

1 Introduced by Committee on Education

2 Date:

3 Subject: Education; approved independent schools; tuition

4 Statement of purpose of bill as introduced: This bill proposes to require  
5 approved independent schools to meet specific requirements in order to be  
6 approved as eligible to receive public tuition, including (1) agreeing to enroll  
7 any student who requires special education services under specific  
8 circumstances, (2) accreditation by specific school accreditation organizations,  
9 (3) agreeing to report attendance and student performance data to a tuitioned  
10 student's district of residence, (4) agreeing to adopt and implement policies  
11 and procedures to comply with the Vermont Public Accommodations Act and  
12 the Vermont Fair Employment Practices Act, (5) and attesting to compliance  
13 with all laws and rules applicable to approved independent schools. The bill  
14 also proposes to make conforming changes throughout Title 16 based on these  
15 new requirements, as well as establishes a moratorium on the approval of new  
16 initial applications for approved independent schools.

17 An act relating to the eligibility of approved independent schools to receive  
18 public tuition

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

2 \* \* \* Findings \* \* \*

3 Sec. 1. FINDINGS AND PURPOSE

4 (a) The Vermont Constitution provides that “a competent number of  
5 schools ought to be maintained in each town unless the general assembly  
6 permits other provisions for the convenient instruction of youth.” VT Const.  
7 Ch II, § 68. Interpreting this provision in Brigham v. State, 692 A.2d 384  
8 (1997), the Vermont Supreme Court stated that “[t]he state may delegate to  
9 local towns and cities the authority to finance and administer the schools  
10 within their borders; it cannot, however, abdicate the basic responsibility for  
11 education by passing it on to local governments, which are themselves  
12 creations of the state.” Id. at 395.

13 (b) From this, it is evident that the State has a constitutional obligation to  
14 provide public education to its youth. Many Vermont school districts operate  
15 schools, but others do not. Vermont is a relatively sparsely populated and  
16 mountainous state that has made the operation of public schools unviable in  
17 certain regions of the State. Students who live in these regions do not have the  
18 choice of enrolling in a public school in their district; their only choice is to  
19 enroll in a public school operated by another school district or an independent  
20 school or to be homeschooled.

1        (c) Therefore, in order to fulfill its constitutional requirement to provide  
2        public education to its youth, the State permits school districts that do not  
3        operate schools (nonoperating school districts) to use public funds to send their  
4        resident youth to public schools operated by other school districts or to certain  
5        independent schools.

6        (d) Statistic: amount of public funds to independent schools

7        \* \* \* Approved Independent Schools Eligible to Receive Public Tuition \* \* \*

8        Sec. 2. 16 V.S.A. § 166. is amended to read:

9        § 166. APPROVED AND RECOGNIZED INDEPENDENT SCHOOLS

10       (a) Authority. An independent school may operate and provide elementary  
11       education or secondary education if it is either approved or recognized as set  
12       forth in this section.

13       (b) Approved independent schools. On application, the State Board shall  
14       approve an independent school that offers elementary or secondary education  
15       if it finds, after opportunity for hearing, that the school provides a minimum  
16       course of study pursuant to section 906 of this title and that it substantially  
17       complies with all statutory requirements for approved independent schools and  
18       the Board's rules for approved independent schools. ~~An independent school~~  
19       ~~that intends to accept public tuition shall be approved by the State Board only~~  
20       ~~on the condition that the school agrees, notwithstanding any provision of law~~  
21       ~~to the contrary, to enroll any student who requires special education services~~

1 ~~and who is placed in or referred to the approved independent school as an~~  
2 ~~appropriate placement and least restrictive environment for the student by the~~  
3 ~~student's individualized education program team or by the local education~~  
4 ~~agency; provided, however, that this requirement shall not apply to an~~  
5 ~~independent school that limits enrollment to students who are on an~~  
6 ~~individualized education program or a plan under Section 504 of the~~  
7 ~~Rehabilitation Act of 1973, 29 U.S.C. § 794, and who are enrolled pursuant to~~  
8 ~~a written agreement between the local education agency and the school. Except~~  
9 ~~as provided in subdivision (6) of this subsection, the Board's rules must at~~  
10 ~~minimum require that the school have the resources required to meet its stated~~  
11 ~~objectives, including financial capacity, faculty who are qualified by training~~  
12 ~~and experience in the areas in which they are assigned, and physical facilities~~  
13 ~~and special services that are in accordance with any State or federal law or~~  
14 ~~regulation. Approval may be granted without State Board evaluation in the~~  
15 ~~case of any school accredited by a private, State, or regional agency recognized~~  
16 ~~by the State Board for accrediting purposes, provided that the State Board shall~~  
17 ~~determine that the school complies with all student enrollment provisions~~  
18 ~~required by law.~~

