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H.159

Introduced by Representatives Trombley of Grand Isle and Johnson of S. Hero
Referred to Committee on
Date:
Subject: Education; tuition; designated schools
Statement of purpose: This bill proposes to permit schools to designate one
public school as the school to which it will pay tuition for students in its
district attending one or more grades in another district.

An act relating to designating public schools

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

Sec. 1. 16 V.S.A. § 821 is amended to read:

§ 821. SCHOOL DISTRICT TO MAINTAIN PUBLIC ELEMENTARY
SCHOOLS OR PAY TUITION

(a) Elementary school. Each school district shall provide, furnish, and
maintain one or more approved schools within the district in which elementary
education for its pupils is provided unless:

(1) The electorate authorizes the school board to provide for the
elementary education of the pupils residing in the district by paying tuition in
accordance with law to public elementary schools in one or more school
districts.

1 (2) The school district is organized to provide only high school
2 education for its pupils.

3 (3) Otherwise provided for by the general assembly.

4 (b) Kindergarten program. Each school district shall provide public
5 kindergarten education within the district. However, a school district may pay
6 tuition for the kindergarten education of its pupils:

7 (1) at one or more public schools under subdivision (a)(1) of this
8 section; or

9 (2) if the electorate authorizes the school board to pay tuition to one or
10 more independent schools approved by the state board, but only if the school
11 district did not operate a kindergarten on September 1, 1984, and has not done
12 so afterward.

13 (c) Notwithstanding subsection (a) of this section, a school board without
14 previous authorization by the electorate may pay tuition for elementary pupils
15 who reside near a public elementary school in an adjacent district upon request
16 of the pupil's parent or guardian, if in the board's judgment the pupil's
17 education can be more conveniently furnished there. The board's decision
18 shall be final in regard to the institution the pupil may attend.

19 (d) Notwithstanding subsection (a) of this section, the electorate of a school
20 district that does not maintain an elementary school may grant general
21 authority to the school board to pay tuition for elementary pupils at approved

1 independent nonresidential elementary schools upon request of a pupil's parent
2 or guardian, if in the board's judgment the pupil's educational interests can be
3 better served there. The board's decision shall be final in regard to the
4 institution the pupil may attend.

5 (e) Nothing in this section shall prohibit the electorate from authorizing the
6 school board to designate one public elementary school as the only elementary
7 school to which the district shall pay tuition for the education of its pupils in
8 one or more grades.

9 Sec. 2. 16 V.S.A. § 822 is amended to read:

10 § 822. SCHOOL DISTRICTS TO MAINTAIN HIGH SCHOOLS OR PAY
11 TUITION

12 (a) Each school district shall provide, furnish, and maintain one or more
13 approved high schools in which high school education is provided for its pupils
14 unless:

15 (1) The electorate authorizes the school board to close an existing high
16 school and to provide for the high school education of its pupils by paying
17 tuition in accordance with law. Tuition for its pupils shall be paid to an
18 approved public or independent high school, to be selected by the parents or
19 guardians of the pupil, within or without the state; or

20 (2) The school district is organized to provide only elementary
21 education for its pupils.

1 (b) For purposes of this section, a school district which provides, furnishes,
2 and maintains a program of education for the first eight years of compulsory
3 school attendance shall be obligated to pay tuition for its pupils for at least four
4 additional years.

5 (c) The school board may both maintain a high school and furnish high
6 school education by paying tuition to a public school as in the judgment of the
7 board may best serve the interests of the pupils, or to an approved independent
8 school if the board judges that a pupil has unique educational needs that cannot
9 be served within the district or at a nearby public school. Its judgment shall be
10 final in regard to the institution the pupils may attend at public cost.

11 (d) Nothing in this section shall prohibit the electorate from authorizing the
12 school board to designate one public high school as the only high school to
13 which the district shall pay tuition for the education of its pupils in one or more
14 grades.