

[Senate counter-proposal to House draft 4.1]

\* \* \* Findings and Intent \* \* \*

Sec. 1. FINDINGS; INTENT; PLAN [House draft 4.1, pg. 3-4]

\* \* \*

(b) Intent; plan.

(1) To ensure each student is provided substantially equal educational opportunities that will prepare them to thrive in a 21st-century world, it is the intent of the General Assembly to work strategically, intentionally, and thoughtfully to ensure that each incremental change made to Vermont's public education system provides strength and support to its only constitutionally required governmental service.

(2) It is further the intent of the General Assembly to:

(A) in the 2026 session:

(i) enact new, larger school district boundaries that would be effective July 1, 2026;

(ii) enact updates to career and technical education governance systems, both at the local and statewide levels, that are reflective of the larger public education governance transformation to new, larger school districts;

(iii) create a coordinated and coherent statewide strategy for career and technical education that is responsive to students and the State's workforce needs and that provides opportunities for more integration between career and technical education and traditional high school work; and



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1 for the education of its resident students by paying tuition for its students to  
2 attend a public or approved independent school chosen by the parents of the  
3 district's students. If a school district that closes an existing public school is  
4 unable to provide for the education of its affected resident students in a  
5 different school or schools operated by the district, the school district shall  
6 provide for the education of its resident students by designating three or fewer  
7 public schools to serve as the public school or schools of the district.  
8 Notwithstanding any provision of law to the contrary, if designation is required  
9 pursuant to this subsection, the designation process contained in 16 V.S.A.  
10 § 827 shall apply to schools operating grades kindergarten through grade 12, or  
11 any subset of grades therein.

12 (b) Notwithstanding subsection (a) of this section, if a school district closes  
13 a public school in a geographically isolated area, as defined by the State Board  
14 of Education, or the school district is adjacent to a school district that tuitions  
15 its students in the same grades as the closed school as of July 1, 2025, the  
16 school district that is closing the school may tuition its affected resident  
17 students.

18 \* \* \* Schools Eligible to Receive Public Tuition \* \* \*

19 Sec. 21. 16 V.S.A. § 828 is amended to read: [*House draft 4.1 pgs. 52-53*]

20 § 828. TUITION TO APPROVED SCHOOLS; AGE; APPEAL

21 (a) A school district shall not pay the tuition of a student except to:

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1           (1) a public school; located in Vermont;

2           (2) an approved independent school; an independent school meeting  
3 education quality standards, that:

4                 (A) is located in Vermont;

5                 (B) is approved under section 166 of this title on or before July 1,  
6 2025;

7                 (C) is located within either:

8                         (i) a supervisory district that does not operate a public school for  
9 some or all grades as of July 1, 2024; or

10                       (ii) a supervisory union with one or more member school districts  
11 that does not operate a public school for some or all grades as of July 1, 2024;

12                 (D) had at least 25 percent of its Vermont resident student enrollment  
13 composed of students attending on a district-funded tuition basis pursuant to  
14 chapter 21 of this title during the 2023–2024 school year; and

15                 (E) complies with the minimum class size requirements contained in  
16 subdivision 165(a)(9) of this title and State Board rule; provided, however, that  
17 if a school is unable to comply with the class size minimum standards due to  
18 geographic isolation or a school has developed an implementation plan to meet  
19 the class size minimum requirements, the school may ask the State Board to  
20 grant it a waiver from this subdivision (E), which decision shall be final;

21           (3) a tutorial program approved by the State Board;

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- 1           (4) an approved education program, ~~or;~~
- 2           (5) ~~an independent school in another state or country approved under the~~  
3 ~~laws of that state or country, that complies with the reporting requirement~~  
4 ~~under subsection 4010(e) of this title;~~ a public school located in another state;  
5 or
- 6           (6) a therapeutic approved independent school located in Vermont or  
7 another state or country that is approved under the laws of that state or country.
- 8           (b) ~~nor shall payment~~ Payment of tuition on behalf of a person shall not be  
9 denied on account of age.
- 10          (c) Unless otherwise provided, a person who is aggrieved by a decision of a  
11 school board relating to eligibility for tuition payments, the amount of tuition  
12 payable, or the school the person may attend, may appeal to the State Board  
13 and its decision shall be final.
- 14          (d) As used in this section, “therapeutic approved independent school”  
15 means an approved independent school that limits enrollment for publicly  
16 funded students residing in Vermont to students who are on an individualized  
17 education program or plan under Section 504 of the Rehabilitation Act of  
18 1973, 29 U.S.C. § 794, or who are enrolled pursuant to a written agreement  
19 between a local education agency and the school or pursuant to a court order.