

1 H.239

2 Introduced by Representative Hebert of Vernon

3 Referred to Committee on

4 Date:

5 Subject: Education; union school districts; withdrawal

6 Statement of purpose of bill as introduced: This bill proposes to permit a
7 school district that operates a school or schools for all resident students in
8 prekindergarten through grade 6, pays tuition for resident students in grade 7
9 through grade 12, and is a member of a union high school district to withdraw
10 from the union high school district without approval by the remaining
11 members of the union high school district.

12 An act relating to withdrawal from a union high school district

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. TEMPORARY AUTHORITY TO WITHDRAW FROM UNION

15 HIGH SCHOOL DISTRICT

16 (a) Notwithstanding any provision of 16 V.S.A. § 721a to the contrary, a
17 school district that operates a school or schools for all resident students in
18 prekindergarten through grade 6, pays tuition for resident students in grade 7
19 through grade 12, and is a member of a union high school district may
20 withdraw from the union high school district without approval by the

1 remaining members of the union high school district upon the following
2 conditions:

3 (1) At least one year has elapsed since the union high school district
4 became a body politic and corporate as provided in 16 V.S.A. § 706g.

5 (2) A majority of the voters of the school district proposing to withdraw
6 from the union high school district present and voting at a school district
7 meeting duly warned for that purpose votes to withdraw from the union high
8 school district. The clerk of the school district shall certify the vote to the
9 Secretary of State, who shall record the certificate in his or her office and shall
10 give notice of the vote to the Secretary of Education and to the other members
11 of the union high school district.

12 (3) The State Board approves the withdrawal based on a
13 recommendation from the Secretary of Education.

14 (4) The withdrawal process is completed on or before July 1, 2019.

15 (b) In making his or her recommendation, the Secretary of Education shall
16 assess whether:

17 (1) students in the withdrawing school district would attend a school that
18 complies with the rules adopted by the State Board pertaining to educational
19 programs; and

20 (2) it is in the best interests of the State, the students, and the districts
21 remaining in the union high school district for the union to continue to exist.

1 (c) The State Board shall:

2 (1) consider the recommendation of the Secretary and any other
3 information it deems appropriate;

4 (2) hold a public meeting within 60 days of receiving the
5 recommendation of the Secretary, and provide due notice of this meeting to the
6 Secretary and all members of the union high school district;

7 (3) within 10 days of the meeting, notify the Secretary and all members
8 of the union high school district of its decision;

9 (4) if it approves the withdrawal, declare the membership of the
10 withdrawing school district in the union high school district terminated as of
11 July 1 immediately following, or as soon after July 1 as the financial
12 obligations of the withdrawing school district have been paid to, or an
13 agreement has been made with, the union high school district in an amount to
14 satisfy those obligations; and

15 (5) file the declaration with the Secretary of State, the clerk of the
16 withdrawing school district, and the clerk of the union high school district
17 concerned.

18 Sec. 2. REPEAL

19 This act is repealed on July 2, 2019.

20 Sec. 3. EFFECTIVE DATE

21 This act shall take effect on July 1, 2017.