## Side-by-Side of H.727 House CC PROPOSAL v. Senate Proposal of Amendment Beth St. James 5.10.22 (draft 2.1)

# Differences highlighted in <mark>yellow</mark> Senate language adopted in House CC proposal highlighted in <mark>blue</mark> Language with no highlighting is the same in both versions

5.10.22 House Proposal	Senate Proposal of Amendment	Notes
Sec. 3. § 724. WITHDRAWAL FROM OR	Sec. 3. § 724. WITHDRAWAL FROM OR	
<b>DISSOLUTION OF A UNIFIED</b>	<b>DISSOLUTION OF A UNIFIED</b>	
UNION SCHOOL DISTRICT	UNION SCHOOL DISTRICT	
(a) Definition. SAME	(a) Definition. SAME	
(b) Withdrawal study committee. SAME	(b) Withdrawal study committee. SAME	
(c) Analysis. SAME	(c) Analysis. SAME	
(d) Report, including a plan for withdrawal;	(d) Report, including a plan for withdrawal;	
decision not to prepare report.	decision not to prepare report.	
(1) Report supporting withdrawal.	(1) Report supporting withdrawal.	
(A) If, after conducting the analysis	(A) If, after conducting the analysis	
required by subsection (c) of this section, the	required by subsection (c) of this section, the	
withdrawal study committee votes to advance the	withdrawal study committee votes to advance the	
withdrawal process as further outlined in this	withdrawal process as further outlined in this	
section, then the committee shall prepare a report,	section, then the committee shall prepare a report,	
which it shall deliver electronically to the union	which it shall deliver electronically to the union	
district board and which the superintendent shall	district board and which the superintendent shall	
publish on the district's website.	publish on the district's website.	
(B) At a minimum, the report shall	(B) At a minimum, the report shall	
include:	include:	

(i) the analysis conducted pursuant to subsection (c) of this section, describing the ways in which the data and analysis:	(i) the analysis conducted pursuant to subsection (c) of this section, describing the ways	
in which the data and analysis:		
	in which the data and analysis:	
(I) support withdrawal; and	(I) support withdrawal; and	
(II) do not support the continuation	(II) do not support the continuation	
of the union district in its current configuration;	of the union district in its current configuration;	
(ii) the proposed financial terms of	(ii) the proposed financial terms of	
withdrawal, including the proposed ownership of	withdrawal, including the proposed ownership of	
buildings and other assets and the proposed	buildings and other assets and the proposed	
responsibility for financial and other contractual	responsibility for financial and other contractual	
obligations, including debts;	obligations, including debts;	
(iii) a plan, including a detailed	(iii) a plan, including a detailed	
timeline, for the actions the proposed new school	timeline, for the actions the proposed new school	
district would take to ensure that, on a proposed	district would take to ensure that, on a proposed	
operational date, it could provide for the education	operational date, it could provide for the education	
of its students in prekindergarten through grade 12	of its students in prekindergarten through grade 12	
by operating all grades, tuitioning all grades, or	by operating all grades, tuitioning all grades, or	
operating some grades and tuitioning the	operating some grades and tuitioning the	
remainder, in a manner that will meet educational	remainder, in a manner that will meet educational	
quality standards as required by section 165 of this	quality standards as required by section 165 of this	
title, and including, if applicable, the process by	title, and including, if applicable, the process by	
which the proposed new school district would	which the proposed new school district would	
explore formation of a new union school district	explore formation of a new union school district	
with one or more other school districts in the	with one or more other school districts in the	
region and would integrate or condition any votes	region and would integrate or condition any votes	
to withdraw with votes on formation of a new	to withdraw with votes on formation of a new	
union district; and	union district; and	
(iv) a proposal, including analysis, for	(iv) a proposal, including analysis, for	
the potential source of supervisory union services	the potential source of supervisory union services	
for the proposed new school district, including, if	for the proposed new school district, including, if	
applicable to the proposal:	applicable to the proposal:	

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(I) a recommendation of one or	(I) a recommendation of one or	
more potential supervisory unions to which the	more potential supervisory unions to which the	
State Board could assign the proposed new school	State Board could assign the proposed new school	
district; and	district; and	
(II) a statement from the board of	(II) a statement from the board of	
the potential supervisory union or unions regarding	the potential supervisory union or unions regarding	
the ability and willingness to accept the proposed	the ability and willingness to accept the proposed	
new school district as a member district.	new school district as a member district.	
(C) Within 45 days following receipt of	(C) Within 45 days following receipt of	
the withdrawal study committee report, the union	the withdrawal study committee report, the union	
district board shall invite the members of the	district board shall invite the members of the	
withdrawal study committee to attend a regularly	withdrawal study committee to attend a regularly	
scheduled meeting of the board to present the	scheduled meeting of the board to present the	
contents of its report and to answer any questions	contents of its report and to answer any questions	
posed by the board. The board shall also invite the	posed by the board. The board shall also invite the	
members of the liaison subcommittee to share any	members of the liaison subcommittee to share any	
analysis and conclusions at the meeting. The	analysis and conclusions at the meeting. The	
withdrawal study committee has sole authority to	withdrawal study committee has sole authority to	
determine the contents of its report.	determine the contents of its report.	
(2) Decision not to propose withdrawal. If,	(2) Decision not to propose withdrawal. If,	
after conducting the analysis required by	after conducting the analysis required by	
subsection (c) of this section, the withdrawal study	subsection (c) of this section, the withdrawal study	
committee votes not to approve advancement of	committee votes not to approve advancement of	
the withdrawal process, then:	the withdrawal process, then:	
(A) the withdrawal study committee shall	(A) the withdrawal study committee shall	
prepare a brief written statement explaining the	prepare a brief written statement explaining the	
reasons underlying the votes supporting and not	reasons underlying the votes supporting and not	
supporting advancement, which it shall deliver	supporting advancement, which it shall deliver	
electronically to the union district board and which	electronically to the union district board and which	
the superintendent shall publish on the district's	the superintendent shall publish on the district's	
website;	website;	

