

1 H.616

2 Introduced by Representative Boutin of Barre City

3 Referred to Committee on

4 Date:

5 Subject: Education; flexible pathways; virtual learning

6 Statement of purpose of bill as introduced: This bill proposes to require a
7 school board to pay tuition to the virtual learning provider that the Agency of
8 Education maintains access to and oversight over pursuant to 16 V.S.A. § 948
9 upon request of the student's parent or legal guardian, regardless of whether
10 virtual learning is part of the student's personalized learning plan.

11 An act relating to the right to enroll full time in virtual learning

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

13 Sec. 1. 16 V.S.A. § 821 is amended to read:

14 § 821. SCHOOL DISTRICT TO MAINTAIN PUBLIC ELEMENTARY
15 SCHOOLS OR PAY TUITION

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

1 (1) the electorate authorizes the school board to provide for the
2 elementary education of the students by paying tuition in accordance with law
3 to one or more public elementary schools in one or more school districts;

4 (2) the school district is organized to provide only high school education
5 for its students; or

6 (3) the General Assembly provides otherwise.

7 (b) [Repealed.]

8 (c) Notwithstanding subsection (a) of this section, without previous
9 authorization by the electorate, a school board in a district that operates an
10 elementary school may pay tuition for elementary students who reside near a
11 public elementary school in an adjacent district upon request of the student's
12 parent or guardian, if in the board's judgment the student's education can be
13 more conveniently furnished there due to geographic considerations. Within
14 30 days of following the board's decision, a parent or guardian who is
15 dissatisfied with the decision of the board under this subsection may request a
16 determination by the Secretary, who shall have authority to direct the school
17 board to pay all, some, or none of the student's tuition and whose decision
18 shall be final.

19 (d) Notwithstanding subdivision (a)(1) of this section, the electorate of a
20 school district that does not maintain an elementary school may grant general
21 authority to the school board to pay tuition for an elementary student at an

1 approved independent elementary school or an independent school meeting
2 education quality standards pursuant to sections 823 and 828 of this chapter
3 upon notice given by the student's parent or legal guardian before April 15 for
4 the next academic year.

5 (e) Notwithstanding subsection (a) of this section or any other provision of
6 law to the contrary, at the request of a parent or legal guardian of a resident
7 student, a school board in a district that operates an elementary school shall
8 pay tuition for the elementary student to enroll full time with the virtual
9 learning provider that the Agency of Education maintains access to and
10 oversight of pursuant to section 948 of this title. The district shall pay the full
11 tuition charged by the virtual learning provider.

12 Sec. 2. 16 V.S.A. § 822 is amended to read:

13 § 822. SCHOOL DISTRICT TO MAINTAIN PUBLIC HIGH SCHOOLS OR
14 PAY TUITION

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

17 (1) the electorate authorizes the school board to close an existing high
18 school and to provide for the high school education of its students by paying
19 tuition to a public high school, an approved independent high school, or an
20 independent school meeting education quality standards, to be selected by the
21 parents or guardians of the student, within or outside the State; or

1 (2) the school district is organized to provide only elementary education
2 for its students.

3 (b) For purposes of this section, a school district that is organized to
4 provide kindergarten through grade 12 and maintains a program of education
5 for only the first eight years of compulsory school attendance shall be
6 obligated to pay tuition for its resident students for at least four additional
7 years.

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

10 (A) ~~to~~ To a public school as in the judgment of the school board may
11 best serve the interests of the students;~~or,~~

12 (B) ~~to~~ To an approved independent school or an independent school
13 meeting education quality standards if the school board judges that a student
14 has unique educational needs that cannot be served within the district or at a
15 nearby public school.

16 (C) Notwithstanding any provision of law to the contrary, at the
17 request of a student's parent or legal guardian, a school district shall pay
18 tuition to the virtual learning provider that the Agency of Education maintains
19 access to and oversight of pursuant to section 948 of this title for the student's
20 full-time enrollment. The district shall pay the full tuition charged by the
21 virtual learning provider.

1 (2) The judgment of the board shall be final in regard to the institution
2 the students may attend at public cost.

3 Sec. 3. EFFECTIVE DATE

4 This act shall take effect on July 1, 2026.