

Summary of School Choice Options in Vermont - April 2007

School boards in towns that do not have schools at the elementary school level (K-6) pay tuition to public schools in one or more other districts. For towns without schools at grades 7-12, school boards pay tuition to public or approved independent schools that parents choose, within or outside Vermont, not including religious schools. See **Title 16, Sections 821 and 822** of the Vermont Statutes Annotated.

For a list of towns that currently pay tuition, see the document on the Department's Web site, http://education.vermont.gov/new/html/pgm_finance_data.html#no_schools.

Title 16, Sec. 1093 allows local school boards to receive students from other communities into their schools on terms and conditions they decide - usually meaning tuition.

Title 16, Sec. 821(c) allows parents to request that school districts pay tuition for their children to attend an elementary school in another town, if the family resides near the other town's school - if the school board decides that the student's education can be more conveniently provided there.

Sec. 821(d) allows the voters in a school district that does not maintain an elementary school to authorize the school board to pay tuition for elementary students at approved independent nonresidential schools (but not at religious schools) at the request of a parent or guardian, if in the board's judgment the student's educational interests can be better served there. In both Sec. 821(c) and (d), the school board's decision is final.

Title 16, Sec. 822(c) authorizes a school board to both maintain a high school and pay tuition to another public school if the board determines that students' best interests are served there, and allows the board to pay tuition to an approved independent school (though not a religious school) if the board judges that a student has unique educational needs that cannot be served within the district or at a nearby public school. School boards' decisions are final.

Title 16, Sec. 827 authorizes voters of a school district that does not have a public high school to designate an approved independent school as the public high school. This section also allows a parent or guardian - who is dissatisfied with the instruction provided or who cannot obtain the kind of course or instruction desired there or whose child can be better accommodated in an approved high school nearer home - to request the school board to pay tuition to another approved high school. The board may approve the request and pay tuition if in its judgment that school will best serve the interests of the student. The board's decision is final.

Title 16, Sec. 828 allows school districts to pay tuition only to independent schools (or tutorial programs) that have been approved by the State Board of Education.

New Notice Requirement for School Boards: In 2006, the legislature added a provision requiring school boards to notify students of choice opportunities, by adding **(28) to Title 16, Sec. 563**, as follows: (28) Annually, [School Boards] shall inform students and their parents or guardians of their options for school choice under applicable laws or policy.

Act 150 Summary: Public High School Choice in Vermont

Enacted by the legislature in 2000, Act 150 required that - by September 2001 - all Vermont public high schools join with at least one other high school to form choice regions. There were

no geographic or numerical limits; regions did not have to be composed of adjacent districts, and regions may include more than two schools. Regions vary in size from two to 18 schools.

The law specifies the following:

- application procedures and permissive deadlines,
- unless regions choose a different date, applications are due from students on March 1st; the Department of Education has a list of all regions in the state,
- unless all districts in a region agree, no tuition or other costs can be charged,
- sending districts cover special education and technical education costs,
- permissible limits on the number of students a school could allow to transfer to other schools: five percent or 10 students in any year, whichever is smaller; limits may be larger,
- annually, schools shall determine their capacity to enroll choice students,
- a lottery is required if the number of students exceeds the limits set by the schools for transferring out or in,
- allows students to remain in the new school in subsequent years without re-applying, within certain parameters (i. e., graduation, no longer living in Vermont, or serious discipline issues),
- superintendents shall establish transportation clearinghouses for families needing information about transportation options that would help them exercise choice,
- there is no funding for transportation.

The first time students transferred was during school year 2002-2003. In the current school year, 315 students take part in school choice under Act 150.

Act 150 requires the Commissioner of Education to report to the legislature in January of each year on the implementation of various aspects of the law. The January 2005 report made recommendations on a range of school choice policy options for the future.

In 2006, the legislature repealed the section of Act 150 that allowed the law to expire in July 2007; therefore, it will remain in effect indefinitely beyond that date, unless the legislature changes it.