

## Leadership Duties Under Vermont Law 16 VSA

### § 166b. Home study program.

Statute text

- (h) Order following hearing. After hearing evidence, the hearing officer shall enter an order within ten working days... If the order is to disallow or terminate the enrollment, a copy shall be given to the appropriate superintendent of schools, who shall take appropriate action to ensure that the child is enrolled in a school as required by this title...

### § 241. Appointment.

Statute text

- (a) Each supervisory union or supervisory district board, with the advice of the commissioner, may employ a superintendent of schools.
- (b) A superintendent shall be employed by written contract for a term not to exceed five years nor less than one ...
- (c) Not later than May 15 of a year in which an incumbent superintendent's contract of employment expires, the supervisory union board shall meet to renew or act otherwise upon the superintendent's contract. If a supervisory union employs a superintendent, the supervisory union board shall specify and assign the duties of a superintendent. If the supervisory union board does not hire a superintendent, the board may assign any duties assigned to the superintendent under this title to the school principal...

### § 242. Duties of superintendents.

Statute text

The superintendent shall be the chief executive officer for each school board in the supervisory district, and shall:

- (1) carry out the policies adopted by the school board relating to the educational or business affairs of the school district;
- (2) identify the educational goals and objectives of the school district and prepare plans to achieve those goals and objectives for adoption by the school board;
- (3) recommend that the school board employ or dismiss persons as necessary to carry out the work of the school district;
- (4) furnish the commissioner data and information required by the commissioner; and
- (5) provide for the general supervision of the public schools in the supervisory union or district.

### § 243. Appointment; renewal; dismissal.

Statute text

- (a) Appointment. The school board of each school district operating a school, after recommendation by the superintendent, may designate a person as principal for each public school within the district, ... In the case of a technical center, only the school board which operates the center may designate a person as director.
- (b) Length of contract. The principal shall be employed by written contract for a term of not less than one year nor more than three years.

(d) Dismissal. During the term of a contract, a **principal** may be dismissed by the **board** for just and sufficient cause by written notice setting forth the grounds therefor. The **board** may provide that its order shall take effect immediately, or following a hearing. In either case, the **principal** shall be given an opportunity to request in writing a hearing within the 15 days following delivery of the notice.

#### **§ 244. Duties of principals.**

Statute text

(a) The **principal** shall perform all duties specifically assigned by law or by the **superintendent** of the school district including the administration of policies adopted by the school board. The **principal** shall be answerable to the **superintendent** in the performance of his or her duties.

(b) Without the approval of the state board of education, high school **principals** shall not be charged with supervisory responsibility outside of the high school.

#### **§ 255. Public and independent school employees; contractors.**

Statute text

(a) **Superintendents**, ... shall request criminal record information for the following:

(1) The person a **superintendent** ... is prepared to recommend for any full-time, part-time or temporary employment.

(d) Upon completion of a criminal record check, the Vermont criminal information center shall send to the **superintendent** ... a notice that no record exists or, if a record exists:

#### **§ 254. Educator licensure; employment of **superintendents**.**

Statute text

(a) The commissioner shall sign and keep a user agreement with the Vermont criminal information center.

(b) The commissioner shall request and obtain from the Vermont criminal information center the criminal record for any person applying for an initial license as a professional educator or for any person who is offered a position as **superintendent** of schools in Vermont.

#### **§ 559. Public bids.**

Statute text

(a) When the cost exceeds \$15,000.00. A **school board** or supervisory union board shall publicly advertise or invite three or more bids from persons deemed capable of providing item

2) At least 60 days prior to the proposed bid opening on any construction contract to be awarded by a **school board** which exceeds \$500,000.00, the **school board** shall publicly advertise for contractors interested in bidding on the projects or services if costs are in excess of \$15,000.00 for any of the following:...

