

PROGRAM PARTICIPANT SERVICES

SECTION: ADMISSIONS

SUBJECT: NFI Schools-Nondiscrimination, Application, and Enrollment Policies **REF:** 5.1.12a
For IEP Placed Students

DEFINITION:

Therapeutic Approved Independent School (Therapeutic Independent School or Therapeutic School): an approved independent school that limits enrollment to students who are on an IEP or plan under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C § 794 and who are enrolled pursuant to a written agreement between an LEA (Local Education Association) and the school. These schools are eligible to receive public tuition, which is inclusive of both general and special education services and is at a rate approved by the Agency of Education. Link 2228.1, 2223, 2224, 2229, 22231, 2232.

SCOPE:

Pursuant to Vermont State Board of Education Rules 2223.2 and 2229, and related Vermont statutory and rule-based requirements, NFI Vermont Schools (hereinafter referred to as “NFI Schools”) are considered Therapeutic Schools and operate under the following nondiscrimination, application, and enrollment policies. The Application Process and decisions regarding student enrollment are guided by the policies and procedures described below.

The nondiscrimination policy applies to all prospective and current staff, and all prospective and current students, regardless of how a student's tuition is funded.

The application and enrollment policies and associated enrollment procedures only apply to publicly funded tuition students (i.e. students who reside in a non-operating Vermont school district that pays tuition for its resident students). The *“Application Policy and Process for Publicly Funded Tuition Students”*, *“Procedures for Offering Enrollment for Publicly Funded Tuition Students”*, and *“Enrollment Process & Policy for Publicly Funded Students”* described below only apply to publicly funded students.

Nondiscrimination Policy

1. Nondiscrimination Statement. No student shall be unlawfully excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity as the result of, or based upon, the student’s race, gender, color, creed, religion, national origin, marital status, sexual orientation, gender identity, or disability, or any other reason set forth in state or federal law.

2. NFI Schools comply with all requirements of the Vermont Public Accommodations Act (9 V.S.A. Chapter 139), and with all requirements of the Vermont Fair Employment Practices Act (21 V.S.A. Chapter 5, Subchapter 6) in all aspects of its recruitment, application, enrollment, operation, and employment activities.
3. NFI Schools shall maintain and follow policies that implement this nondiscrimination statement. NFI Schools shall distribute such policies to students and families of prospective students, enrolled students, and on request, members of the student's IEP team.

The Non-Discrimination Statement is posted on the agency website. It is included in the Program Participant Handbook and School Orientation Manual distributed to students/parents.

See also NFI Policies- Non-Discrimination/EOE 2.2.0 & Americans with Disabilities Act 2.2.1

Application Policy and Process for Publicly Funded Tuition Students

1. Referrals to all NFI Schools require approval and pre-authorization by the School District-Supervisory Union. The student or parent of a student seeking enrollment can then voluntarily submit an application after receiving approval from the student's school.
2. NFI Schools require all prospective families to visit the school and meet with faculty and staff during the application process.
3. NFI Schools require all prospective families to sign an acknowledgement of the NFI School pedagogical approach, mission, and code of conduct.
4. NFI Schools may request information from the prospective student's prior teachers; which includes information about the student's educational needs.
5. NFI Schools may request any information about the student's actual or suspected disabilities, prior testing for or diagnosis of a physical, emotional, mental, or cognitive condition, or participation in or receipt of special education services as part of the application process.

6. Any student interested in applying for enrollment in an NFI School, or their family member or member of their educational support team, shall be provided with a copy of this and any other policy that implements its nondiscrimination statement.
7. Any student interested in applying for enrollment in an NFI School, or their family member or member of their educational support team, shall be provided with the NFI School application package and offered any assistance or reasonable accommodation needed to complete and submit the application, including translation or interpretation services.

Procedures for Offering Enrollment for Publicly Funded Tuition Students

1. NFI Schools will not extend an offer to enroll a student whose academic and social emotional learning interests are not aligned with the school's program.
2. NFI Schools manage grade level and program capacity limits based on estimates of returning students, anticipated staffing, as well as facility and program requirements and constraints. Before extending an offer to enroll, NFI Schools will first determine if there is available capacity at the student's grade level. Second, it will determine if there is available capacity in the academic, athletic, and extracurricular programs that are aligned to the interests indicated by the student in their application.
3. When the number of applicants exceeds capacity students are placed on a wait list and enrolled as spots (opening in grade level classroom) become available on a first come, first serve basis.
4. Under no circumstances shall a student be denied acceptance for enrollment because of a disability, because they are eligible for special education services or because they are undergoing the comprehensive evaluation process for special education.

Enrollment Process & Policy for Publicly Funded Students

1. If the student is offered enrollment, the NFI School will send the parent or guardian an invitation to enroll the student, which will include a request for additional information about the student, including academic and disciplinary history, and information about actual or suspected disabilities and/or special education needs.

2. The LEA shall be responsible for the administration of the individualized education program (IEP) of a publicly funded student enrolled at the School, and the IEP team shall determine how the student will be provided a free and appropriate public education. Any required accommodations and services must be documented in a written agreement pursuant to Vermont State Board of Education Rule 2231, and shall be governed by the procedures in Rule 2229.4.
3. Prior to enrollment, the district must enter into a written contract with the NFI School and shall accept financial responsibility for any tuition, fees, or other costs.
4. Nothing in this policy shall restrict the NFI School from creating and preserving a safe and healthy environment for the entire NFI School community and its members. The NFI School may decline to enroll or may expel a student who is currently in a period of expulsion under 16 VSA §1163, or presents a threat to themselves or others, consistent with the NFI School disciplinary policy.

New. 3/25/25. Requested by school staff for Application for Independent Schools (AOE). Vermont State Board of Education Rules 2223.2 and 2229. Reviewed and approved by the Board on ...

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