

1 H.651

2 Introduced by Representative Buxton of Tunbridge

3 Referred to Committee on

4 Date:

5 Subject: Education; approved independent schools; tuition; special education;
6 student assessment

7 Statement of purpose: This bill proposes to require that independent schools
8 receiving publicly funded tuition dollars be approved for special education in
9 at least two disability categories by July 1, 2013 and in at least four categories
10 by July 1, 2015. These provisions would not apply to independent schools that
11 are not generally attended by general education students or that do not enroll at
12 least 15 students per grade, averaged over a three-year period. Finally, this bill
13 would replace one of the current limits on tuition paid to an independent
14 school, which is the average announced tuition of Vermont union schools, with
15 the average announced tuition of Vermont public schools.

16 An act relating to public funding of approved independent schools

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

1 Sec. 1. 16 V.S.A. § 828 is amended to read:

2 § 828. TUITION TO APPROVED SCHOOLS; AGE; APPEAL

3 (a) A school district shall not pay the tuition of a pupil except to a public
4 school, an approved independent school, an independent school meeting school
5 quality standards, a tutorial program approved by the state board, an approved
6 education program, or an independent school in another state or country
7 approved under the laws of that state or country, ~~nor shall payment.~~

8 (b)(1) Notwithstanding subsection (a) of this section, a district may pay
9 tuition to an independent school within or outside the state only if the
10 independent school is approved for special education purposes in at least two
11 disability categories.

12 (2) The provisions of subdivision (1) of this subsection shall not apply
13 to an independent school that:

14 (A) is not generally attended by general education students; or

15 (B) does not enroll at least 15 students in each grade level served,
16 based on the average enrollment for the three prior years.

17 (c) Payment of tuition on behalf of a person shall not be denied on account
18 of age.

19 (d) Unless otherwise provided, a person who is aggrieved by a decision of a
20 school board relating to eligibility for tuition payments, the amount of tuition

1 payable, or the school he or she may attend, may appeal to the state board and
2 its decision shall be final.

3 Sec. 2. 16 V.S.A. § 828(b)(1) is amended to read:

4 (b)(1) Notwithstanding subsection (a) of this section, a district may pay
5 tuition to an independent school within or outside the state only if the
6 independent school is approved for special education purposes in at least ~~two~~
7 four disability categories.

8 Sec. 3. 16 V.S.A. § 823(b) is amended to read:

9 (b) Unless the electorate of a school district authorizes payment of a higher
10 amount at an annual or special meeting warned for the purpose, the tuition paid
11 to an approved independent elementary school or an independent school
12 meeting school quality standards shall not exceed the least of:

13 (1) the average announced tuition of Vermont ~~union~~ public elementary
14 schools for the year of attendance;

15 (2) the tuition charged by the approved independent school for the year
16 of attendance; or

17 (3) the average per-pupil tuition the district pays for its other resident
18 elementary pupils in the year in which the pupil is enrolled in the approved
19 independent school.

1 Sec. 4. 16 V.S.A. § 824(c) is amended to read:

2 (c) The district shall pay an amount not to exceed the average announced
3 tuition of Vermont ~~union~~ public high schools for the year of attendance for its
4 pupils enrolled in an approved independent school not functioning as a
5 Vermont area technical center, or any higher amount approved by the
6 electorate at an annual or special meeting warned for that purpose.

7 Sec. 5. EFFECTIVE DATES

8 (a) Sec. 1 of this act shall take effect on July 1, 2013.

9 (b) Sec. 2 of this act shall take effect on July 1, 2015.

10 (c) This section and Secs. 3 and 4 of this act shall take effect on July 1,
11 2012. Secs. 3 and 4 shall apply to tuition paid for the 2013–2014 academic
12 year and after.