

1 S.214

2 Introduced by Senator Ram Hinsdale

3 Referred to Committee on Education

4 Date: January 7, 2026

5 Subject: Education; prekindergarten education; geographically isolated; tuition

6 Statement of purpose of bill as introduced: This bill proposes to allow a
7 prekindergarten student that resides in a geographically isolated school district
8 to use State funds authorized under 16 V.S.A. § 829 to attend a
9 prekindergarten program in New Hampshire if certain conditions are met.

10 An act relating to the provision of prekindergarten education in
11 geographically isolated school districts

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

13 ~~Sec. 1. 16 V.S.A. § 829 is amended to read:~~

14 § 829. PREKINDERGARTEN EDUCATION

15 * * *

16 (e) Rules. The Secretary of Education and the Commissioner for Children
17 and Families shall jointly develop and agree to rules and present them to the
18 State Board for adoption under 3 V.S.A. chapter 25 as follows:

19

1 ~~(12) To establish a definition for “geographically isolated school~~
2 ~~district” as the term relates to the provision of prekindergarten education under~~
3 ~~subsection (i) of this section. The Agency and Department shall establish a~~
4 ~~process for a prekindergarten student residing in a geographically isolated~~
5 ~~school district to enroll in a prekindergarten program located in New~~
6 ~~Hampshire, pursuant to subsection (i) of this section.~~

7 * * *

8 (h) ~~Geographic limitations~~ Prekindergarten regions.

9 (1) Notwithstanding the requirement that a district pay tuition to any
10 prequalified public or private provider in the State, a school board may choose
11 to limit the geographic boundaries within which the district shall pay tuition by
12 paying tuition solely to those prequalified providers in which parents and
13 guardians choose to enroll resident prekindergarten children that are located
14 within the district’s “prekindergarten region” as determined in subdivision (2)
15 of this subsection.

16 (2) For purposes of this subsection, upon application from the school
17 board, a district’s prekindergarten region shall be determined jointly by the
18 Agencies of Education and of Human Services in consultation with the school
19 board, private providers of prekindergarten education, parents and guardians of
20 prekindergarten children, and other interested parties pursuant to a process
21 ~~adopted by rule under subsection (c) of this section. A prekindergarten region~~

1 ~~(A) shall not be smaller than the geographic boundaries of the school~~
2 ~~district;~~

3 ~~(B) shall be based in part upon the estimated number of~~
4 ~~prekindergarten children residing in the district and in surrounding districts,~~
5 ~~the availability of prequalified private and public providers of prekindergarten~~
6 ~~education, commuting patterns, and other region-specific criteria; and~~

7 ~~(C) shall be designed to support existing partnerships between the~~
8 ~~school district and private providers of prekindergarten education.~~

9 ~~(3) If a school board chooses to pay tuition to providers solely within its~~
10 ~~prekindergarten region, and if a resident prekindergarten child is unable to~~
11 ~~access publicly funded prekindergarten education within that region, then the~~
12 ~~child's parent or guardian may request and in its discretion the district may pay~~
13 ~~tuition at the statewide rate for a prekindergarten education program operated~~
14 ~~by a prequalified provider located outside the prekindergarten region.~~

15 ~~(4) Except for the narrow exception permitting a school board to limit~~
16 ~~geographic boundaries under subdivision (1) of this subsection, all other~~
17 ~~provisions of this section and related rules shall continue to apply.~~

18 ~~(i) Geographically isolated school districts.~~

19 ~~(1) Notwithstanding any provision of law to the contrary, on behalf of a~~
20 ~~resident prekindergarten child, a school district shall pay tuition for~~
21 ~~prekindergarten education for 10 hours per week for 35 weeks to a~~

1 ~~prekindergarten program located outside Vermont if the following conditions~~

2 ~~are met:~~

3 ~~(A) the prekindergarten student is a resident of a geographically~~
4 ~~isolated school district as defined by the State Board of Education; and~~

5 ~~(B) the prekindergarten program located outside Vermont is:~~

6 ~~(i) approved to provide publicly funded prekindergarten education~~
7 ~~under the laws of New Hampshire; and~~

8 ~~(ii) is located within 25 miles of the Vermont border.~~

9 ~~(2) Payments made pursuant to this subsection shall be paid under the~~
10 ~~same statewide rate that is paid to prequalified prekindergarten providers~~
11 ~~located within Vermont, which may be adjusted regionally, that is established~~
12 ~~annually through a process jointly developed and implemented by the~~
13 ~~Agencies of Education and of Human Services.~~

14 Sec. 2. STATE BOARD OF EDUCATION; PREKINDERGARTEN

15 EDUCATION; RULES

16 ~~On or before January 1, 2027, the State Board of Education and the~~
17 ~~Department for Children and Families shall initiate rulemaking, pursuant to 3~~
18 ~~V.S.A. chapter 25, to amend the prekindergarten education rules, Agency of~~
19 ~~Education, Prekindergarten Education (22-000-035) to ensure compliance with~~
20 ~~16 V.S.A. § 829(c)(12) and (i).~~

1 ~~Sec. 2. EFFECTIVE DATE~~

2 ~~This act shall take effect on July 1, 2026.~~

Sec. 1. 16 V.S.A. § 829 is amended to read:

§ 829. PREKINDERGARTEN EDUCATION

** * **

(i) Notwithstanding any provision of law to the contrary, the NEK Choice School District may provide prekindergarten education to eligible prekindergarten students by paying tuition pursuant to this section to one or more prekindergarten programs operated by a public school in New Hampshire that is located in a school district within 25 miles of the Vermont border. The Essex North Supervisory Union shall be responsible for administering enrollment procedures and managing prekindergarten tuition payments pursuant to this section and State Board of Education rules. The superintendent may apply for and receive a waiver from the Agency of Education and Agency of Human Services of any rule provision that is impractical for the NEK Choice School District or the New Hampshire program by demonstrating that a substantially equivalent provision is offered.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2026.