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(B) within 45 days following receipt of	(B) within 45 days following receipt of	
the withdrawal study committee report, the union	the withdrawal study committee report, the union	
district board shall invite the members of the	district board shall invite the members of the	
withdrawal study committee to attend a regularly	withdrawal study committee to attend a regularly	
scheduled meeting of the board to present the	scheduled meeting of the board to present the	
contents of the written statement and to answer any	contents of the written statement and to answer any	
questions posed by the board; and	questions posed by the board; and	
(C) the withdrawal study committee shall	(C) the withdrawal study committee shall	
cease to exist upon adjournment of the union	cease to exist upon adjournment of the union	
district board's meeting.	district board's meeting.	
(e) Secretary and State Board.	(e) Secretary of Education review and opinion.	In the House
(1) Secretary. If the study committee voted	(1) Review by the Secretary. Within 30	proposal, AOE
to proceed pursuant to subdivision (d)(1) of this	days after attending the union district board	provides a
section, then within 30 days after attending the	meeting pursuant to subdivision (d)(1)(C) of this	cursory review
union district board meeting pursuant to	section, the withdrawal study committee shall	and submits
<pre>subdivision (d)(1)(C) of this section, it shall</pre>	deliver the report or reports electronically to the	recommendations
deliver its report electronically to the Secretary for	Secretary for review. The Secretary:	to the SBE.
review. The liaison subcommittee may also	(A) shall consider the report or reports;	
submit a report outlining its analysis and	(B) shall provide representatives of the	In the Senate
conclusions. The Secretary shall submit the report	withdrawal study committee, the liaison	version, AOE
or reports, with recommendations, to the State	subcommittee, and any supervisory union that has	provides an
Board.	been identified as a potential source of supervisory	initial opinion on
	union services for the proposed new school district	preparedness. If
	an opportunity to be heard at a meeting held at a	AOE's initial
	location within the petitioning town:	opinion is
	(C) may, in the Secretary's discretion,	positive, the
	take testimony from other individuals and entities;	withdrawal
	(D) may ask the withdrawal study	proposal can
	committee, or the liaison subcommittee, to make	proceed right to a
	further investigation and may consider any other	vote of the
	information the Secretary deems to be pertinent;	electorate with
	and	no SBE review.

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	(E) may request that the members of the
	withdrawal study committee to amend the report.
	(2) Advisory opinion of the Secretary with
	positive recommendation.
	(A) If the Secretary finds that the
	withdrawal proposal contained in the report,
	including the most feasible options for the
	provision of supervisory union services to the
	proposed new school district, is in the best interests
	of the State, the region, the students, and the
	school districts, and aligns with the policy set forth
	in section 701 of this title, then, within 90 days
	following receipt of the report or reports, unless
	the study committee agrees to an extension of the
	deadline, the Secretary shall:
	(i) issue an opinion recommending
	approval of the withdrawal proposal;
	(ii) provide a preliminary assessment
	of most feasible options for the provision of
	supervisory union services to the proposed new
	school district if withdrawal is approved by the
	voters; and
	(iii) make any other finding related
	and necessary to the withdrawal proposal.
	(B) After the Secretary issues an opinion
	recommending approval of the withdrawal
	proposal, the proposal shall proceed to a vote of
	the electorate under subsection (g) of this section.
	(3) Advisory opinion of the Secretary with
	negative recommendation. If the Secretary finds
	that the withdrawal proposal contained in the
	report, including the most feasible options for the
	provision of supervisory union services to the

