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Designation (16 V.S.A. § 827)

A school district that does not operate a school offering grades 7-12 (or some of those grades) and would otherwise be paying tuition for some or all of those grades may designate an approved *independent* high school OR a *public* high school for the grades it does not operate.

- In 2015, the Legislature expanded § 827 to permit designation of one, two, or three schools
- A district may designate only if the voters first authorize the school board to do so
- A designated school has the ability to refuse designation
- A designated school must be located in Vermont (except per the exceptions below)
- If both the sending district and the receiving school(s) agree to designation, then the receiving school is the school for the district and all students who reside in the district enroll in that school (or schools, if more than one school is designated)
- The designated school is considered a public school for tuition purposes under § 824(b) (meaning the sending district pays the full tuition charged by the school)

The school board in a sending district that designates is permitted to pay tuition to a *non-designated* public or approved independent school.

- The board can pay tuition to a non-designated school:
 - Upon parental request
 - If the board in its sole judgement determines it will best serve the student's interests
- The board is not required to grant the parental request
- If a school board grants the parental request, the district pays tuition in an amount not exceeding lesser of:
 - The statewide average announced tuition of union high schools
 - The per-pupil tuition the district pays to the designated school
 - The tuition charged by the non-designated school enrolling the student
- The parent / guardian pays the difference, if any
- The board does not need prior voter authorization to grant parental requests

Exceptions:

- Pawlet, Rupert, and Wells may designate a public high school in New York
- When Wells grants a parental request to pay a non-designated school, the Wells school district pays an amount not exceeding the base education amount for the year
- Unless the electorate decides otherwise, when the Strafford school district grants a parental request to pay a non-designated school, the school district pays pursuant to § 824, except it cannot exceed the per-pupil amount paid to the designated school

This document is provided for guidance only and does not have the force of law. See the underlying statute for more detail.

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