

STATE OF VERMONT
STATE BOARD OF EDUCATION

In Re: 16 V.S.A. 828 Tuition Appeal of L.J.)
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NOTICE OF HEARING

In the above-captioned matter, an evidentiary hearing shall be held on Wednesday, February 1, 2023, at **9:30 am**, to be held via Microsoft Teams. The link for accessing the pre-hearing conference is: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZTYzNDY1OTgtNGY0ZS00NTNmLTk4ODMtNmI1YTJmY2Q4ZjIx%40thread.v2/0?context=%7b%22Tid%22%3a%2220b4933b-baad-433c-9c02-70edcc7559c6%22%2c%22Oid%22%3a%226cdf94f4-8310-4fd8-8fdc-998781cccfb4%22%7d

Meeting ID: 237 032 754 504

Passcode: 5zi76j

The following shall apply:

1. The hearing is an appeal of the denial of tuition reimbursement from the Taconic and Green School District, for minor student L.J., pursuant to 16 V.S.A. 828. The Hearing shall be governed by the Procedural Rules of the Vermont State Board of Education (the “Rules”), which can be found at <https://education.vermont.gov/sites/aoe/files/documents/edu-state-board-rules-series-1200.pdf>; as well as the Vermont Administrative Procedure Act, which may be found at [3 V.S.A. Chapter 25](#). The purpose of the hearing shall be to provide interested parties an opportunity to offer factual evidence to be included in the record for consideration of the Hearing Officer and the Board of Education in rendering findings of fact, conclusions of law, and a decision.
2. Any factual evidence to be considered in rendering findings, conclusion, and a decision must be made a part of the record at the hearing. Evidence may be offered in the form of written/documentary evidence, or in the form of testimony of witnesses, including the testimony of interested parties.
3. All evidence to be offered at the Hearing, including evidence which has been previously circulated as correspondence or documents by any party in connection with a Petition, response, or any other correspondence, must be pre-filed with all other parties and the Hearing Officer, by email, at least seven (7) calendar days prior to the Hearing Date: on or before Wednesday, January 25, 2023. For witness testimony to be offered, if any, the pre-filing shall list the name of any witnesses to be called and the general topic(s) upon which the witness is expected to testify. Parties are responsible for arranging for the attendance of any witness they plan to call, if any.

4. Exhibits that are stipulated/agreed between the Parties as admissible, or joint exhibits, are encouraged.

5. At the hearing, the offered evidence will either be admitted to the record, or not admitted. The admissibility of evidence will be determined by the Hearing Officer under the criteria specified in 3 VSA 810 (1) - (4), and the Rules referenced above.

6. Following the Hearing, both parties shall have (5) days to file optional written memoranda in support of their position. Because the 5 calendar days following the scheduled Hearing include a weekend, in this case any such memoranda shall be filed with the other party and the Hearing Officer within 5 business days: on or before Wednesday, February 8, 2023. These memoranda may not add additional evidence, but may discuss any evidence made a part of the record at the Hearing, and may discuss the application of any relevant law to the facts established by the evidence, in support of the submitting party's position.

7. Any of the foregoing may be modified by the Hearing Officer for good cause shown, or when justice so requires.

Dated this 21st day of December, 2022.

/s/ Adam L. Powers

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