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Susanne R. Young, Secretary

INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR)
AGENDA
Monday, March 9, 2020, 2:00 p.m.
Pavilion 5th Floor Conference Room

- Welcome
- Review and approval of the minutes from the February 10, 2020 meeting
- Note any additions or deletions from the agenda
- Public comment
- Presentation of the following proposed rules:
 1. VOSHA Rule: Section 29 CFR 1904.41 Electronic submission of injury and illness records to OSHA, Department of Labor
 - a. This rule is intended to more effectively protect the privacy of American workers. To protect worker privacy, the Occupational Safety and Health Administration (OSHA) is amending the recordkeeping regulation by rescinding the requirement for establishments with 250 or more employees to electronically submit information from OSHA Forms 300 and 301. These establishments will continue to be required to maintain those records on-site, and OSHA will continue to obtain them as needed through inspections and enforcement actions. This rule does not, however, remove the responsibility of covered employers to provide a copy of their OSHA 300A Summary annually as previously required.
 2. Underground Storage Tank (UST) Rules, Agency of Natural Resources, Department of Environmental Conservation
 - a. This is an update of the existing Underground Storage Tank Rules (effective October 13, 2018). These rules mirror Federal regulations and are a major factor in EPA's delegation of the program to the State. The rule regulates the installation and operation of underground storage tank systems that store gasoline, diesel fuel, heating oil, kerosene, used oil, and other hazardous materials. These materials have great potential to affect human health and the environment, and the rules serve to minimize the potential threat from the underground storage tank systems. The 2020 changes will not include any new requirements that tank owners and operators must deal with but will streamline requirements making it easier for the regulated community to comply when a facility changes ownership or important repairs are needed.



3. Special Education Finance and Census-Based Funding, Vermont State Board of Education
 - a. Act 173 of 2018 shifts the funding mechanism of special education from a reimbursement system to a block grant system by 2025. The new model aims to simplify administration of funds at both state and local levels and align with policy priorities around special education service delivery. These rules establish administrative requirements necessary to shift state special education funding from a reimbursement to a census-based structure; guide the use of special education funds consistent with state and federal requirements; prioritize the special education entitlement conferred by IDEA; establish a special education fiscal monitoring process; and outline an evaluation process designed to assess the achievement of the goals of Act 173. These rules are written with an effective date of July 1, 2021.
4. Special Education Rules, Part B (Ages 3-22) and C (Birth to Age 3), Vermont State Board of Education
 - a. Act 173 of 2018 shifts the funding mechanism of special education from a reimbursement system to a block grant system by 2025. The new model aims to simplify administration of funds at both state and local levels and align with policy priorities around special education service delivery. These rules will separate special education funding requirements from programmatic and service delivery requirements. Additionally, this amendment aligns with state and federal regulations, improves clarity, and makes technical corrections. Substantive revisions include: revising the definition of "special education services" to correspond with the federal definition, adding available interpreting services, clarifying and updating Essential Early Education rules, revising the Initial Evaluation rule for conformity with Act 173, and adding a special education monitoring rule. These rules are written with an effective date of July 1, 2021.

- Next meeting date: Monday, April 13, 2020 at 2:00 p.m.
- Adjournment