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Public High School Choice Timeline

Under Title 16, Section 822a

For implementation of Public High School Choice under 16 V.S.A. § 822a,¹ it is important to have a predictable process for students and families and to be sure all applications for students are received in time for consideration. Ideally, all Districts would follow the same schedule, for predictability and consistency, statewide. The Vermont Agency of Education, however, cannot mandate this. To that end, the Agency offers the following proposed timeline for school districts to consider. Many of the dates are based on the statute; others are recommended as a matter of practicality in order to allow structured steps that will meet the statutory end dates.

Preliminary Determinations by School Boards:

1. On or before February 1: school boards must determine and announce capacity (number) of students allowed to transfer in from other schools.²
2. On or before February 1: school boards may determine and announce number of students allowed to transfer out to other schools.³

Applications by Students/ Actions by Sending Schools:

3. On or before March 1: Students seeking to attend different schools for the next following school year must apply, in writing, for choice, to the schools where they reside.⁴
4. On or before March 5: Schools whose boards have set a limit on outgoing students and that receive applications to attend different schools in excess of that limit hold a nondiscriminatory lottery of outgoing applicants.⁵
5. Sending schools immediately transmit (electronically or fax) choice requests to potential first choice receiving schools.

¹ It is important to bear in mind that Section 822a expands, but does not necessarily limit, the range of “choice” arrangements involving multiple schools. Other arrangements creating even greater flexibility may be possible if jointly agreed by two or more schools, and if not inconsistent with law. Any such additional arrangements must, at minimum, be transparently open, equitably available, and orderly, so as to give all students who may want to exercise such choice open and fair possibilities of exercising such choice.

² 16 V.S.A. §822a(c)

³ §822a(b); sub-section (b) does not require a Board to set this limit, and does not specify a date, but February 1 is a practical cut-off for Boards that choose to set an outgoing limit.

⁴ §822a (e)(1)

⁵ §822a(d); no date set in statute, this date is suggested as a practical, clear time. **Please note that under §822a(d)(2)(A), a school must give preference to a student who was denied in a prior year.**

Actions by Receiving Schools:

6. On or before March 5: Upon receipt of incoming choice requests, schools that receive more applicants than they have incoming spaces promptly hold a first nondiscriminatory lottery.⁶
7. On or before March 10: receiving schools notify sending schools and families, in writing, of outcome of first lottery, if any, and where in the lottery students fell.⁷

Second Lottery:

8. On or before March 15: sending schools forward applications for students who did not receive their first choice to each student's second choice receiving school, and, if those applications exceed spaces at receiving schools that remain available after the first lottery, receiving schools promptly hold a second nondiscriminatory lottery.
6. On or before March 20: receiving schools notify sending schools and families of outcome of second lottery, if any, and where in the lottery students fell.

Third Lottery:

7. On or before March 25: applications for students who did not receive their second choice are forwarded to third choice receiving school, and, if those applications exceed spaces at receiving schools that remain available after the first and second lotteries, receiving schools promptly hold a third and final nondiscriminatory lottery.
8. April 1: receiving schools notify sending schools and families of outcome of third/ final lottery, if any, and where in the lottery students fell.⁸

Definitive and Final Decision by Students:

9. April 15: families must give decisive written notice of how they intend to exercise their school choice option to the sending school and any/ all receiving schools that have offered them openings.⁹ *Failure to timely make and communicate a clear decision risks forfeiture of choice.*

⁶ §822a(d); no date set in statute, this date is suggested as a practical, clear time. Please note that under §822a(f), a student who has previously exercised choice must be permitted to remain in the receiving school unless they graduate, move out of Vermont, or are expelled.

⁷ §822a(d); no date set in statute, this date is suggested as a practical, clear time.

⁸ §822a(e)(2); April 1 deadline is in statute

⁹ §822a(e)(3) April 15 deadline for definitively exercising choice is in statute. Note, under §822a(e)(4)and(5):

(4) After sending notification of enrollment, a student may enroll in a school other than the receiving high school only if the student, the receiving high school, and the high school in which the student wishes to enroll agree. If the student becomes a resident of a different school district, the student may enroll in the high school maintained by the new district of residence.

(5) If a student who is enrolled in a high school other than in the school district of residence notifies the school district of residence by July 15 of the intent to return to that school for the following school year, the student shall be permitted to return to the high school in the school district of residence without requiring agreement of the receiving district or the sending district.