proposed new school district, is not in the best
interests of the State, the region, the students, and
the school districts or does not align with the
policy set forth in section 701 of this title, or both,
then, within 90 days following receipt of the report
or reports, unless the study committee agrees to an
extension of the deadline, the Secretary shall:
(A) issue a written opinion
recommending disapproval of the withdrawal
proposal, including a written statement detailing
the reasons supporting this conclusion;
(B) provide a preliminary assessment of
the most feasible options for the provision of
supervisory union services to the proposed new
school district if withdrawal is approved by the
voters;
(C) make any other finding related and
necessary to the withdrawal proposal; and
(D) post the written opinion on the
Agency of Education's website and transmit it
electronically to the clerk of the union district.
After receiving the Secretary's opinion, the study
committee shall vote pursuant to subsection (f).
(f) State Board of Education final review.
(1) Study committee vote. Within 30 days
following receipt of a negative advisory opinion
from the Secretary, the clerk of the union school
district shall post the document on its website and
schedule the contents as a topic for public
discussion at a special or regular board meeting.
Within 30 days following the public meeting, the
study committee shall convene a meeting and vote
whether to cease efforts to withdraw from the

	union district or whether to request review of the	
	Secretary's advisory opinion by the State Board of	
	Education for the withdrawal proposal to proceed	
	to a vote of the electorate.	
	(2) Cease efforts to withdraw. If the study	
	committee votes to cease efforts to withdraw from	
	the union district, then the petitioning town shall	
	remain a town within the union district, the	
	withdrawal action initiated pursuant to this section	
	is concluded, and the withdrawal study committee	
	shall cease to exist upon adjournment of the	
	meeting.	
(2) State Board review. The State Board:	(3) Proceed with withdrawal; State Board of	In the House
	Education final review and vote. If the study	proposal, the
	committee votes to proceed with withdrawal, it	SBE review is
	shall petition the State Board of Education for final	the only review
	review of the Secretary's advisory opinion. The	by a State entity.
(A) shall consider the report or reports	State Board shall review the report and plan of the	
and the Secretary's recommendations;	study committee required under subsection (d) of	
(B) shall provide representatives of the	this section, review the Secretary's written	In the Senate
withdrawal study committee and the liaison	negative advisory opinion, and provide the study	version, the SBE
subcommittee an opportunity to be heard;	committee, the Secretary, and any supervisory	review happens
	union that has been identified as a potential source	only if the study
	of supervisory union services for the proposed new	committee
	school district an opportunity to be heard at a	received a
	meeting held at a location within the petitioning	negative opinion
(C) may, in its discretion, take testimony	town. The State Board may, in its discretion, take	from AOE and if
from other individuals and entities;	testimony from other individuals and entities.	the study
(D) may ask the Secretary, the	including the union school district. Within 90 days	committee still
withdrawal study committee, or the liaison	after receiving the petition of the study committee,	wants to proceed
subcommittee to make further investigation and	the State Board shall issue a final written decision	with withdrawal.
may consider any other information the State	and transmit the decision to the superintendent.	
Board deems to be pertinent; and		

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(E) may request the members of the		
withdrawal study committee to amend the report.		
(3) State Board action.		
(A) Advisory opinion with positive	(A) Vote to approve. If the State Board	
recommendation. If the State Board finds that the	finds that the withdrawal proposal contained in the	
withdrawal proposal contained in the report,	report, including the most feasible options for the	
including the most feasible options for the	provision of supervisory union services to the	
provision of supervisory union services to the	proposed new school district, is in the best interests	
proposed new school district, is in the best interests	of the State, the region, the students, and the	
of the State, the region, the students, and the	school districts or aligns with the policy set forth in	
school districts, and aligns with the policy set forth	section 701 of this title, or both, then the State	
in section 701 of this title, then, within 90 days	Board shall:	
after receiving the report of the study committee		
the State Board shall:		
(i) issue an opinion recommending	(i) approve the study committee report	
approval of the withdrawal proposal;	supporting withdrawal, together with any	
	amendments, as the final report and proposal of	
	withdrawal;	
(ii) provide a preliminary assessment	(ii) provide a preliminary assessment	
of most feasible options for the provision of	of the most feasible options for the provision of	
supervisory union services to the proposed new	supervisory union services to the proposed new	
school district if withdrawal is approved by the	school district;	
voters; and		
	(iii) declare that the withdrawal	
	process will proceed to a vote of the union district	
	voters pursuant to subsection (g) of this section;	
	and	
(iii) make any other finding or	(iv) make any other finding or	
declaration, and approve any other motion, related	declaration, and approve any other motion, related	
and necessary to the withdrawal proposal.	and necessary to the withdrawal proposal.	

