



House Education Committee

February 25, 2026



Our Mission

Friends of Vermont Public Education (FVPE) is dedicated to protecting and strengthening Vermont's public schools. We advocate for clear accountability and transparency wherever public education dollars are spent. Any school receiving taxpayer funds should be held to the same standards and serve the public good, as required by Vermont's Constitution.

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Krista Huling

Former Chair, Vermont State Board of Education; longtime Vermont public school educator.

Neil Odell

Former President, Vermont School Boards Association; longtime school board member.

Jess DeCarolis

Former Division Director, Vermont Agency of Education; over 20 years in education and municipal/state government leadership.

Act 73 was born out of a concern and desire to address that all students do not receive the same quality of education and opportunities across the state. H.813 supports that goal.

- Act 73 (2025) amended [16 V.S.A. §828](#) to narrow tuition eligibility.
 - Eligibility now depends on Vermont location, supervisory district or supervisory union geography with non-operating grades, a 25 percent publicly tuitioned enrollment threshold, and compliance with class-size requirements under [SBE Rule Series 2200](#)
- Act 73 (2025) addressed where public tuition may flow.
 - H.813 addresses what standards apply when it flows.
- Act 73 (2025) narrows eligibility of which private schools can receive public tuition
 - H.813 clarifies operational guardrails.
- Act 73 (2025) and H.813 are designed to function together to define both
 - school eligibility
 - **(+) school accountability.**

H.813 requires approved independent schools receiving public tuition to comply fully with 16 V.S.A. §165 Education Quality Standards

H.813 is anchored by the State's Education Quality Standards...**“The purpose of these rules is to ensure that all Vermont students are afforded educational opportunities that are substantially equal in quality...”** and other statutory such as District Quality Standards that schools and SU/SDs must comply with.



- Requires **open enrollment** for publicly tuitioned students.
- **Prohibits admissions screens** including interviews, entrance exams, academic history, campus visits, and ability-to-pay considerations for publicly tuitioned students.
- Requires compliance with **Open Meeting Law**.
- Requires compliance with **Public Records Act**.
- Requires State Board-compliant **accounting systems and reporting**.
- Requires **distribution of proposed annual budgets** to AOE and sending districts.
- Requires alignment of **discipline policies** with 16 V.S.A. §1161a and **due process protections**.
- Requires **safe facilities** and adoption of required weapons and truancy policies.
- Requires **licensed special educator and nursing** capacity.
- **Prohibits charging publicly tuitioned students additional tuition** or fees beyond public payment.
- Requires **recognition and bargaining in good faith** under 16 V.S.A. chapter 57.

Education Quality Standards

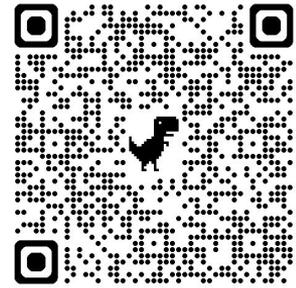
“2113.2 Nondiscrimination. No student shall be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity as the result of, or based upon, the student's race, gender, color, creed, religion, national origin, marital status, sexual orientation, gender identity, or disability, or any other reason set forth in state or federal law.”

“2120.2. College and Career Counseling; Flexible Pathways Supervisory unions, supervisory districts, and **schools must ensure that students receive appropriate college and career counseling, program information regarding the availability of education and apprenticeship program offerings at career technical education centers, and must provide students with opportunities to experience learning through flexible and multiple pathways,** including but not limited to career technical education, virtual learning, work-based learning, service learning, internships, apprenticeships, community research, civic and community engagement, dual enrollment, and early college. **Learning must occur under the supervision of an appropriately licensed educator.**”

“Independent schools seeking designation that they meet education quality standards pursuant to 16 VSA §165(f) must also meet the standards outlined in these rules except where doing so is otherwise contrary to state law. As these rules relate to independent schools designated as meeting education quality standards, unless the context suggests otherwise, duties assigned to supervisory unions, supervisory districts, school districts, or schools shall all be assigned to the independent school; duties assigned to school boards shall all be assigned to the independent school's governing board; and duties assigned to superintendents and principals shall be assigned to the school's head of school.”p6

“2120.1. Instructional Strategies Educators shall **promote personalization and high expectations** so that each student may successfully engage with the curriculum delivered and **meet graduation requirements.** Practices employed by educators shall include examining and teaching a subject from multiple academic perspectives and encouraging students to engage with and **synthesize diverse perspectives and narratives,** including those from the students' lived experiences, into a coherent understanding or analysis. **Classroom instruction shall include a range of evidence-based instructional strategies** that most effectively improve student learning and engage all students, as identified by national and Vermont guidance, and locally collected and analyzed student data.”

