

\* \* \* Calculation of Tuition \* \* \*

Sec. 27. 16 V.S.A. § 823 is amended to read:

§ 823. ~~ELEMENTARY~~ TUITION

(a) Tuition for ~~elementary~~ students shall be paid by the district in which the student is a resident. The district shall pay ~~the full tuition charged its students attending a public elementary school~~ to a receiving school for each resident student attending the receiving school an amount equal to the base amount contained in subdivision 4001(16) of this title multiplied by the sum of one and any weights applicable to the resident student under section 4010 of this title.

~~If a payment made to a public elementary school is three percent more or less than the calculated net cost per elementary pupil in the receiving school district for the year of attendance, the district shall be reimbursed, credited, or refunded pursuant to section 836 of this title. Notwithstanding the provisions of this subsection or of subsection 825(b) of this title, the boards of both the receiving and sending districts may enter into tuition agreements with terms differing from the provisions of those subsections, provided that the receiving district must offer identical terms to all sending districts, and further provided that the statutory provisions apply to any sending district that declines the offered terms.~~

(b) ~~Unless the electorate of a school district authorizes payment of a higher amount at an annual or special meeting warned for the purpose, the tuition paid~~

1 ~~to an approved independent elementary school or an independent school~~  
2 ~~meeting education quality standards shall not exceed the least of:~~

3 ~~(1) the average announced tuition of Vermont union elementary schools~~  
4 ~~for the year of attendance;~~

5 ~~(2) the tuition charged by the approved independent school for the year~~  
6 ~~of attendance; or~~

7 ~~(3) the average per pupil tuition the district pays for its other resident~~  
8 ~~elementary students in the year in which the student is enrolled in the approved~~  
9 ~~independent school.~~ In addition to the tuition amount calculated in subsection

10 (a), a receiving school may charge, and a sending school shall be required to  
11 pay, an additional fee in the amount of the product of the base amount and up  
12 to 0.05 for each student attending the receiving school in grades nines through  
13 12 only if all of the following conditions are met:

14 (1) the receiving school is either:

15 (A) an approved independent school functioning as an area career  
16 technical center; or

17 (B) an approved independent school meeting education quality  
18 standards;

19 (2) the receiving school has received approval from the State Board of  
20 Education to charge the additional fee under this subsection (b), which

1 approval shall be granted in accordance with rules adopted by the State Board;

2 and

3 (3) the electorate of each school district with at least one student  
4 attending the receiving school has approved supplemental district spending, as  
5 defined in 32 V.S.A. § 5401, for the purpose of this subsection and in an  
6 amount sufficient to cover the additional fee authorized under this subsection  
7 (b).

8 (c) A receiving school that elects and is eligible to charge an additional fee  
9 pursuant to subsection (b) of this section shall charge the same additional fee  
10 for each student attending on a publicly funded tuition basis pursuant to  
11 chapter 21 of this title. A receiving school is prohibited from charging  
12 different fees pursuant to this section to different school districts.

13 Sec. 28. REPEALS

14 16 V.S.A. §§ 824 (high school tuition), 825 (maximum tuition rate;  
15 calculated net cost per pupil defined), 826 (notice of tuition rates; special  
16 education charges), and 836 (tuition overcharge or undercharge) are repealed  
17 on July 1, 2029.

18 **Sec. 28a. STATE BOARD OF EDUCATION; TUITION FEE RULES**

19 On or before July 1, 2027, the State Board of Education shall adopt rules  
20 pursuant to 3 V.S.A. chapter 25 to govern the approval process for a receiving  
21 school to charge an additional fee pursuant to 16 V.S.A. § 823. The Board's

1 rules shall require a receiving school to demonstrate that an additional fee is  
2 necessary to educate the specific students the fee is being applied to and that  
3 the fee will be used to educate such students and not used to shift costs  
4 elsewhere within the applicable school's budget.

5 \* \* \* Effective Dates \* \* \*

6 Sec. 70. EFFECTIVE DATES

7 (a) This section and the following sections shall take effect on passage:

8 (1) Sec. 1 (findings; intent; plan);

9 (2) Sec. 2 (Commission on the Future of Public Education);

10 (3) Sec. 3 (School District Redistricting Task Force);

11 (4) Sec. 4 (School District Voting Ward Working Group);

12 (5) Sec. 28a (SBE additional tuition fee rules);

13 (6) Sec. 32 (Agency of Education transformation support);

14 (7) Sec. 33. (Agency of Education positions);

15 (8) Sec. 44 (transportation reimbursement guidelines);

16 (9) Sec. 45 (inflationary measures; prekindergarten; reports);

17 (10) Sec. 45a (foundation formula report);

18 (11) Sec. 45c (Education Fund Advisory Committee; delay);

19 (12) Sec. 53 (homestead exemption report);

20 (13) Sec. 61a (tax classification data; transition);

21 (14) Sec. 61b (property tax classifications implementation report);



1           (7) Sec. 48a (tax rate transition);

2           (8) Secs. 51, 52, and 54–56 (property tax credit repeal; creation of  
3 homestead exemption); and

4           (9) Sec. 57 (Education Fund Advisory Committee; review of foundation  
5 formula).

6           (g) In Sec. 27, 16 V.S.A. § 823(b) and (c) shall take effect on July 1, 2028,  
7 provided that the new school districts contemplated by this act have assumed  
8 responsibility for the education of all resident students and that the cost-factor  
9 foundation formula report required pursuant to Sec. 45a contains evidence that  
10 it costs more to educate students in grades nine through 12 but the General  
11 Assembly has failed to enact legislation to add a secondary student weight.

12           (h) Sec. 62 (regional assessment districts) shall take effect on January 1,  
13 2029.

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