</b>	Construction projects regulated by state rules.	No construction oversight rules.
<b>Health/Safety</b>	Must comply with building and fire safety codes.	Must certify buildings meet safety codes.
<b>Health/Safety</b>	Voter approval needed for new construction	No public vote required for buildings.

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<b>Health/Safety</b>	Must insure buildings.	No law requiring insurance.
<b>Health/Safety</b>	Must provide health services and school nurse.	No requirement for school health services.
<b>Health/Safety</b>	Tobacco use banned on school grounds/events.	Not subject to this statute.
<b>Health/Safety</b>	Must do vision and hearing screenings.	Not required to perform health screenings.
<b>Health/Safety</b>	Must test/remediate lead in drinking water.	Same requirement for lead testing.
<b>Health/Safety</b>	Must offer lunch and, if eligible, breakfast.	Not required; may apply for meal grants.
<b>Financial</b>	Public schools cannot charge student fees	Private schools can charge student fees
<b>CTE</b>	Must ensure student access to CTE programs.	No requirement to offer or arrange CTE.
<b>CTE</b>	CTE programs must meet detailed standards.	Only applies if they operate a CTE program.
<b>Accountability</b>	Continuously monitored for compliance.	No continuous monitoring; only during renewal or if issues arise.
<b>Accountability</b>	Accountable to voters and public processes.	No accountability to voters; only to State Board.