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(B) Advisory opinion with negative	(B) Vote not to approve. If the State	In the <b>House</b>
recommendation. If the State Board finds that the	Board finds that the plan for withdrawal, including	proposal, a
withdrawal proposal contained in the report,	the most feasible options for the provision of	negative
including the most feasible options for the	supervisory union services to the proposed new	recommendation
provision of supervisory union services to the	school district, is not in the best interests of the	from the SBE is
proposed new school district, is not in the best	State, the region, the students, and the school	just an opinion.
interests of the State, the region, the students, and	districts or does not align with the policy set forth	The withdrawal
the school districts, or does not align with the	in section 701 of this title, or both, then:	proposal still
policy set forth in section 701 of this title, or both,		goes to the
then, within 90 days after receiving the report of		voters, who have
the study committee, the State Board shall:		the ultimate say.
(i) issue an opinion recommending	(i) the State Board shall not approve	
disapproval of the withdrawal proposal, including	the report supporting withdrawal;	
a written statement detailing the reasons	(ii) the process will not proceed to a	In the Senate
supporting this conclusion;	vote of the electorate;	version, a
(ii) provide a preliminary assessment	(iii) the petitioning town shall remain	negative opinion
of most feasible options for the provision of	a town within the union district; and	from SBE stops
supervisory union services to the proposed new	(iv) the State Board's determination	the withdrawal
school district if withdrawal is approved by the	and the resulting consequences imposed by such a	process. It does
voters; and	determination shall be final and shall conclude the	not proceed to
(iii) make any other finding or	withdrawal action.	the voters.
declaration, and approve any other motion, related	(v) The withdrawal study committee	
and necessary to the withdrawal proposal.	shall cease to exist after the vote of the State	
	Board.	
(f) Vote of the electorate.	(g) Vote of the electorate.	
(1) Vote following positive recommendation		
of the State Board.		
(A) Within 30 days after receipt of the	(1) Within 30 days following receipt of the	
State Board's written recommendation, the	Secretary's positive advisory opinion pursuant to	
superintendent shall file the withdrawal study	subdivision (e)(2) of this section or within 30 days	
committee's report, the State Board's written	following the State Board's vote to approve the	
recommendation, and any report of the liaison	withdrawal proposal pursuant to subdivision	

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subcommittee with the clerk of the union district	(f)(3)(A) of this section, the superintendent shall	
and the town clerk of each town within the union	file the withdrawal study committee's report, the	In the House
district.	Secretary's written advisory opinion, the State	proposal, the
	Board's written recommendation, and any report of	vote proceeds
	the liaison subcommittee with the clerk of the	differently
	union district and the town clerk of each town	depending on
	within the union district.	whether there
(B) Within 90 days after the clerk of the	(2) Within 90 days after the clerk of the	was a positive or
union district receiving the reports and	union district receives the reports and	negative opinion
recommendations described in subdivision (A) of	recommendations described in subdivision (2) of	from SBE.
this subsection, the voters of the union district,	this subsection, the voters of the union district,	
including those residing in the petitioning town,	including those residing in the petitioning town,	
shall vote whether to approve withdrawal as set	shall vote whether to approve withdrawal as set	In the Senate
forth in the report. The question shall be	forth in the report. The question shall be	version, the vote
determined by Australian ballot and shall proceed	determined by Australian ballot and shall proceed	only proceeds to
pursuant to sections 737 (warnings of unified	pursuant to sections 737 (warnings of unified	the electorate
union school district meetings) and 739–741 (vote	union school district meetings) and 739-741 (vote	after a positive
by Australian ballot) of this chapter. The ballots	by Australian ballot) of this chapter. The ballots	opinion from
shall not be commingled.	shall not be commingled.	AOE or SBE.
(C) Withdrawal from the union district	(3) Withdrawal from the union district shall	The vote happens
shall occur if the question is approved by a	occur if the question is approved by a majority	for all towns
majority vote of the union district voters living in	vote of the union district voters living in each town	within the district
each town within the district, including the	within the district, including the petitioning town.	at the same time.
petitioning town. If a majority of the voters in one	If a majority of the voters in one or more towns	All towns within
or more towns within the union district do not vote	within the union district do not vote in favor of	the district must
in favor of withdrawal, then the proposed	withdrawal, then the proposed withdrawal shall not	approve the
withdrawal shall not occur.	occur.	withdrawal
(D) Within 45 days after the vote or 15	(4) Within 45 days after the vote or 15 days	proposal for
days after a vote to reconsider the original vote	after a vote to reconsider the original vote under 17	withdrawal to
under 17 V.S.A. § 2661, whichever is later, the	V.S.A. § 2661, whichever is later, the clerk of each	occur.
clerk of each town within the union district shall	town within the union district shall certify the	
certify the results of the vote to the Secretary of	results of the vote to the Secretary of Education,	

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Education, and the Secretary shall advise the State	and the Secretary shall advise the State Board of	
Board of the certified results. Each clerk shall	the certified results. Each clerk shall submit the	
submit the certification regardless of whether the	certification regardless of whether the voters in	
voters in that town approved withdrawal. The	that town approved withdrawal. The withdrawal	
withdrawal study committee shall cease to exist	study committee shall cease to exist when each	
when each clerk has submitted a certification to the	clerk has submitted a certification to the Secretary.	
Secretary.		
(2) Vote following negative		In the House
recommendation of the State Board.		proposal, if there
(A) The superintendent shall file the		was a negative
withdrawal study committee's report, the State		recommendation
Board's written recommendation, and any report of		from SBE, the
the liaison subcommittee with the clerk of the		withdrawal
union district and with the town clerk of each town		proposal still
within the union district.		proceeds to a
(B) The union district voters residing in		vote of the
the petitioning town shall vote whether to		electorate but
withdraw from the union district pursuant to the		withdrawal
<u>terms set forth in the report.</u>		proposal must be
(i) The question shall be determined		approved by 60%
by Australian ballot and shall proceed pursuant to		of the voters in
sections 737 (warnings of unified union school		the petitioning
district meetings) and 739–741 (vote by Australian		town present and
ballot) of this chapter.		voting yes or no
(ii) The withdrawal proposal shall		before the vote
proceed to a vote in each of the other towns within		can proceed to a
the union district if approved by at least 60 percent		vote of the other
of the union district voters residing in the		towns within the
petitioning town present and voting yes or no on		USD.
the warned question. If this percentage is not met,		
then the proposed withdrawal shall not occur.		