19 \* \* \*

20 (5) The State Board may revoke, suspend, or impose conditions upon  
21 the approval of an approved independent school, after having provided an

1 opportunity for a hearing, for substantial failure to comply with the minimum  
2 course of study, for failure to demonstrate that the school has the resources  
3 required to meet its stated objectives, for failure to comply with statutory  
4 requirements or the Board’s rules for approved independent schools, or for  
5 failure to report under subdivision (4) of this subsection (b). Upon that  
6 revocation or suspension, students required to attend school who are enrolled  
7 in that school shall become truant unless they enroll in a public school, an  
8 approved or recognized independent school, or a home study program.

9 \* \* \*

10 (9)(A) An approved independent school that intends to accept public  
11 tuition shall be approved by the State Board as eligible to receive public tuition  
12 only on the condition that the school complies with the following  
13 requirements;

14 (i) the school agrees, notwithstanding any provision of law to the  
15 contrary, to enroll any student who requires special education services and who  
16 is placed in or referred to the approved independent school as an appropriate  
17 placement and least restrictive environment for the student by the student’s  
18 individualized education program team or by the local education agency;  
19 provided, however, that this subdivision (i) shall not apply to therapeutic  
20 approved independent schools as defined in subdivision 11(36) of this title;

1                   (ii) the school is accredited by the Association of Independent  
2                   Schools in New England or the New England Association of Schools and  
3                   Colleges;

4                   (iii) the school agrees to report three or more unexcused absences  
5                   by a student attending the school on public tuition to the student’s local  
6                   education agency not later than the next business day after the third unexcused  
7                   absence;

8                   (iv) the school agrees to report the academic progress of students  
9                   attending the school on public tuition to the student’s local education agency,  
10                  at an interval determined by and in a format approved by the Agency;

11                  (v) the school has adopted and implemented policies and  
12                  procedures to comply with the Vermont Public Accommodations Act,  
13                  9 V.S.A. chapter 139 and the Vermont Fair Employment Practices Act,  
14                  21 V.S.A. chapter 5, subchapter 6; and

15                  (vi) the school attests on or before August 1 of each year to  
16                  compliance with all statutory requirements for approved independent schools  
17                  and the Board’s rules for approved independent schools, on a form created by  
18                  the Agency, including documentation of the following:

19                         (I) a statement of nondiscrimination, posted on the school’s  
20                         website and included in the school’s application materials, that is consistent  
21                         with the Vermont Public Accommodations Act, 9 V.S.A. chapter 139 and the

1 Vermont Fair Employment Practices Act, 21 V.S.A. chapter 5, subchapter 6;

2 and

3 (II) an assurance, signed by the head of school, that the school  
4 complies with the Vermont Public Accommodations Act in all aspects of the  
5 school’s admissions and operations.

6 (B) No private right of action is created by this subdivision (9)  
7 against an approved independent school approved by the State Board as  
8 eligible to receive public tuition for failure to comply with any of the  
9 requirements in this subdivision (9). The State Board is authorized to use its  
10 powers under subdivision (5) of this subsection (b) to revoke, suspend, or  
11 impose conditions on the eligibility of an approved independent school to  
12 receive public tuition for failure to comply with these requirements. The  
13 Board shall establish and maintain a process to receive, investigate, and resolve  
14 allegations of noncompliance with these requirements in a manner that  
15 provides due process for the person or persons making the allegation and the  
16 approved independent school against which the allegation is made. A person  
17 shall not coerce, threaten, interfere, or otherwise discriminate against any  
18 individual who alleges noncompliance with the requirements under this  
19 subdivision (9).

