

ADMISSION OF NON-RESIDENT STUDENTS FROM NON-OPERATING DISTRICTS

Policy

It is the policy of the _____ School District to assure that non-resident students are admitted to the schools of this district, when space is available, in compliance with federal and state laws and regulations governing tuition payment and non-discrimination. This policy shall not apply to students who are enrolled through the public high school choice program created by Act 129 of 2011(Adj. Sess.).²

Implementation

1. Tuition: On or before January 15th of each year, the school board shall establish non-resident tuition rates for the next school year and shall notify the school board(s) of all sending school districts and the Secretary of Education of any proposed increase in tuition rates. Separate tuition rates may be established for elementary and secondary students, and for students who are eligible to participate in special education programs. Tuition rates will be established in accord with Chapter 21 of Title 16 of the Vermont Statutes Annotated, and regulations of the State Board of Education.
2. Criteria for Admission: No non-resident will be denied admission as a tuition student if the reason for denial is that the student is disabled as defined in section 504 of the Rehabilitation Act of 1973 as amended or that the student is in need of special education services. Nor will any child be denied admission on the basis of race, color, religion (creed), ancestry, national origin, place of birth, sex, sexual orientation, disability, age, marital status or any other classification protected by federal or state law.

Subject to the non-discrimination requirements above, a non-resident who applies for admission as a tuition student shall be admitted if space is available and, if the student has previously attended school, the student is in good standing at the school or schools most recently attended. Good standing shall be demonstrated when the applicant shows:

- A. that he/she has not been legally dismissed or suspended for more than ten days during the preceding twelve months for disciplinary reasons, and
- B. that he/she is making satisfactory progress toward the completion of an approved school or home study program, and
- C. that his/her school attendance record presents a reasonable likelihood that any existing attendance requirements of this school district will be met.

A non-resident who is unable to provide evidence of good standing may be admitted as a non-resident tuition student if it is the determination of the superintendent, based on information presented by the non-resident, that there is a reasonable likelihood that the applicant will benefit from and succeed in the programs offered by the schools in this district.

¹ This policy is meant for districts that accept tuition from non-operating districts. This policy is not recommended for districts accepting private pay students.

² See 16 V.S.A. §822a

Appeal

A non-resident applicant for admission as a tuition student may appeal the superintendent's denial of his or her application by submitting a written request to appeal to the board within ten days of the denial. The board will provide an opportunity for the applicant and/or his or her parent or guardian to discuss the request not to uphold the decision of the superintendent. The board will render a decision within 30 days of the request to appeal.

Payment of Tuition

Tuition for non-resident students shall be payable at any time prior to enrollment. When a student enrolls after the beginning of a semester, tuition for the student will be pro rated accordingly and will be payable immediately.

<i>VSBA Version:</i>	<i>March 3, 2020</i>
<i>Date Warned:</i>	
<i>Date Adopted:</i>	
<i>Legal Reference(s):</i>	<i>16 V.S.A. §1093 (Non-resident students)</i> <i>9 V.S.A. §4500 et seq. (Public Accommodations—Non-Discrimination)</i>