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(C) Within 45 days after the vote in		
subdivision (B) of this subdivision (f)(2) or 15		
days after a vote to reconsider the original vote		
under 17 V.S.A. § 2661, whichever is later, the		
clerk of the petitioning town shall certify the		There is no
results of the vote to the Secretary of State who		corresponding
shall record the certificate and give notice of the		60% threshold in
vote to the clerk of the union district, the clerks of		the Senate
each of the other towns within the union district,		version because
and the Secretary of Education. The clerk of the		the withdrawal
petitioning town shall submit the certification		proposal only
regardless of whether the voters in the petitioning		proceeds to the
town approved withdrawal. The withdrawal study		voters if AOE or
committee shall cease to exist upon submission of		SBE gives a
the certification.		positive opinion.
(D) If the union district voters residing in		
the petitioning town approve the withdrawal		
proposal pursuant to subdivision (B) of this		
subdivision (f)(2), then, within 90 days after		
receiving notice of the certification as required in		
subdivision (C), the voters of the union district		
residing in each of the other towns shall vote on		
the same day whether to approve withdrawal of the		
petitioning town as set forth in the final report.		
(i) The question shall be determined		
by Australian ballot and shall proceed pursuant to		
sections 737 (warnings of unified union school		
district meetings) and 739–741 (vote by Australian		
ballot) of this chapter. The ballots shall not be		
commingled.		
(ii) Withdrawal from the union district		
shall occur if the question is approved by a		

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majority vote of the union district voters living in		
each of the other towns within the union district. If		
a majority of the voters in one or more towns		
within the union district do not vote in favor of		
withdrawal, then the proposed withdrawal shall not		
occur.		
(E) Within 45 days after the vote in		
subdivision (D) of this subdivision (f)(2) or 15		
days after a vote to reconsider the original vote		
under 17 V.S.A. § 2661, whichever is later, the		
clerk of each of the other towns within the union		
district shall certify the results of the vote to the		
Secretary of Education, and the Secretary shall		
advise the State Board of the certified results.		
Each clerk shall submit the certification regardless		
of whether the voters in that town approved		
withdrawal. The withdrawal study committee shall		
cease to exist when each clerk has submitted a		
certification to the Secretary.		
(g) Election of potential board	(h) Election of potential board	*Substantively
members.SAME*	members.SAME*	identical except
(h) State Board's duties if withdrawal is	(i) State Board's duties if withdrawal is	for internal
approved. SAME*	approved. SAME*	references
(i) Certification; Secretary of State. If the State	(j) Certification; Secretary of State. If the State	
Board declares the creation and existence of a new	Board declares the creation and existence of a new	
school district pursuant to subdivision (h)(2) of this	<u>school district pursuant to subdivision (i)(2) of this</u>	
section, within 30 days following such action then	section, then within 30 days following such action	
the Secretary of Education shall certify the	the Secretary of Education shall certify the	
adjustment of the towns within the union district to	adjustment of the towns within the union district to	
the Secretary of State. When the Secretary of State	the Secretary of State. When the Secretary of State	
records the certification of the Secretary of	records the certification of the Secretary of	
Education, the towns within the union district shall	Education, the towns within the union district shall	

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be adjusted accordingly; provided, however, that	be adjusted accordingly; provided, however, that	
the voter-approved proposal of withdrawal shall	the voter-approved proposal of withdrawal shall	
establish the date on which withdrawal shall be	establish the date on which withdrawal shall be	
final, the new school district shall assume full and	final, the new school district shall assume full and	
sole responsibility for the education of its resident	sole responsibility for the education of its resident	
students, and the union school district shall no	students, and the union school district shall no	
longer have responsibility for the education of	longer have responsibility for the education of	
those students. Not more than 14 days after the	those students. Not more than 14 days after the	
date the Secretary of Education certifies the	date the Secretary of Education certifies the	
adjustment, the Secretary of State shall file a	adjustment, the Secretary of State shall file a	
certified copy of the recorded certification with the	certified copy of the recorded certification with the	
clerk of the union district and the clerk for the	clerk of the union district and the clerk for the	
town in which the new school district is located.	town in which the new school district is located.	
Filing a certified copy with the clerks shall be	Filing a certified copy with the clerks shall be	
prima facie evidence of full compliance with the	prima facie evidence of full compliance with the	
requirements for adjusting the union school district	requirements for adjusting the union school district	
by withdrawal as set forth in this section.	by withdrawal as set forth in this section.	
(j) Timing of action. SAME*	(k) Timing of action. SAME*	*Substantively
		identical except
		for internal
		references
Sec. 3. § 725. WITHDRAWAL FROM OR	Sec. 3. § 725. WITHDRAWAL FROM OR	
DISSOLUTION OF A UNION ELEMENTARY	DISSOLUTION OF A UNION ELEMENTARY	
OR UNION HIGH SCHOOL DISTRICT	OR UNION HIGH SCHOOL DISTRICT	
(a) Definition. As used in this section: SAME	(a) Definition. As used in this section: SAME	
(b) Withdrawal study committee. SAME	(b) Withdrawal study committee. SAME	
(c) Analysis. SAME	(c) Analysis. SAME	
(d) Report, including a plan for withdrawal;	(d) Report, including a plan for withdrawal;	
decision not to prepare report.	decision not to prepare report.	
(1) Report supporting withdrawal.	(1) Report supporting withdrawal.	
(A) If, after conducting the analysis	(A) If, after conducting the analysis	
required by subsection (c) of this section, the	required by subsection (c) of this section, the	