#### **§ 261a. Duties of supervisory union board.**

Statute text

The **board** of each supervisory union shall:

- (1) set policy to coordinate curriculum plans among the sending and receiving schools in that supervisory union. The curriculum plans shall meet the requirements adopted by the state board under subdivision 165(a)(3)(B) of this title;
- (2) take reasonable steps to assist each school in the supervisory union to follow its respective curriculum plan as adopted under the requirements of the state board pursuant to subdivision 165(a)(3)(B) of this title;
- (3) if students residing in the supervisory union receive their education outside the supervisory union, periodically review the compatibility of the supervisory union's curriculum plans with those other schools;
- (4) in accordance with criteria established by the state board, establish a plan for receiving and disbursing federal and state funds distributed by the department of education;
- (5) provide for the establishment of a written policy on professional development of teachers employed in the supervisory union and periodically review that policy. The policy may provide financial assistance outside the negotiated agreements for teachers' professional development activities and may require the superintendent periodically to develop and offer professional development activities within the supervisory union;
- (6) provide or, if agreed upon by unanimous vote at a supervisory union meeting, coordinate provision of the following educational services on behalf of member districts:
  - (A) special education;
  - (B) compensatory and remedial services; and
  - (C) other services as directed by the state board and local boards;
- (7) employ a person or persons qualified to manage the supervisory union accounts;
- (8) at the option of the supervisory union, provide the following services for the benefit of member districts according to joint agreements under section 267 of this title:
  - (A) centralized purchasing;
  - (B) construction management;
  - (C) budgeting, accounting and other financial management;
  - (D) teacher negotiations;
  - (E) transportation; and
  - (F) other appropriate services;
- (9) require that the **superintendent** as executive officer of the supervisory union board be responsible to the commissioner and state board for reporting on all financial transactions within the supervisory union. ...

### § 563. Powers of **school boards**.

Statute text

The **school board** of a school district, in addition to other duties and authority specifically assigned by law:

- (1) Shall determine the educational policies of the school district. **Board** policies shall be of general application to the district, shall be in writing, codified, and made available to the public. **Board** policies shall be adopted at regular or special school board meetings. A **school board** shall give public notice of its intent to adopt a board policy, stating the substance of the proposed policy, at least ten days prior to its adoption. A **school board** may also approve or disapprove rules and regulations proposed by the **principal** or **superintendent** for the conduct and management of public schools in the district.

- (2) May take any action, which is required for the sound administration of the school district.
- (3) Shall have the possession, care, control and management of the property of the school district,...
- (5) Shall keep the school buildings and grounds in good repair, suitably equipped, insured and in safe and sanitary condition at all times. The **school board** shall regulate or prohibit firearms or other dangerous or deadly weapons on school premises. At a minimum, a **school board** shall adopt and implement a policy... relating to a student who brings a firearm to or possesses a firearm at school.
- (6) Shall have discretion to furnish instruction to pupils who have completed a secondary education and to administer early educational programs.
- (7) May relocate or discontinue use of a schoolhouse or facility, ...
- (8) Shall establish and maintain a system for receipt, deposit, disbursement, accounting, control, and reporting procedures that meets the criteria established by the state board. The **school board** may authorize a subcommittee, the **superintendent** of schools, or a designated employee ... to examine claims against the district for school expenses and draw orders for such ...
- (9) Shall establish with the advice and consent of the auditor of accounts and the commissioner, a system of accounts for the proper control and reporting of school district finances and for stating the annual financial condition of the school district.
- (10) Shall prepare and distribute to the electorate, not less than ten days prior to the district's annual meeting, a report of the conditions and needs of the district school system, ...
- (11) Shall prepare and distribute annually a proposed budget for the next school year... Any proposed budget shall show the following information...:
  - (A) all revenues from all sources and expenses,;
  - (B) the specific amount of any deficit incurred ... and how the deficit was or will be remedied;
  - (C) the anticipated homestead tax rate and the percentage of household income used to determine income sensitivity in the district as a result of passage of the budget... and
  - (D) in the case of a school district other than a union school district, the definition of "education spending," the number of pupils and number of equalized pupils in the school district, and the district's education spending per equalized pupil in the proposed budget and in each of the prior three years; or
  - (E) in the case of a union school district, the amount of the assessment to each of the member districts and the amount of the assessments per equalized pupil in the proposed budget and for the past three years.
- (12) Shall employ such persons as may be required to carry out the work of the school district and dismiss any employee when necessary. The **school board** shall consider the recommendation of the **superintendent** before employing or dismissing any person.
- (13) Shall prepare annually, on or before August 5, a report for the school district ... Such report shall be prepared in triplicate, one copy shall be retained by the **superintendent**, and one copy shall be sent to the school district clerk and the other sent to the commissioner on or before August 15. ...
- (14) Shall provide, at the expense of the district, subject to the approval of the **superintendent**, all text books, learning materials, equipment and supplies.

