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**PEACHAM SCHOOL BOARD POLICY**  
**ADMISSION OF NON-RESIDENT TUITION STUDENTS**

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Prepared for 1<sup>st</sup> reading: 6/19/01  
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Warned for hearing: 10/6/01  
3<sup>rd</sup> Reading: 8/21/01

Adopted: **10/18/01**

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Copies to: Principal: \_\_\_ School Library: \_\_\_ Board Members: \_\_\_ CCSU: \_\_\_ Town Clerk: \_\_\_ Town Library: \_\_\_

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It shall be the policy of the Peacham School District (the "District") to enroll non-resident students under such terms and restrictions as the District deems best, where, in the discretion of the District and school administrators, there is space and it is determined that enrollments of such non-resident students will not diminish or dilute program opportunities for students who are residents of the District. Students shall only be admitted under the terms of this policy and, where applicable, a duly executed enrollment agreement. Parental placements of non-resident students shall not be accepted.

**A. ADMISSION**

- 1.) Non-discrimination. No child will be denied admission on the basis of sex, creed, color, sexual orientation, marital status, national origin, race, disability, and/or the need for special education services.
- 2.) Town of Choice students and/or employee children. Pursuant to a duly issued voucher from the Sending District, the School will give preference to accepting non-resident students who are children of a current District employee or who are legal residents of Barnet, Danville and Walden. See subsection C.4 regarding the requirement of an additional enrollment agreement for a special education or 504 student.
- 3.) Long-term suspension or expulsion. Pursuant to the Peacham policy on Continuance of an Expulsion or Suspension, the District shall honor long term suspensions or expulsions imposed on students by other school districts, where application is made for admission of such non-resident students to the District.
- 4.) Application Process. The prospective student must complete a Peacham School application, and participate in an initial interview. Academic records, attendance records and records of any involvement in incidents resulting in disciplinary action must be submitted by the student at the time of the initial interview.

The initial determination on an application shall be by the principal or the superintendent, who shall consider the disciplinary record of the student, whether he or she is making satisfactory progress toward completion of an approved school or home study program, his or her attendance record, and whether admission would jeopardize the educational program by creating an unfavorable student-teacher ratio in the proposed student's class.

The principal or the superintendent shall determine whether to accept the student's application, following the above steps, including the non-discrimination provision in Section A.1.

If the applicant is disabled, the application progress in Section C. below shall be followed.

- 5.) Terms of Acceptance. Acceptance for a period not to exceed one year will follow upon a favorable consideration of these criteria. The student must report any incidents resulting in disciplinary action that occur following the initial interview but prior to enrollment at the Peacham School. Upon such report, the student's application will be reconsidered in light of the new information.
- 6.) Appeal. A non-resident applicant for admission as a tuition student may appeal the principal or superintendent's denial of his or her application by submitting a written request to appeal to the Board within ten days of the denial. The Board will provide an opportunity for the applicant and/or his or her parent or guardian to discuss the request not to uphold the decision of the principal or superintendent. The Board will render a decision within 30 days of the request to appeal. The decision of the board will be final.

## **B. ENROLLMENT**

- 1.) Discipline During Enrollment. All tuition students shall be subject to the same rules of conduct to which District students are subject, and the District reserves the right to take disciplinary action, up to and including expulsion, in response to misconduct by a tuition student. The Sending District shall be notified of any disciplinary proceedings. See Section C.8 for additional information about special education or 504 students.
- 2.) Tuition. Tuition rates will be established in accord with Chapter 21 of Title 16 of the Vermont Statutes Annotated, and pertinent regulations of the State Board of Education.
- 3.) Vouchers. The parent or guardian of the student will obtain a voucher from the appropriate authority within the sending District (their town of residence) and present the voucher upon enrollment. A student shall not be admitted without appropriate documentation from the responsible Sending District that is undertaking to pay full costs of placement or, alternatively, a private payment schedule in the event that the Sending District will not pay full costs of placement.
- 4.) Terms of Payment. Tuition for non-resident students shall be payable upon issuance of an invoice. A pro rata tuition payment will be payable for a student who enrolls after the beginning of a semester.