5.10.22 House Proposal	Senate Proposal of Amendment	Notes
withdrawal study committee votes to advance the	withdrawal study committee votes to advance the	
withdrawal process as further outlined in this	withdrawal process as further outlined in this	
section, then the committee shall prepare a report,	section, then the committee shall prepare a report,	
which it shall deliver electronically to the union	which it shall deliver electronically to the union	
district board and which the superintendent shall	district board and which the superintendent shall	
publish on the district's website.	publish on the district's website.	
(B) At a minimum, the report shall	(B) At a minimum, the report shall	
include:	include:	
(i) the analysis conducted pursuant to	(i) the analysis conducted pursuant to	
subsection (c) of this section, describing the ways	subsection (c) of this section, describing the ways	
in which the data and analysis:	in which the data and analysis:	
(I) support withdrawal; and	(I) support withdrawal; and	
(II) do not support the continuation	(II) do not support the continuation	
of the union elementary or union high school	of the union elementary or union high school	
district in its current configuration;	district in its current configuration;	
(ii) the proposed financial terms of	(ii) the proposed financial terms of	
withdrawal, including the proposed ownership of	withdrawal, including the proposed ownership of	
buildings and other assets and the proposed	buildings and other assets and the proposed	
responsibility for financial and other contractual	responsibility for financial and other contractual	
obligations, including debts;	obligations, including debts;	
(iii) a plan, including a detailed	(iii) a plan, including a detailed	
timeline, for the actions the proposed new school	timeline, for the actions the proposed new school	
district would take to ensure that, on the proposed	district would take to ensure that, on the proposed	
operational date, it could provide for the education	operational date, it could provide for the education	
of its students in the grades for which the union	of its students in the grades for which the union	
elementary or union high school district is	elementary or union high school district is	
organized, in a manner that will meet educational	organized, in a manner that will meet educational	
quality standards as required by section 165 of this	quality standards as required by section 165 of this	
title, and including, if applicable, the process by	title, and including, if applicable, the process by	
which the proposed new school district would	which the proposed new school district would	
explore formation of a new union district with one	explore formation of a new union district with one	
or more other school districts in the region and	or more other school districts in the region and	

5.10.22 House Proposal	Senate Proposal of Amendment	Notes
would integrate or condition any votes to withdraw	would integrate or condition any votes to withdraw	
with votes on formation of a new union district;	with votes on formation of a new union district;	
and	and	
(iv) a proposal, including analysis, for	(iv) a proposal, including analysis, for	
the source of supervisory union services for the	the source of supervisory union services for the	
proposed new school district.	proposed new school district.	
(C) Within 45 days following receipt of	(C) Within 45 days following receipt of	
the study committee report, the union elementary	the study committee report, the union elementary	
or union high school district board shall invite the	or union high school district board shall invite the	
members of the withdrawal study committee to	members of the withdrawal study committee to	
attend a regularly scheduled meeting of the board	attend a regularly scheduled meeting of the board	
to present the contents of its report and to answer	to present the contents of its report and to answer	
any questions posed by the board. The board shall	any questions posed by the board. The board shall	
also invite the members of the liaison	also invite the members of the liaison	
subcommittee to share any analysis and	subcommittee to share any analysis and	
conclusions at the meeting. The withdrawal study	conclusions at the meeting. The withdrawal study	
committee has sole authority to determine the	committee has sole authority to determine the	
contents of its report.	contents of its report.	
(2) Decision not to propose withdrawal. If,	(2) Decision not to propose withdrawal. If,	
after conducting the analysis required by	after conducting the analysis required by	
subsection (c) of this section, the withdrawal study	subsection (c) of this section, the withdrawal study	
committee votes not to approve advancement of	committee votes not to approve advancement of	
the withdrawal process, then:	the withdrawal process, then:	
(A) the withdrawal study committee shall	(A) the withdrawal study committee shall	
prepare a brief written statement explaining the	prepare a brief written statement explaining the	
reasons underlying the votes supporting and not	reasons underlying the votes supporting and not	
supporting advancement, which it shall deliver	supporting advancement, which it shall deliver	
electronically to the union district board and which	electronically to the union district board and which	
the superintendent shall publish on the district's	the superintendent shall publish on the district's	
website;	website;	
(B) within 45 days following receipt of	(B) within 45 days following receipt of	
the study committee report, the union elementary	the study committee report, the union elementary	