20 \* \* \*

1 (g) Tuition students; assessments. An approved independent school that  
2 accepts students for whom the district of residence pays tuition under chapter  
3 21 of this title shall use the assessment or assessments required under  
4 subdivision 164(9) of this title to measure attainment of standards for student  
5 performance of those students. In addition, the school shall provide data  
6 related to the assessment or assessments as required by the Secretary.

7 \* \* \* Tuition \* \* \*

8 Sec. 3. 16 V.S.A. § 821 is amended to read:

9 § 821. SCHOOL DISTRICT TO MAINTAIN PUBLIC ELEMENTARY

10 SCHOOLS OR PAY TUITION

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

14 \* \* \*

15 (d) Notwithstanding subdivision (a)(1) of this section, the electorate of a  
16 school district that does not maintain an elementary school may grant general  
17 authority to the school board to pay tuition for an elementary student at an  
18 approved independent elementary school eligible to receive public tuition or an  
19 independent school meeting education quality standards pursuant to sections  
20 823 and 828 of this chapter upon notice given by the student's parent or legal  
21 guardian before April 15 for the next academic year.



1 Sec. 4. 16 V.S.A. § 822 is amended to read:

2 § 822. SCHOOL DISTRICT TO MAINTAIN PUBLIC HIGH SCHOOLS OR  
3 PAY TUITION

4 (a) Each school district shall maintain one or more approved high schools  
5 in which high school education is provided for its resident students unless:

6 (1) the electorate authorizes the school board to close an existing high  
7 school and to provide for the high school education of its students by paying  
8 tuition to a public high school, an approved independent high school eligible to  
9 receive public tuition, or an independent school meeting education quality  
10 standards, to be selected by the parents or guardians of the student, ~~within or~~  
11 ~~outside the State~~; or

12 \* \* \*

13 (c)(1) A school district may both maintain a high school and furnish high  
14 school education by paying tuition:

15 (A) to a public school as in the judgment of the school board may  
16 best serve the interests of the students; or

17 (B) to an approved independent school eligible to receive public  
18 tuition or an independent school meeting education quality standards if the  
19 school board judges that a student has unique educational needs that cannot be  
20 served within the district or at a nearby public school.

21 \* \* \*

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

2 § 823. ELEMENTARY TUITION

3 \* \* \*

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

9 \* \* \*

10 Sec. 6. 16 V.S.A. § 824 is amended to read:

11 § 824. HIGH SCHOOL TUITION

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

14 \* \* \*

15 (c) The district shall pay an amount not to exceed the average announced  
16 tuition of Vermont union high schools for the year of attendance for its  
17 students enrolled in an approved independent school eligible to receive public  
18 tuition that does not functioning function as a Vermont area career technical  
19 center, or any higher amount approved by the electorate at an annual or special  
20 meeting warned for that purpose.

1 Sec. 7. 16 V.S.A. § 827 is amended to read:

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

3 APPROVED INDEPENDENT HIGH SCHOOL AS THE PUBLIC

4 HIGH SCHOOL OF A SCHOOL DISTRICT

5 (a) A school district not maintaining an approved public high school may  
6 vote on such terms or conditions as it deems appropriate, to designate three or  
7 fewer approved independent schools eligible to receive public tuition or public  
8 high schools as the public high school or schools of the district.

9 (b) Except as otherwise provided in this section, if the board of trustees or  
10 the school board of a designated school votes to accept this designation, the  
11 school shall be regarded as a public school for tuition purposes under  
12 subsection 824(b) of this title, and the sending school district shall pay tuition  
13 only to that school, and to any other school designated under this section, until  
14 such time as the sending school district or the designated school votes to  
15 rescind the designation.

16 (c) A parent or legal guardian who is dissatisfied with the instruction  
17 provided at a designated school or who cannot obtain for ~~his or her~~ the parent's  
18 or legal guardian's child the kind of course or instruction desired there, or  
19 whose child can be better accommodated in an approved independent school  
20 eligible to receive public tuition or public high school nearer ~~his or her~~ the  
21 child's home during the next academic year, may request on or before April 15

1 that the school board pay tuition to another approved independent school  
2 eligible to receive public tuition or public high school selected by the parent or  
3 guardian.

