

# OPTION B DRAFT

CODE F16

## TUITION PAYMENT

The Stratton School Board (“the Board”), as representatives of the Stratton School District, shall provide tuition for students attending grades Pre-Kindergarten - 12 in accordance with Vermont State law following the criteria outlined below:

1. Tuition shall only be paid for pupils determined by the Stratton School Board to be legal residents of the Stratton School District, as defined by 16 V.S.A. §1075 and the Verification of Student Residency Policy, F13. Exceptions to the school approval requirement shall be made for those cases so determined by the Stratton School Board to be in the best interest of the child.
2. Tuition will be paid only to schools approved by the State Board of Education for the receipt of public tuition payments.
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, and the “Affidavit Concerning Pupil Residency.” The application and affidavit must be submitted to the Stratton School Board within 30 days of notifying the School Board of your intent to enroll your child[ren] in school.
  - B. If an eligible pupil became a resident after October 1<sup>st</sup>, 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 or to the time legal residency is terminated.
  - C. Tuition shall only be paid to receiving schools that enroll any student deemed to be a resident of the District, in accordance with a student’s Individualized Education Program Team decisions, when applicable. No tuition payment shall be made to any school that discriminates based on special education eligibility, a student impairment or disability or race, religion, ethnicity, national origin, sexual orientation, gender identity, gender or other protected characteristic.
4. All tuition payments for qualified pupils shall be made directly to the approved schools those pupils attend. In the event that a pupil, their parent or guardian had previously paid the tuition, payments shall still be made directly to the school. It is the school’s responsibility to reimburse the family.

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5. The Superintendent shall make recommendations to the Stratton School Board prior to the Board's actions on applications for tuition. If the Board approves tuition, the Board will send a letter of tuition approval to the applicant. If the Board denies tuition 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 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.<sup>3</sup>

- 1) 16 V.S.A. Ch. 21 for statutory requirements related to tuition payments to elementary and secondary schools.
- 2) Campbell v. Manchester Bd. Of School Directors 161 Vt. 441 (1994).
- 3) 16 V.S.A. § 828 providing for appeals of school board tuition payment decisions to the State Board of Education

*Date Reviewed:*

*Date Warned:*

*Date Adopted:*

*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.2nd 539 (1999)*

*Cross Reference: Admission of Resident Students (F13)*