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or union high school district board shall invite the	or union high school district board shall invite the	
members of the withdrawal study committee to	members of the withdrawal study committee to	
attend a regularly scheduled meeting of the board	attend a regularly scheduled meeting of the board	
to present the contents of the written statement and	to present the contents of the written statement and	
to answer any questions posed by the board; and	to answer any questions posed by the board; and	
(C) the withdrawal study committee shall	(C) the withdrawal study committee shall	
cease to exist upon adjournment of the union	cease to exist upon adjournment of the union	
elementary or union high school district board's	elementary or union high school district board's	
meeting.	meeting.	
(e) Secretary and State Board.	(e) Secretary of Education review and opinion.	In the House
(1) Secretary. If the study committee voted	(1) Review by the Secretary. Within 30	proposal, AOE
to proceed pursuant to subdivision (d)(1) of this	days after attending the union district board	provides a
section, then within 30 days after attending the	meeting pursuant to subdivision (d)(1)(C) of this	cursory review
union district board meeting pursuant to	section, the withdrawal study committee shall	and submits
subdivision (d)(1)(C) of this section, it shall	deliver the report or reports electronically to the	recommendations
deliver its report electronically to the Secretary for	Secretary for review. The Secretary:	to the SBE.
review. The liaison subcommittee may also	(A) shall consider the report or reports;	
submit a report outlining its analysis and	(B) shall provide representatives of the	In the Senate
conclusions. The Secretary shall submit the report	withdrawal study committee, the liaison	version, AOE
or reports, with recommendations, to the State	subcommittee, and any supervisory union that has	provides an
Board.	been identified as a potential source of supervisory	initial opinion on
	union services for the proposed new school district	preparedness. If
	an opportunity to be heard at a meeting held at a	AOE's initial
	location within the petitioning district;	opinion is
	(C) may, in the Secretary's discretion,	positive, the
	take testimony from other individuals and entities;	withdrawal
	(D) may ask the withdrawal study	proposal can
	committee, or the liaison subcommittee, to make	proceed right to a
	further investigation and may consider any other	vote of the
	information the Secretary deems to be pertinent;	electorate with
	and	no SBE review
	and	no SBE reviev

5.10.22 House Proposal	Senate Proposal of Amendment	Notes
	(E) may request that the members of the	
	withdrawal study committee amend the report.	
	(2) Advisory opinion of the Secretary with	
	positive recommendation.	
	(A) If the Secretary finds that the	
	withdrawal proposal contained in the report,	
	including the most feasible options for the	
	provision of supervisory union services to the	
	proposed new school district, is in the best interests	
	of the State, the region, the students, and the	
	school districts, and aligns with the policy set forth	
	in section 701 of this title, then, within 90 days of	
	receipt of the report or reports, unless the study	
	committee agrees to an extension of the deadline,	
	the Secretary shall:	
	(i) issue an opinion recommending	
	approval of the withdrawal proposal;	
	(ii) provide a preliminary assessment	
	of most feasible options for the provision of	
	supervisory union services to the proposed new	
	school district if withdrawal is approved by the	
	voters; and	
	(iii) make any other finding related	
	and necessary to the withdrawal proposal.	
	(B) After the Secretary issues an opinion	
	recommending approval of the withdrawal	
	proposal, the proposal shall proceed to a vote of	
	the electorate under subsection (g) of this section.	
	(3) Advisory opinion of the Secretary with	
	negative recommendation. Advisory opinion. If	
	the Secretary finds that the withdrawal proposal	
	contained in the report, including the most feasible	

5.10.22 House Proposal	Senate Proposal of Amendment	Notes
	options for the provision of supervisory union	
	services to the proposed new school district, is not	
	in the best interests of the State, the region, the	
	students, and the school districts or does not align	
	with the policy set forth in section 701 of this title,	
	or both, then, within 90 days of receipt of the	
	report or reports, unless the study committee	
	agrees to an extension of the deadline, the	
	Secretary shall:	
	(A) issue a written opinion	
	recommending disapproval of the withdrawal	
	proposal, including a written statement detailing	
	the reasons supporting this conclusion;	
	(B) provide a preliminary assessment of	
	most feasible options for the provision of	
	supervisory union services to the proposed new	
	school district if withdrawal is approved by the	
	voters;	
	(C) make any other finding related and	
	necessary to the withdrawal proposal; and	
	(D) post the written opinion on the	
	Agency of Education's website and transmit it	
	electronically to the clerk of the union district.	
	(f) State Board of Education final review.	
	(1) Study committee vote. Within 30 days	
	following receipt of a negative advisory opinion	
	from the Secretary, the clerk of the union school	
	district shall post the document on its website and	
	schedule the contents as a topic for public	
	discussion at a special or regular board meeting.	
	Within 30 days following the public meeting, the	