4 \* \* \*

5 (e) ~~Notwithstanding any other provision of law to the contrary:~~

6 ~~(1) the school districts of Pawlet, Rupert, and Wells may designate a~~  
7 ~~public high school located in New York as the public high school of the district~~  
8 ~~pursuant to the provisions of this section;~~

9 ~~(2) unless otherwise directed by an affirmative vote of the school~~  
10 ~~district, when the Wells Board approves parental requests to pay tuition to a~~  
11 ~~nondesignated approved independent or public school, the Board shall pay~~  
12 ~~tuition in an amount not to exceed the base education amount as determined~~  
13 ~~under section 4011 of this title for the fiscal year in which tuition is being paid;~~  
14 ~~and~~

15 ~~(3) unless otherwise directed by an affirmative vote of the school~~  
16 ~~district, when the Strafford Board approves a parental request to pay tuition to~~  
17 ~~a nondesignated approved independent or public school, the Board shall pay~~  
18 ~~tuition to the nondesignated school pursuant to section 824 of this title for the~~  
19 ~~year in which the student is enrolled; provided, however, that it shall not pay~~  
20 ~~tuition in an amount that exceeds the tuition paid to the designated school for~~  
21 ~~the same academic year. [Repealed.]~~

1 Sec. 8. 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 student except to a public  
4 school, an approved independent school located in Vermont, an independent  
5 school meeting education quality standards, a tutorial program approved by the  
6 State Board, an approved education program, a therapeutic school, or an  
7 independent school in another state ~~or country~~ located within 25 miles of the  
8 Vermont border and approved under the laws of that state ~~or country~~, nor shall  
9 payment of tuition on behalf of a person be denied on account of age. Unless  
10 otherwise provided, a person who is aggrieved by a decision of a school board  
11 relating to eligibility for tuition payments, the amount of tuition payable, or the  
12 school ~~he or she~~ the person may attend, may appeal to the State Board and its  
13 decision shall be final.

14 (b) An independent school in another state or country located within 25  
15 miles of the Vermont border that is approved under the laws of that state is  
16 eligible to receive public tuition if the following conditions are met:

17 (1) The independent school has adopted and implemented policies and  
18 procedures to comply with all antidiscrimination laws applicable to public  
19 schools in the state where the independent school is located and makes  
20 reasonable efforts to enforce those policies and procedures, even if those laws  
21 by their terms do not apply to the independent school.

1           (2) The independent school posts and maintains on its website in a  
2           prominent place its policy to comply with all antidiscrimination laws that apply  
3           to public schools in the state where the independent school is located.

4           Sec. 9. 16 V.S.A. § 828 is amended to read:

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

6           (a) A school district shall not pay the tuition of a student except to a public  
7           school, an approved independent school located in Vermont, an independent  
8           school meeting education quality standards, a tutorial program approved by the  
9           State Board, an approved education program, a therapeutic school, or an  
10           independent school in another state located within 25 miles of the Vermont  
11           border and approved under the laws of that state, that complies with the  
12           reporting requirement under subsection 4010(c) of this title, nor shall payment  
13           of tuition on behalf of a person be denied on account of age. Unless otherwise  
14           provided, a person who is aggrieved by a decision of a school board relating to  
15           eligibility for tuition payments, the amount of tuition payable, or the school the  
16           person may attend, may appeal to the State Board and its decision shall be  
17           final.

18                                               \* \* \*

1       Sec. 10. REPEAL

2               2022 Acts and Resolves No. 127, Sec. 21 (16 V.S.A. § 828) is repealed.

3                               \* \* \* Dual Enrollment \* \* \*

4       Sec. 11. 16 V.S.A. § 944 is amended to read:

5       § 944. DUAL ENROLLMENT PROGRAM

6                               \* \* \*

7               (b) Students.

8                       (1) A Vermont resident who has completed grade 10 but has not  
9       received a high school diploma is eligible to participate in the Program if:

10                       (A) the student:

11                               (i) is enrolled in:

12                                       (I) a Vermont public school, including a Vermont career  
13       technical center;

14                                       (II) a public school in another state or an approved independent  
15       school that is designated as the public secondary school for the student's  
16       district of residence; or

17                                       (III) an approved independent school eligible to receive public  
18       tuition in Vermont to which the student's district of residence pays publicly  
19       funded tuition on behalf of the student;

20                               (ii) is assigned to a public school through the High School  
21       Completion Program; or

1 (iii) is a home study student;

2 (B) dual enrollment is an element included within the student’s  
3 personalized learning plan; and

4 (C) the secondary school and the postsecondary institution have  
5 determined that the student is sufficiently prepared to succeed in a dual  
6 enrollment course, which can be determined in part by the assessment tool or  
7 tools identified by the participating postsecondary institution.