- (15) Shall exercise the general powers given to a legislative branch of a municipality.
- (16) May execute contracts on behalf of the school district, including contracts providing for binding arbitration, by its chairman or any person designated whose appointment is recorded in the minutes of the **board**.
- (17) ... the **school board** shall employ a public accountant annually to audit the financial statements of the school district and the average daily membership count pursuant to that section. ...
- (19) Shall allow any high school student, who meets the academic requirements of the high school, to graduate and receive a diploma in less than four years.
- (20) Shall establish policies and procedures designed to avoid the appearance of board member conflict of interest.
- (21) Shall have the authority to engage in short-term borrowing to cover the costs of those portions of projects approved by the state ...
- (22) May apply for grants and may accept and expend grants or gifts. The **board** shall include, in its annual report, a description of all grants or gifts accepted during the year and associated expenditures.
- (23) May, at the expense of the district, present informational materials to the electorate on any matter to be voted. However, such materials shall be limited to those that are reasonably designed to inform, educate and explain to the electorate the **board's** position on the matter.
- (24) Shall adopt a policy which, in accordance with rules adopted by the state board of education, will integrate home study students into its schools through enrollment in courses, participation in cocurricular and extracurricular activities and use of facilities.
- (25) Shall, if it is a **school board** of a school district which maintains a secondary school, upon request, award a high school diploma to any Vermont resident who served in the military in World War II or Korean War,...

#### **§ 1124. Pupils mentally or physically unfit.**

Statute text

...The officer, physician or inspector shall examine the child and make a report of his condition to the superintendent; and the **superintendent** shall, if the child is found mentally or physically unable to attend school, notify the teacher of such school and the truant officer of the town of such fact...

#### **§ 1166. Possession of a firearm at school.**

Statute text

(a) ... the **school board** may expand the definitions provided they remain consistent with federal law.

(b) Each **school board** shall adopt and implement policies regarding a student who brings a firearm to or possesses a firearm at school which at a minimum shall include:

(2) A provision that the **superintendent** or **principal**, with the approval of the **school board** following opportunity for a hearing, shall expel from the school for not less than one calendar year any student who brings a firearm to or possesses a firearm at school. However, the **school board** may modify the expulsion on a case by case basis.

#### **§ 1222. Pupils who may be furnished transportation.**

Statute text

(a) Each legal pupil, ... may be furnished with total or partial transportation to school, or board, as in the opinion of the **board** of school directors is reasonable and necessary to enable him to attend school. Each **board** shall adopt a transportation policy ... and filed in the office of the **principal** of each school in the district...

**§ 1324. Superintendent's duties.**

Statute text

(a) At the end of the school year, the **superintendent** shall examine the register of each school, and... shall notify in writing the chairperson of the **board** of school directors.  
(b) The **superintendent** shall verify that the register is accurate...

**§ 1382. Appointment and compensation of medical inspector.**

Statute text

(a) The **board** of school directors may appoint one or more medical inspectors for the schools in the town district.

**§ 1383. Duties of inspectors.**

Statute text

(a) The inspectors shall examine the pupils of such schools and comply with all rules and regulations relating thereto which shall be prescribed by the state board of health.  
(b) Under such rules and regulations, the inspectors shall examine the pupils of any independent school located in such district, when requested so to do by the **principal** ...

