

TUITION PAYMENT

The Stratton School District will provide tuition for students attending grades PK-12 in accordance with state law and the criteria outlined below.¹

1. Tuition will be paid to schools attended by legal pupils who are residents of the Stratton School District as defined by 16 V.S.A. §1075 and this Board's policy on Admission of Resident Students. Tuition payments will be made to any approved Vermont school. The only exception shall be determined at the discretion of the Board to be in the best interest of the child.
2. Other than for the school identified in #1 above, tuition will be paid only to schools approved by the State Board of Education for the receipt of public tuition payments. In the case of a school with a religious affiliation, the board shall be required to perform two steps. First, the Board shall determine whether the school is approved by the State Board of Education for the receipt of public tuition payments. If the school is approved, the Board shall make an independent determination as to whether such payment to the school would violate state and federal law, including the Establishment Clause of the First Amendment to the United States Constitution.² Tuition payments will be made to an approved school as provided in the payment schedule of the receiving school, provided that timely notice of the schedule is given by the school to the Superintendent.
3. Tuition payments will be made as follows:
 - A. Tuition payments will be made to approved receiving schools when preceded by a written application from the student and/or his or her parent or guardian. The application must be made prior to a date determined by the Board/Superintendent of the school year for which such payment is requested. Requests for retroactive tuition payments will not be granted unless received by a date determined by the Board/Superintendent of the school year for which retroactive payment is sought.
 - B. If an eligible pupil becomes a resident after October 1st, an application for tuition will be considered by the Board at its first special or regular meeting following receipt of the application and, if approved, payments will be prorated from the date of the pupil's enrollment to the end of the then current school year.
4. All tuition payments will be made directly to approved schools attended by qualified pupils.
5. The Superintendent shall make recommendations to the Board prior to Board action on applications for tuition assistance made in compliance this policy. If the Board denies tuition assistance for a student, written notification of the denial shall be sent to the student if over the age of majority, or the parent or legal guardian of a minor student, by

¹ See 16 V.S.A. Ch. 21 for statutory requirements related to tuition payments to elementary and secondary schools.

² See Campbell v. Manchester Bd. Of School Directors, 161 Vt. 441 (1994).

the Superintendent or his or her designee within 10 days of the decision. Unless otherwise provided by law, the Board's decision shall be final.³

Date Warned: 10-11-12

Date Adopted: 11-8-2012 *Smw-n*

Legal Reference(s): 16 V.S.A. §§821 et seq. (Tuition requirements)

16 V.S.A. §1075 (Legal residence)

Campbell v. Manchester Board, 161 VT 441, 641 A.2d 352 (1994)

Chittenden Town School District v. Department of Education, 169 VT 710, 738 A.2d 539 (1999)

Cross Reference: Admission of Resident Students (F13)

³ See 16 V.S.A. § 828 providing for appeals of school board tuition payment decisions to the State Board of Education.