8 \* \* \*

9 \* \* \* Special Education \* \* \*

10 Sec. 12. 16 V.S.A. § 11 is amended to read:

11 § 11. CLASSIFICATIONS AND DEFINITIONS

12 (a) As used in this title, unless the context otherwise clearly requires:

13 \* \* \*

14 (36) “Therapeutic approved independent school” means an approved  
15 independent school that limits enrollment to students who are on an  
16 individualized education program or a plan under Section 504 of the  
17 Rehabilitation Act of 1973, 29 U.S.C. § 794, and who are enrolled pursuant to  
18 a written agreement between the local education agency and the school.

19 \* \* \*

20 Sec. 13. 16 V.S.A. § 2962 is amended to read:

21 § 2962. EXTRAORDINARY SPECIAL EDUCATION REIMBURSEMENT



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\* \* \*

(e) Under section 2973 of this title, a supervisory union, in its role as the local education agency, may place a student with an individualized education program under the Individuals with Disabilities Education Act, 20 U.S.C. chapter 33, with ~~certain~~ approved independent schools ~~that accept public tuition~~ eligible to receive public tuition. If the approved independent school is entitled to special education cost reimbursement under that section, it may bill the supervisory union for excess special education costs incurred by the independent school in providing special education services to that student beyond those covered by general tuition. If those costs for that student exceed the extraordinary expenditures threshold as defined in subdivision (a)(2) of this section, the supervisory union shall be entitled to extraordinary reimbursement under this section for that student as if it incurred those costs directly.

Sec. 14. 16 V.S.A. § 2973 is amended to read:

§ 2973. INDEPENDENT SCHOOL TUITION RATES

(a)(1) Notwithstanding any provision of law to the contrary, an approved independent school that ~~accepts~~ is eligible to receive public tuition shall enroll any student with an individualized education program who requires special education services and who is placed in the approved independent school as an appropriate placement and least restrictive environment for the student by the student’s individualized education program team or by the local education

1 agency (LEA); provided, however, that this requirement shall not apply to an  
2 independent school that limits enrollment to students who are on an  
3 individualized education program or a plan under Section 504 of the  
4 Rehabilitation Act of 1973, 29 U.S.C. § 794, and who are enrolled pursuant to  
5 a written agreement between the LEA and the school.

6 \* \* \*

7 (b)(1) The Secretary of Education shall establish minimum standards of  
8 services for students receiving special education services in independent  
9 schools in Vermont and may advise independent schools as to the need for  
10 certain special education services in Vermont.

11 (2)(A) The Secretary of Education shall set, after consultation with  
12 independent schools in Vermont, and based on the level of services provided  
13 by the schools, the maximum rates to be paid by the Agency and supervisory  
14 unions or school districts for tuition, room, and board for residential placement  
15 of students who require special education services. The amount charged by an  
16 independent school for tuition shall reflect the school's actual or anticipated  
17 costs of providing special education services to the student and shall not  
18 exceed the maximum rates set by the Secretary, provided that the Secretary  
19 may permit charges in excess of these maximum rates where the Secretary  
20 deems warranted.

21 \* \* \*

1 (C)(i) The Secretary shall set, after consultation with independent  
2 schools in Vermont, the maximum tuition rates to be paid by the Agency and  
3 supervisory unions or school districts to ~~independent schools that limit~~  
4 ~~enrollment to students who are on an IEP or a plan under Section 504 of the~~  
5 ~~Rehabilitation Act of 1973, 29 U.S.C. § 794, and who are enrolled pursuant to~~  
6 ~~a written agreement between the LEA and the school~~ therapeutic approved  
7 independent schools. The maximum tuition rates shall be based on the level of  
8 services provided by the school.