“Supervisory union, supervisory district, and school district boards shall establish and make accessible an inclusive process for **receiving public feedback,** to include students, legal guardians, and staff feedback regarding their experiences in the school system, especially as it relates to racial, ethnic, or social identity group experiences.”



“Each school shall have an **educational support team composed of staff from a variety of teaching and support positions** to determine which enrolled students require additional assistance to be successful in school or to complete secondary school based on indicators set forth in guidelines developed by the Secretary, such as academic progress, attendance, behavior, or poverty.”

“In accordance with 16 V.S.A. §2902, **each school district shall ensure that a tiered system of academic and behavioral supports is in place to assist all students in working toward attainment of the performance standards.** This system will result in the collaboration of all adults to meet the **academic, behavioral, social, and emotional/mental health needs** of each and every student.”

H.813 introduces legislative language that supports the stated governance and efficiency goals outlined in Act 73.

Transparency and governance legitimacy at the State and Local level – Lack of transparency at the local level diminishes governance legitimacy at the State level

- Independent school governing body meetings and budgets are not generally subject to Open Meeting Law and Public Records Act requirements under current law.
- **Public school boards operate transparently** because they spend public money.
- **Public school boards** are the **voice and representatives** of the public.

H.813 applies that same baseline expectation to publicly funded approved independent schools.

Spending Public money requires a public process and public input.

H.813 would support improved data reporting & analysis, evaluation and improvement efforts to support education transformation goal

[State Report Card](#)- As of now, independent schools are not included in the public-facing **annual data** dashboard.

the Smarter Balanced ELA assessments grade 4 has a range of 2,032-2,867 and grade 8 a range of 2,097-2,989. Meanwhile the scale scores for the Vermont Science Assessment (VTSA) range between 0-100 regardless of grade. Because different assessments use different scales to report student performance, the Annual Snapshot standardizes these numbers to Point Values, as explained in Point Value Calculation.

Point Value to Rating Calculation

Ratings reflect the calculated Point Value for the domain, indicator, or measure of interest. The rating names and images vary depending on whether the metric is based on performance (single-year) or change (multiple-year).

Performance	 Not Meeting	 Approaching	 Meeting	 Exceeding
Change	 Declining	 Not Improving	 Improving	 Excelling

Ratings are calculated based on the [Point Value Conversion Table](#).

Scale Scores

Scale scores refer to student performance on an assessment. They are a numerical value based on the scale of that specific assessment and grade. For example, in the 2018-19 school year scale scores for the Smarter Balanced ELA assessments grade 4 has a range of 2,032-2,867 and grade 8 a range of 2,097-2,989. Meanwhile the scale scores for the Vermont Science Assessment (VTSA) range between 0-100 regardless of grade. Because different assessments use different scales to report student performance, the Annual Snapshot standardizes these numbers to Point Values, as explained in [Point Value Calculation](#).

Fiscal Year	4-year grad rate Common Data Project (CDP) -- NESSC	4-Year (AOE VED)	6-year (AOE VED)	State Contextual Factors (a few examples of major disruptions or shifts to state and local administration of SU/SDs)
2017	89.1%	89%	91%	Act 46 (2015) implementation
2018	ND	85%	91%	Secretary resigns in March ; Act 46; Act 173 (2018) passed
2019	84.5%	85%	92%	Secretary appointed in August ; Act 46; Act 173 (2018)
2020	83%	83%	88%	Pandemic; Act 46; Act 173 (2018)
2021	83%	83%	87%	Pandemic; ARP-ESSER funding & State Plan; Act 173 (2018)
2022	ND	83%	86%	Pandemic; ARP-ESSER funding & State Plan; Act 173 (2018); PCB remediation a result of <u>Act 74 (2021)</u>
2023	82%	82%	86%	Pandemic; ARP-ESSER funding & State Plan (pandemic ends May 4, 2023); Act 173 (2018); PCB remediation a result of Act 74 (2021); Major Flooding Event; Secretary resigns in March
2024	ND	82%	85%	Act 173 (2018) implementation; Major Flooding Event; PCB remediation required by schools as a result of <u>Act 74 (2021)</u> ; Secretary appointed March 2024
2025*	ND	82%	85%	Act 173 (2018) implementation; Major Flooding Event; PCB remediation required by schools as a result of Act 74 (2021); <u>Act 127 (2022)</u> funding weights go in effect; <u>Act 73 (2025)</u> passed into law

