

1 H.461

2 Introduced by Representative Donovan of Burlington

3 Referred to Committee on

4 Date:

5 Subject: Education; public schools; independent schools

6 Statement of purpose of bill as introduced: This bill proposes to prohibit a
7 school district from closing a public school for the purpose of reopening it as
8 an approved independent school serving essentially the same population of
9 students.

10 An act relating to closing a public school and reopening it as an independent
11 school

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

13 Sec. 1. 16 V.S.A. § 821(e) is added to read:

14 (e) Notwithstanding the authority of a school district to cease operation of
15 an elementary school and to begin paying tuition on behalf of its resident
16 elementary students pursuant to subdivision (a)(1) or subsection (d) of this
17 section, a school district shall not cease operation of an elementary school with
18 the intention, for the purpose, or with the result of having the school building
19 or buildings reopen as an independent school serving essentially the same
20 population of students.

1 Sec. 2. 16 V.S.A. § 822(d) is added to read:

2 (d) Notwithstanding the authority of a school district to cease operation of a
3 secondary school and to begin paying tuition on behalf of its resident
4 secondary students pursuant to subdivision (a)(1) of this section, a school
5 district shall not cease operation of a secondary school with the intention, for
6 the purpose, or with the result of having the school building or buildings
7 reopen as an independent school serving essentially the same population of
8 students.

9 Sec. 3. 16 V.S.A. § 166(b)(8) is added to read:

10 (8) Notwithstanding any other provision of law, approval under this
11 subsection of a new or existing independent school that proposes to operate in
12 a building in which a school district operated a school is subject to either
13 subsection 821(e) or 822(d) of this title, as appropriate for the grades operated.

14 Sec. 4. EFFECTIVE DATE

15 This act shall take effect on passage.