

1 **Tuition – Representative Clarkson**

2 **Question: If the draft authorizes payment in an amount not to exceed**
3 **(rather than equal to) the statewide set tuition amount, then don't §§ 825,**
4 **826, and 836 remain valid??**

5 Sec. 1. 16 V.S.A. § 823 is amended to read:

6 § 823. ELEMENTARY TUITION

7 (a) Tuition for elementary students shall be paid by the district in which the
8 student is a resident. ~~The district shall pay the full tuition charged its students~~
9 ~~attending a public elementary school.~~

10 **(b) The district shall pay tuition to a public or approved independent**
11 **elementary school in an amount not to exceed the statewide average education**
12 **spending per equalized elementary pupil for the previous year as announced by**
13 **the Agency.** If a payment made to a public elementary school is three percent
14 more or less than the calculated net cost per elementary pupil in the receiving
15 school district for the year of attendance, the district shall be reimbursed,
16 credited, or refunded pursuant to section 836 of this title. ~~Notwithstanding the~~
17 ~~provisions of this subsection or of subsection 825(b) of this title, the boards of~~
18 ~~both the receiving and sending districts may enter into tuition agreements with~~
19 ~~terms differing from the provisions of those subsections, provided that the~~
20 ~~receiving district must offer identical terms to all sending districts, and further~~

1 ~~provided that the statutory provisions apply to any sending district that declines~~
2 ~~the offered terms.~~

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

7 ~~(1) the average announced tuition of Vermont union elementary schools~~
8 ~~for the year of attendance;~~

9 ~~(2) the tuition charged by the approved independent school for the year~~
10 ~~of attendance; or~~

11 ~~(3) the average per pupil tuition the district pays for its other resident~~
12 ~~elementary pupils in the year in which the pupil is enrolled in the approved~~
13 ~~independent school.~~

14 (c) If a public or approved independent elementary school accepts tuition
15 pursuant to this section, then:

16 (1) the school shall not charge the sending district or the enrolled
17 resident student additional tuition costs;

18 (2) the sending district shall pay special education costs for the student
19 pursuant to the provisions of this title; and

20 (3) the student shall pay only those fees and other non-tuition costs that
21 are paid by students not covered by this section.

1 Sec. 2. 16 V.S.A. § 824 is amended to read:

2 § 824. HIGH SCHOOL TUITION

3 (a) Tuition for high school students shall be paid by the school district in
4 which the student is a resident.

5 (b) Except as otherwise provided for technical students, the district shall
6 pay ~~the full tuition charged its pupils attending a public high school in~~
7 ~~Vermont or an adjoining state or a public or approved independent school in~~
8 ~~Vermont functioning as an approved area technical center, or an independent~~
9 ~~school meeting school quality standards; provided: tuition to a public or~~
10 approved independent secondary school in an amount not to exceed the
11 statewide average education spending per equalized secondary pupil for the
12 previous year as announced by the Agency.

13 (1) If a payment made to a public high school or an independent school
14 meeting school education quality standards is three percent more or less than
15 the calculated net cost per secondary pupil in the receiving school district or
16 independent school for the year of attendance then the district or school shall
17 be reimbursed, credited, or refunded pursuant to section 836 of this title.

18 (2) ~~Notwithstanding the provisions of this subsection or of subsection~~
19 ~~825(b) of this title, the board of the receiving public school district, public or~~
20 ~~approved independent school functioning as an area technical center, or~~
21 ~~independent school meeting school quality standards may enter into tuition~~

1 ~~agreements with the boards of sending districts that have terms differing from~~
2 ~~the provisions of those subsections, provided that the receiving district or~~
3 ~~school must offer identical terms to all sending districts, and further provided~~
4 ~~that the statutory provisions apply to any sending district that declines the~~
5 ~~offered terms.~~

6 (c) ~~The district shall pay an amount not to exceed the average announced~~
7 ~~tuition of Vermont union high schools for the year of attendance for its pupils~~
8 ~~enrolled in an approved independent school not functioning as a Vermont area~~
9 ~~technical center, or any higher amount approved by the electorate at an annual~~
10 ~~or special meeting warned for that purpose. If a public or approved~~
11 ~~independent secondary school accepts tuition pursuant to this section, then:~~

12 ~~(1) the school shall not charge the sending district or the enrolled~~
13 ~~resident student additional tuition costs;~~

14 ~~(2) the sending district shall pay special education and technical~~
15 ~~education costs for the student pursuant to the provisions of this title; and~~

16 ~~(3) the student shall pay only those fees and other non-tuition costs that~~
17 ~~are paid by students not covered by this section.~~

18 Sec. 3. 16 V.S.A. § 827 is amended to read:

19 § 827. DESIGNATION OF A PUBLIC HIGH SCHOOL OR AN

20 APPROVED INDEPENDENT HIGH SCHOOL AS THE SOLE

21 PUBLIC HIGH SCHOOL OF A SCHOOL DISTRICT

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(d) The school board may pay tuition to another approved high school as requested by the parent or legal guardian if in its judgment that will best serve the interests of the student. Its decision shall be final in regard to the institution the student may attend. If the board approves the parent's request, the board shall pay tuition for the student ~~in an amount not to exceed the least~~ of:

- ~~(1) The statewide average announced tuition of Vermont union high schools.~~
- ~~(2) The per-pupil tuition the district pays to the designated school in the year in which the student is enrolled in the nondesignated school.~~
- ~~(3) The tuition charged by the approved nondesignated school in the year in which the student is enrolled pursuant to the provisions of section 824 of this title.~~

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Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2014 and shall apply to tuition charged for academic year 2015–2016 and after.