*2025 Grad Data from AOE report; not available on VT Education Dashboard

Fiscal Year	4-Year (AOE VED)	6-year (AOE VED)	CDP reported n-size (reported enrolled students in grad cohort)	12th grade enrollment (AOE VED-Fall)	12th grade enrollment (AOE VED-end of year)	Other published report	Difference (btw EOY enrollment in VED & enrollment reported in <u>2025 AOE Act 77 Legislative Report</u>)
2017	89%	91%	5936	5693	0	5561	
2018	85%	91%	5827	344	6018	5502	
2019	85%	92%	5792	5135	6008	5540	
2020	83%	88%	5770	5088	6135	5474	
2021	83%	87%	5734	5154	6364	5492	
2022	83%	86%		5114	5515	7020	1,505 (21%)
2023	82%	86%	4779	5051	5469	6991	1,522 (22%)
2024	82%	85%		4823	5293	6476	1,183 (18%)
2025	82%	85%		4960	5534		

1. Alternate reported 12th grade enrollment between 2016-2021 is reflected in the Early College Vermont State Review: 2016-2021, a collaboration between AOE, VSAC, and VTSU.

2. Alternate reported 12th grade enrollment between 2022-2024 is reflected in the 2025 Act 77 Legislative Report for 2024. On page 32 of the report they explain the increase in the reported 12th grade students from the previous years: “FY22 through FY24 include ADM students, those enrolled in public schools or are publicly funded.”

[VT State Report Card \(p.6\)](#)

Fewer than 60 percent of seniors demonstrated proficiency on at least one college and career readiness (CCR) assessment, and only 46 percent of graduates enrolled in a postsecondary institution within 16 months of graduation, well below the state's 80 percent goal. Notably, nearly one-third of high schools are not meeting expectations for postsecondary enrollment, a rate significantly higher than for CCR assessment performance. This suggests that academic readiness alone does not fully explain postsecondary participation and that additional structural, financial, or advisory supports may be necessary.

[College Board AP Report 2023-2024 \(Vermont\)](#)

In 2024,

- **3,371 students** took AP courses
- **5,934 exams** were taken
- **73.7% scored 3 or higher**

[2025 Act 77 Legislative Report for 2024 \(p.5\)](#) *“In FY24, **26.47%** of all publicly funded juniors and seniors in VT participated in **college level coursework**. The total student participation for publicly funded students in the Dual Enrollment, Early College, and Fast Forward programs totaled 3,490 students of the statewide total of 13,184 publicly funded juniors and seniors.” **What’s the denominator, 13,184 or 10,936??***

[VT Public \(3/21/25\)](#) - AOE reported **5,467 students** participated in CTE

Chart: April McCullum, Vermont Public • Source: Vermont Agency of Education • [Get the data](#) • Created with [Datawrapper](#)

Career and technical education enrollment

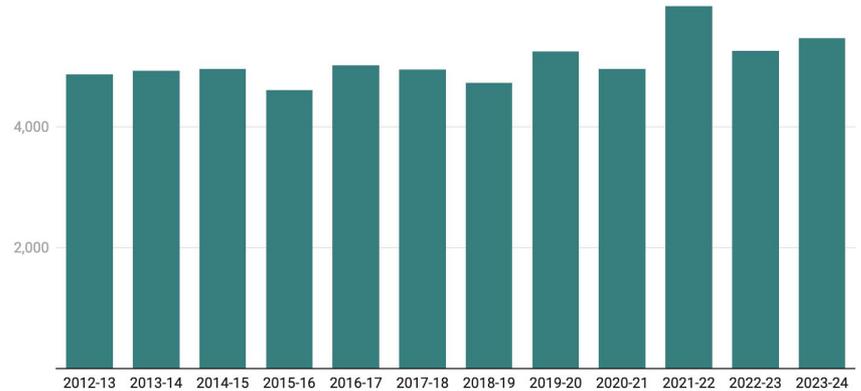


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H.813 ensures that some of our most vulnerable populations are served in a manner consistent with law, rule and our values.

