



*All recognized independent schools are required by the VT Department of Education to provide each student's parent or guardian the following information regarding the statutes for recognized independent schools. This is to be provided when the pupil enrolls or before September 1, whichever comes later. 19)c)*

## STATUTES FOR RECOGNIZED INDEPENDENT SCHOOLS

### Definitions 16 V.S.A. § 11

"Recognized Independent School" for any school year means an independent school which meets the requirements for recognized independent schools in §166 of this title and which is not a home study program.

### Recognized Independent Schools 16 V.S.A. § 166(c)

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 Commissioner and shall be filed with the Commissioner 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.

1) The enrollment notice shall contain the following information and assurances: A) a statement that the school will be in session an amount of time substantially equivalent to that required for public schools;

B) a detailed description or outline of the minimum course of study for each grade level the school offers, and how the annual assessment of each pupil will be performed; and

C) Assurances that:

i) the school will prepare and maintain attendance records for each pupil enrolled or regularly attending classes;

ii) at least once each year the school will assess each pupil's progress, and will maintain records of that assessment, and present the result of that assessment to each student's parent or guardian;

iii) the school's educational program will include the minimum course of study set forth in §906 of this title; and



iv) the school will have teachers and materials sufficient to carry out the school's educational program; and

v) the school will meet such state and federal laws and regulations concerning its physical facilities and health and safety matters as are applicable to recognized independent schools.

2) If the Commissioner has information that creates significant doubt whether the school would be able to meet the requirements set forth above, the Commissioner may call a hearing. At the hearing, the school shall establish that it can meet the Vermont Department of Education Guidelines for Vermont Approved and Recognized Independent Schools 28 requirements for recognized independent schools. Failure to do so shall result in a finding by the Commissioner that the school must take specified action to come into compliance within a specified time frame or the children enrolled must attend another recognized independent school, approved independent or public school, or home study program, or be declared truant unless absent with legal excuse.

3) A recognized independent school shall provide to each student's parent or guardian a copy of its currently filed statement of objectives (Handbook) and a copy of this section. The copy shall be provided when the pupil enrolls or before September 1, whichever comes later. Failure to comply with this subsection may create a permissible inference of false advertising in violation of §2005 of Title 13.

4) A recognized independent school shall renew its enrollment notice annually. An independent school shall be recognized for a period not to exceed five years by the Commissioner without need for filing an annual enrollment notice if:

A) it is recognized by an organization approved by the Vermont State Board for the purpose of recognizing such schools, or

B) it is accredited by a private, state or regional agency approved by the Vermont State Board for accrediting purposes. Nothing contained herein shall be construed to prohibit the Commissioner from initiating a hearing under this section.

5) If the Commissioner has information that creates significant doubt about whether the school, once in operation, is meeting the requirements for recognized independent schools, the Commissioner may call a hearing. At the hearing, the school shall establish that it has met the requirements for recognized independent schools. Failure to do so shall result in a finding by the Commissioner that:



A) the school may not be in operation for the remainder of the school year and that the children are truant unless absent with legal excuse or enrolled in an approved public or independent school, another recognized independent school or a home study program; or

B) the school must take specified action to come into compliance within a specified time frame or the school will not be permitted to operate for the remainder of the school year.

6) Each recognized independent school shall provide to the Commission on October 1st of each year the names and addresses of its enrolled pupils. Within seven days of the termination of a pupil's enrollment, the recognized independent school shall notify the Commissioner of the name and address of the pupil. The Commissioner shall forthwith notify the appropriate school officials designated in §1126 of this title. Vermont Department of Education Guidelines for Vermont Approved and Recognized Independent Schools 29

7) After the filing of the enrollment notice or at a hearing, if the school is unable to comply with any specific requirements due to deep religious conviction shared by an organized group, the Commissioner may waive such requirements if he or she determines that the educational purposes of this subsection are being or will be substantially met.

e) The board of trustees of an independent school operating in Vermont shall adopt harassment policies, establish procedures for dealing with harassment of students and provide notice of these as provided in section 565 of this title for public schools, except that the board shall follow its own procedures for adopting policy.

#### Oath

16 V.S.A. § 12

A superintendent, principal or teacher in a public school or the state, or a professor, instructor or teacher who will be employed hereafter by a university, or college in the state, which is supported in whole or in part by public funds, or in an independent school or other educational institution accepted by the State Department of Education as furnishing equivalent education, before entering upon the discharge of his or her duties, shall subscribe to an oath or affirmation to support the constitution of the United States of America, the constitution of the State of Vermont, and the laws of the United States and the State of Vermont; provided however, that such oath shall not be required of any person so employed who is a citizen of a foreign country. Teachers and administrators in all schools, public, approved, or recognized independent, are required to subscribe to an oath to support the constitutions and laws of the United States and the State of Vermont.