## **C. SPECIAL EDUCATION AND 504 SERVICES**

1. Pre-Application Consideration. Prior to application, a representative of the District will attend an IEP or 504 team meeting held by the Sending District, at which the team will consider the services and accommodations called for by the IEP or 504 plan, and if those services and accommodations are available at the Peacham School (for example, special day treatment program or residential services are not available at Peacham). If there is consensus that the Peacham School can meet the student's needs, the student's application may then be submitted.
2. Admissions Provisions. The prospective student must complete a Peacham School application, and participate in an initial informational meeting with the Principal or principal's designee. Academic records, attendance records and records of any involvement in incidents resulting in disciplinary action must be submitted by the student at the time of the initial informational meeting.

3. Application Decision. In consultation with the District representative who attended the Sending District's IEP meeting, the principal or the superintendent shall review information gathered from that meeting. The principal or the superintendent shall also consider the student's attendance record, whether admission would jeopardize the educational program by creating an unfavorable student-teacher ration in the proposed student's class, and the disciplinary record of the student when the student's misbehavior was not a manifestation of the student's disability.

The principal or the superintendent shall determine whether to accept the student's application, following the above steps, including the non-discrimination provision in Section A.1.

4. Enrollment Agreement. If the student's application is accepted, a duly authorized enrollment agreement shall be executed pursuant to this policy. The responsibility for payment of instruction, related services, and accommodations shall be provided in such agreement and as outlined below.
5. Excess Costs. In addition to payment of the regular education tuition pursuant to a voucher, the Sending District shall pay for any excess costs for specialized instruction, related services, and/or accommodations under the IDEA and/or Section 504.

- i.) Definition. "Excess cost" services are individually required services not generally available as part of the School's general program.

- ii.) Excess costs include but are not limited to:
    - Psychological services
    - Physical and occupational therapy
    - Counseling (other than school guidance counselor services)
    - Evaluation and diagnostic services
    - Health services (other than customary school nurse services)
    - Social work services
    - Parent counseling and training
    - Transportation
    - Homebound/hospital tutoring
    - Individual aide, tutors and other personnel required specifically for a student
    - Assistive technology
    - Interpreters, readers, special devices, and other auxiliary aides and services
    - Initial and supplemental evaluations and re-evaluations
    - Speech and language services
    - Resource Room services

- iii.) Notice. If excess costs will be charged for a given student, the District will provide the Sending District with notice, including the type and frequency of services to be provided, the fee for the services, and the billing schedule.

6. Resolution of Disputes. Responsibility and costs (including legal fees) or prosecuting and/or defending against IDEA and/or 504 due process claims shall be borne by the Sending District. This District will provide witnesses, as necessary.
7. Procedural Responsibility. A Sending District, as the "Local Education Agency" (LEA), "responsible district", and "district of residence" under federal and state law, is and shall remain responsible for ensuring that the student is provided a free and appropriate public education under IDEA and/or 504, as applicable.

8. Discipline of Special Education Students. In addition to the terms of Section B.1, when a special education or Section 504 student is expelled pursuant to VDE Rule 4312, any continuing duty to educate shall be the duty of the student's district of residence, and not of the District. The District shall provide prompt notice of misconduct and disciplinary proceedings to the Sending District.
  
9. Referral for Evaluation of a Tuitioned Student. If a non-resident tuition student enrolled at the Peacham School is referred for an initial special education or 504 evaluation, school staff shall provide immediate notice to the Sending District's designated local education agency representative, and shall cooperate with such representative of the Sending District in convening an evaluation and planning team or 504 team meeting to undertake evaluation efforts.
  - i.) District personnel familiar with the student will provide input if and as required by the Sending District.
  - ii.) The Sending District LEA Representative shall participate in such meetings for referred students.
  - iii.) Costs of the evaluation will be paid by the Sending District as detailed above.
  - iv.) If the student is found to be eligible for special education or 504, refer to sections C.2 through C.4.
  
10. Termination of Services. The District reserves the right not to admit and/or to terminate services to a tuitioned non-resident student in the event that it is determined by the 504 or IEP team that the student's educational needs cannot be appropriately provided at the School. This might occur, for example, where an IEP team has determined that the student requires a special day school, residential or other restrictive placement. Pending any change in placement or location of delivery of services, in order to preserve continuity for the student, the Sending District shall pay all excess costs for any additional services or interim placement provided to the student while at the School during such a transition period.

Legal References: 16 V.S.A. §1073 et seq.; 16 V.S.A. §1093;  
16 V.S.A. §823, et seq.; 16 V.S.A. §1163 ;  
Vt. State Board of Education Manual of Rules & Practices, §1250;  
9 V.S.A. §4500, et seq.

Cross Reference: Policy on Continuance of Expulsion or Suspension