- Ensuring that any student on an Individualized Education Plan receives services from **trained and licensed special educators** at their school (public *or* private) should not be a matter of debate – it should be the law.
- 91 (37%) of VT communities tuition their students, but that reflects only
 - 19% of our publicly-funded VT students
 - 26% of the tax burden to maintain and operate schools
 - 3% of our students who live in VT towns in the highest quartile of the Social Vulnerability Index (vs. 24% of our students living in fully operating districts)

H.813 ensures financial and operational transparency and equity on the part of private schools receiving public education dollars.

Type	Student Count	Tuition Totals	Per pupil Rate
PreK - Private	3852.5	\$14,347,569.00	\$3,724.22
VT Public - PreK*	112.1	\$409,185.68	\$3,650.18
VT Private - RegE	271.7	\$4,776,412.00	\$17,579.73
Public OOS - RegE	313	\$8,889,108.00	\$28,399.71
Private OOS RegE	10.5	\$131,606.00	\$12,533.90
Total Elementary - Private + OOS	595.2	\$13,797,126.00	\$23,180.66
Total Elementary - VT Public (RegE)**	326.6	\$4,550,264.00	\$13,932.22
VT Private - RegS	2507.9	\$51,247,999.00	\$20,434.63
Public OOS - Reg S	230.3	\$4,192,324.00	\$18,203.75
Private OOS - RegS	83.7	\$1,443,200.00	\$17,242.53
Total Secondary - Private + OOS	2821.9	\$56,883,523.00	\$20,157.88
Total Secondary - VT Public (RegS)***	2107.8	\$39,857,043.00	\$18,909.31
CTE - Private+OOS	12.8	\$207,167.73	\$16,184.98
VT Public - RegV	247.6	\$2,551,310.31	\$10,304.16

Based on AOE's FY24 SW1 Report 1-28-25; to see the full table see [Table 1 in this document](#)

Before making a decision about SUs or SDs, establish one system of rules & standards for every school that receives taxpayer dollars.

Strengths of H.813

- H.813 does not alter current boundaries.
- H.813 establishes baseline operational and instructional expectations for approved independent schools receiving public tuition.
- H.813 improves public transparency in data collection and reporting.
- H.813 strengthens the State's ability to make informed education governance, funding and administration policy.
- H.813 ensures substantially equal educational experiences for each and every Vermont learner.

This is not a complicated issue, nor should it be controversial.
If Vermonters pay for it, then they should have a say in it.

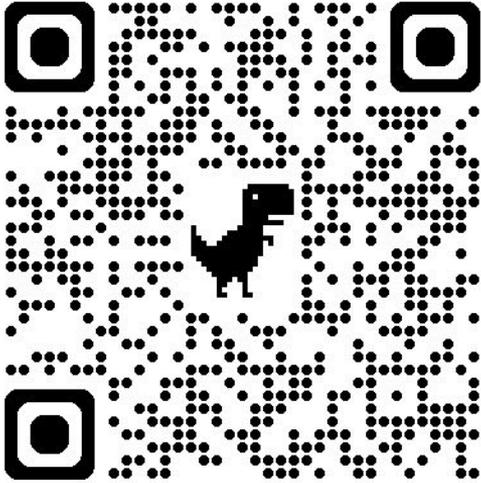
Public schools already meet these baseline expectations spelled out in state board rules.

If public funding follows Vermont students to approved independent schools, then public standards & rules should follow Vermont students to approved independent schools too.

H.813 advances alignment, fiscal responsibility, student protections, and public trust within the framework proposed by Act 73.



Questions?



Vermont taxpayer funded schools should all have:

- ✓ A Licensed Nurse
- ✓ Budget Disclosure
- ✓ Open Meetings
- ✓ A Truancy Policy
- ✓ A Firearm Safety Policy

THAT'S H.813



What is 'Same Dollars, Same Rules' all about?

- Transparency.**
- Safety.**
- Affordability.**
- Taxpayer fairness.**
- Fiscal responsibility.**
- Common sense.**



Vermont law requires public schools to have annual independent audits.



Private schools receiving public money? No annual audits.



Public schools are required to share their proposed annual budget with voters.



Private schools receiving public money? No requirement for budget transparency.