**§ 1422. Tests.**

Statute text

Each year the **superintendent** shall cause a qualified person to test the hearing of all the pupils under his supervision in grades 1, 2, 3, 5, 7, and 9,... and to keep a record of such tests ...

**§ 1481. Fire and emergency preparedness drills.**

Statute text

(a) The **principal** or person in charge of a public or independent school or educational institution, other than a university or college, shall drill the pupils so that they may be able to leave the school building or perform other procedures described in the school's emergency preparedness plan, or both in the shortest possible time and without panic or confusion.

**§ 1752. Grounds and procedures for suspension and dismissal.**

Statute text

(c) A **superintendent** may suspend a teacher under contract on the grounds of incompetence, conduct unbecoming a teacher, failure to attend to duties or failure to carry out reasonable orders and directions ...

**§ 1982. Rights.**

Statute text

(b) **Principals**, assistant principals, and administrators other than **superintendent** and assistant superintendent shall have the right to or not to join, assist, or participate in any administrators' organization or as a separate unit of any teachers' organization of their choosing.

(c) Neither the **school board** ... shall interfere with, restrain, coerce, or discriminate in any way against or for any teacher or administrator engaged in activities protected by this legislation.

#### **§ 1991. Selection of representation.**

Statute text

(a) Teachers and administrators may select organizations to represent them in collective negotiations with the **school board**. The **school board** shall recognize an organization as the exclusive representative of the teachers or of the administrators in the school district when that organization has proved its claim to sole and exclusive representative status of the respective group as hereinafter provided. The **superintendent**, the assistant superintendent and the **principal** shall not serve as negotiating agents for the teachers' organization.

#### **§ 1123. Attendance may be excused.**

Statute text

(a) The **superintendent** of a public school may excuse, in writing, any pupil from attendance upon such school for a definite time, but for not more than ten consecutive school days...

(b) The **superintendent** of an elementary school held for more than one hundred and seventy-five school days in a school year may excuse, in writing, a pupil of such school from attending more than such one hundred and seventy-five days.

(c) The **superintendent** with the consent of a majority of the **school board** of the town in which the pupil resides, may excuse, in writing, a pupil who has reached the age of fifteen years ... from further school attendance if his services are needed for the support of those dependent upon him, or for any other sufficient reason.

#### **§ 1162. Suspension or expulsion of pupils.**

Statute text

(a) A **superintendent** or **principal** may, ... suspend a pupil for up to 10 school days or, with the approval of the board of the school district, expel a pupil for up to the remainder of the school year or up to 90 school days, whichever is longer...

(b) **Principals**, **superintendents** and **school boards** are authorized and encouraged to provide alternative education services or programs to students during any period of suspension or expulsion authorized under this section.

#### **§ 4027. Education fund transfer amounts.**

Statute text

(a) On or before June 30, the commissioner of education shall inform each school district which, by May 1, voted a budget ... of the net amount of its nonresidential education tax and its homestead education ... and its adjusted education payment receipts ... If a petition for reconsideration has been filed, ... the commissioner shall inform the

municipality of the net amount of its nonresidential education tax and its homestead education tax, and its adjusted education payment receipts, within 10 days of receiving a report from the superintendent. ...

(b) Annually, on or before June 1, each superintendent ... shall report a budget adopted following May 1, to the department of education, ...

**§ 5536a. Limited exception to confidentiality of records of juveniles maintained by the family court.**

Statute text

(b) ... a court finding that a child has committed a delinquent act requiring notice shall, within seven days of such finding, provide written notice to the superintendent of schools for the public school in which the child is enrolled or, in the event the child is enrolled in an independent school, the school's headmaster.

(e) The superintendent or headmaster, upon receipt of the notice, shall inform only those within the child's school with a legitimate need to know of the delinquent act...

(f) The superintendent and headmaster annually shall provide training to school staff about the need for confidentiality of such information and the penalties for violation of this section.

(g) The written notice shall be maintained by the superintendent or headmaster in a file separate from the child's education record.