

1 Sec. A. 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:

4 (1) a public school located in Vermont;

5 (2) an approved independent school that:

6 (A) is located in Vermont;

7 (B) is approved under 16 V.S.A. § 166 on or before July 1, 2025;

8 (C) has at least 51 percent of its student enrollment composed of students

9 attending on a district-funded tuition basis pursuant to 16 V.S.A. chapter 21 as of July 1,

10 2025; and

11 (D) complies with the minimum class size requirements contained in

12 subdivision 165(a)(9);

13 (3) an independent school meeting education quality standards;

14 (4) a tutorial program approved by the State Board;

15 (5) an approved education program; or

16 (6) an independent school in another state or country approved under the laws of

17 that state or country, that complies with the reporting requirement under subsection

18 4010(e) of this title, a public school located in another state; or

19 (7) a therapeutic approved independent school located in Vermont or another state

20 or country that is approved under the laws of that state or country.

21 (b) ~~nor shall payment~~ Payment of tuition on behalf of a person shall not be denied on  
22 account of age.

1       (c) Unless otherwise provided, a person who is aggrieved by a decision of a school  
2 board relating to eligibility for tuition payments, the amount of tuition payable, or the  
3 school the person may attend, may appeal to the State Board and its decision shall be  
4 final.

5       (d) As used in this section, “therapeutic approved independent school” means an  
6 approved independent school that limits enrollment to students who are on an  
7 individualized education program or plan under Section 504 of the Rehabilitation Act of  
8 1973, 29 U.S.C. § 794, and who are enrolled pursuant to a written agreement between a  
9 local education agency and the school.

10   Sec. B. STATE BOARD OF EDUCATION; RULES; REPORT

11       On or before July 1, 2026, the State Board of Education shall initiate rulemaking to  
12 amend the approved independent school rule 2200 series, Agency of Education,  
13 Independent School Program Approval (22-000-004), pursuant to 3 V.S.A. chapter 25, to  
14 require approved independent schools that intend to accept public tuition to comply with  
15 the class size minimum standards set pursuant to 16 V.S.A. § 165(a)(9). The  
16 amendments shall also create a process for review by the State Board for failure to meet  
17 the class size minimum requirements and the corresponding actions the Board may take  
18 for noncompliance.