

1 H.422

2 Introduced by Representative Clarkson of Woodstock

3 Referred to Committee on

4 Date:

5 Subject: Education; tuition; residency; designation

6 Statement of purpose of bill as introduced: This bill proposes to authorize the
7 Commissioner of Taxes to provide to a school district that pays tuition for all
8 students in one or more grades a list of the people who have declared their
9 dwelling to be their “homestead” for education property tax purposes and
10 permit the district to request additional information for the purposes of
11 determining residency. It would also prohibit a school from billing a school
12 district for a tuition undercharge. Finally, it would permit elementary school
13 districts to designate one public or approved elementary school as the
14 elementary school of the district.

15 An act relating to verifying residency, eliminating “bill-backs,” and
16 permitting elementary school designation in school districts that pay tuition

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

1 grades by paying tuition, the Commissioner shall provide a list of all properties
2 declared to be homesteads, and the name or names of the persons making that
3 declaration, to the board of the school district. On or before June 1, the listers
4 shall send the notification required in subdivision (1) of this subsection to these
5 school boards.

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7 * * * Tuition Undercharge * * *

8 Sec. 3. 16 V.S.A. § 836 is amended to read:

9 § 836. TUITION OVERCHARGE ~~OR UNDERCHARGE~~

10 (a) Annually, on or before November 1, the Secretary shall inform each
11 school board of a receiving public school, each board of trustees of a receiving
12 approved independent school for which the Secretary has calculated a net cost
13 per pupil, and each sending school district in Vermont of the calculated net
14 cost per elementary or secondary pupil in the receiving schools. Each school
15 board or board of trustees of a receiving school shall then determine whether it
16 overcharged ~~or undercharged~~ any sending district for tuition charges and shall
17 notify the district by December 15 of the same year of the ~~amount due or the~~
18 amount to be refunded or credited.

19 * * *

20 (c) ~~If the receiving district has undercharged tuition in an amount three~~
21 ~~percent or more than the calculated net cost per elementary or secondary pupil,~~

1 ~~the sending district shall pay the receiving district an amount equal to the~~
2 ~~amount of the undercharge that is between three percent and ten percent of the~~
3 ~~net cost per pupil. If payment is not made by July 31 of the year following the~~
4 ~~year in which the undercharge was determined, interest owed the receiving~~
5 ~~district on undercharge monies shall begin to accrue on August 1, at the rate of~~
6 ~~one percent per month. [Repealed.]~~

7 * * * Designation of Schools Offering Elementary Education * * *

8 Sec. 4. 16 V.S.A. § 821 is amended to read:

9 § 821. SCHOOL DISTRICT TO MAINTAIN PUBLIC ELEMENTARY

10 SCHOOLS OR PAY TUITION

11 (a) Elementary school. Each school district shall maintain one or more
12 approved schools within the district in which elementary education for its
13 resident students in kindergarten through grade six is provided unless:

14 (1) the electorate authorizes the school board to provide for the
15 elementary education of the students by paying tuition in accordance with law
16 to ~~one or more~~ than one public elementary schools in one or more school
17 districts;

18 (2) the electorate authorizes the school board to designate one public
19 elementary school or one approved independent school as the sole public
20 elementary school of the district pursuant to section 827 of this title;

1 appropriate, to designate an approved independent school or a public school as
2 the public ~~high~~ elementary or secondary school of the district.

3 * * *

4 (c) A parent or legal guardian who is dissatisfied with the instruction
5 provided at the designated school or who cannot obtain for his or her child the
6 kind of course or instruction desired there, or whose child can be better
7 accommodated in an approved independent or public ~~high~~ elementary or
8 secondary school nearer his or her home during the next academic year, may
9 request on or before April 15 that the school board pay tuition to another
10 approved independent or public ~~high~~ elementary or secondary school selected
11 by the parent or guardian.

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

18 (1) The statewide average announced tuition of Vermont union ~~high~~
19 elementary or secondary schools.

20 (2) The per-pupil tuition the district pays to the designated school in the
21 year in which the student is enrolled in the nondesignated school.