9 \* \* \*

10 \* \* \* Forms and Report \* \* \*

11 Sec. 15. AGENCY OF EDUCATION; FORMS; REPORT

12 (a) Academic progress form. On or before January 15, 2024, the Agency  
13 of Education shall create a standard form for public and approved independent  
14 schools to report the academic progress of tuitioned students to the student's  
15 local education agency, as well as how often academic progress shall be  
16 reported. In developing the form, the Agency shall consult with the Vermont  
17 Principals' Association, the Vermont School Board's Association, the Vermont  
18 Superintendents Association, the Vermont National Education Association,  
19 and the Vermont Independent Schools Association.

20 (b) Compliance attestation. On or before September 1, 2024, the Agency  
21 of Education shall create an attestation form to be used by approved

1 independent schools eligible to receive public tuition to certify annual  
2 compliance with all statutory requirements for approved independent schools  
3 and the Board’s rules for approved independent schools, as required in 16  
4 V.S.A. § 166(b)(A)(9)(vi).

5 (c) Report. In conjunction with developing the compliance attestation form  
6 under subsection (b) of this section, the Agency shall review all policies public  
7 schools are required to adopt and make a written recommendation to the House  
8 and Senate Committees on Education regarding whether any such policies not  
9 already applicable should also apply to approved independent schools eligible  
10 to receive public tuition. The Agency shall submit a written report with its  
11 recommendations on or before December 1, 2023.

12 \* \* \* Transitions \* \* \*

13 Sec. 16. ACCREDITATION TRANSITION

14 An approved independent school that intends to accept public tuition but is  
15 not accredited by the Association of Independent Schools in New England or  
16 the New England Association of Schools and Colleges on or before December  
17 31, 2023 shall notify the State Board of Education of its intent to seek  
18 accreditation on or before December 31, 2023. Such notice shall include any  
19 progress already made toward accreditation and an anticipated approval date, if  
20 applicable. The Board may request updates of accreditation progress at any  
21 time and may conditionally approve the school as eligible to receive public

1 tuition based on such progress. Failure to obtain full accreditation on or before  
2 July 1, 2029 may result in the State Board using its powers under 16 V.S.A.  
3 § 166(b)(5) to revoke, suspend, or impose conditions on the eligibility of an  
4 approved independent school to receive public tuition, pursuant to 16 V.S.A.  
5 § 166(b)(9)(B).

6 Sec. 17. OUT-OF-STATE SCHOOL ATTENDANCE TRANSITION

7 A student enrolled for the 2022–2023 school year in, or that has been  
8 accepted for enrollment for the 2023–2024 school year by, an approved  
9 independent school in another state or country that would not be eligible to  
10 receive public tuition under 16 V.S.A. § 828 as amended by this act shall  
11 continue to be entitled to public tuition until such time as the student graduates  
12 from that school.

13 \* \* \* Moratorium on Approval of New Approved Independent Schools \* \* \*

14 Sec. 18. MORATORIUM ON APPROVAL OF NEW APPROVED  
15 INDEPENDENT SCHOOLS

16 Notwithstanding any provision of law to the contrary, the State Board of  
17 Education shall be prohibited from approving an application for initial  
18 approval of an approved independent school until further direction by the  
19 General Assembly.

1           Sec. 19. POSITION DEVELOPMENT; REPORT

2           To ensure students attending an approved independent school eligible to  
3 receive public tuition receive the services they are entitled to and to assist  
4 students who believe they have been unfairly denied admission to an approved  
5 independent school eligible to receive public tuition, the Agency of Education  
6 shall provide the House and Senate Committees on Education with a detailed  
7 recommendation for a Public Tuition Student Advocate position. The  
8 recommendation shall include:

- 9                   (1) a job description, including qualification criteria;  
10                  (2) a determination of whether a new position would need to be created  
11 or whether the duties of the Public Tuition Student Advocate can be assigned  
12 to a current position within the Agency of Education; and  
13                  (3) any necessary appropriations to fund this position.

14                                                   \* \* \* Effective Dates \* \* \*

15           Sec. 20. EFFECTIVE DATES

16           This act shall take effect on July 1, 2023, except that this section and  
17 Sec. 10 (repeal) shall take effect on passage and Sec. 9 (16 V.S.A. § 828) shall  
18 take effect on July 1, 2024.