5.10.22 House Proposal	Senate Proposal of Amendment	Notes
	study committee shall convene a meeting and vote	
	whether to cease efforts to withdraw from the	
	union district or whether to request review of the	
	Secretary's advisory opinion by the State Board of	
	Education for the withdrawal proposal to proceed	
	to a vote of the electorate.	
	(2) Cease efforts to withdraw. If the study	
	committee votes to cease efforts to withdraw from	
	the union district, then the petitioning town shall	
	remain a town within the union district, the	
	withdrawal action initiated pursuant to this section	
	is concluded, and the withdrawal study committee	
	shall cease to exist upon adjournment of the	
	meeting.	
(2) State Board review. The State Board:	(3) Proceed with withdrawal; State Board of	
	Education final review and vote. If the study	
	committee votes to proceed with withdrawal, it	
	shall petition the State Board of Education for final	
	review of the Secretary's advisory opinion. The	
	State Board shall review the report and plan of the	
(A) shall consider the report or reports	study committee required under subsection (d) of	
and the Secretary's recommendations;	this section, review the Secretary's written	
(B) shall provide representatives of the	negative advisory opinion, and provide the study	
withdrawal study committee and the liaison	committee, the Secretary, and any supervisory	
subcommittee an opportunity to be heard;	union that has been identified as a potential source	
·	of supervisory union services for the proposed new	
	school district an opportunity to be heard at a	
	meeting held at a location within the petitioning	
(C) may, in its discretion, take testimony	town. The State Board may, in its discretion, take	
from other individuals and entities;	testimony from other individuals and entities,	
(D) may ask the Secretary, the	including the union school district. Within 90 days	
withdrawal study committee, or the liaison	after receiving the petition of the study committee,	

5.10.22 House Proposal	Senate Proposal of Amendment	Notes
subcommittee to make further investigation and	the State Board shall issue a final written decision	
may consider any other information the State	and transmit the decision to the superintendent.	
Board deems to be pertinent; and		In the House
(E) may request the members of the		proposal, the
withdrawal study committee to amend the report.		SBE review is
(3) State Board action.		the only review
		by a State entity.
(A) Advisory opinion with positive	(A) Vote to approve. If the State Board	
recommendation. If the State Board finds that the	finds that the withdrawal proposal contained in the	
withdrawal proposal contained in the report is in	report, including the most feasible options for the	In the Senate
the best interests of the State, the region, the	provision of supervisory union services to the	version, the SBE
students, and the school districts, and aligns with	proposed new school district, is in the best interests	review happens
the policy set forth in section 701 of this title, then	of the State, the region, the students, and the	only if the study
within 90 days after receiving the report of the	school districts or aligns with the policy set forth in	committee
study committee, the State Board shall:	section 701 of this title, or both, then the State	received a
	Board shall:	negative opinion
(i) issue an opinion recommending	(i) approve the study committee report	from AOE and if
approval of the withdrawal proposal;	supporting withdrawal, together with any	the study
	amendments, as the final report and proposal of	committee still
	withdrawal;	wants to proceed
(ii) provide a preliminary assessment	(ii) provide a preliminary assessment	with withdrawal
of the source of supervisory union services to the	of most feasible options for the provision of	
proposed new school district if withdrawal is	supervisory union services to the proposed new	
approved by the voters; and	<u>school district;</u>	
	(iii) declare that the withdrawal	
	process will proceed to a vote of the union district	
	voters pursuant to subsection (g) of this section; and	
(iii) make any other finding or	(iv) make any other finding or	
declaration, and approve any other motion, related	declaration, and approve any other motion, related	
and necessary to the withdrawal proposal.	and necessary to the withdrawal proposal.	
<i>,</i>	· · · ·	

5.10.22 House Proposal	Senate Proposal of Amendment	Notes
(B) Advisory opinion with negative	(B) Vote not to approve. If the State	In the House
recommendation. If the State Board finds that the	Board finds that the plan for withdrawal, including	proposal, a
withdrawal proposal contained in the report is not	the most feasible options for the provision of	negative
in the best interests of the State, the region, the	supervisory union services to the proposed new	recommendation
students, and the school districts or does not align	school district, is not in the best interests of the	from the SBE is
with the policy set forth in section 701 of this title,	State, the region, the students, and the school	just an opinion.
or both, then within 90 days after receiving the	districts or does not align with the policy set forth	The withdrawal
report of the study committee the State Board	in section 701 of this title, or both, then:	proposal still
shall:		goes to the
(i) issue an opinion recommending	(i) the State Board shall not approve	voters, who have
disapproval of the withdrawal proposal, including	the report supporting withdrawal;	the ultimate say.
a written statement detailing the reasons	(ii) the process will not proceed to a	
supporting this conclusion;	vote of the electorate;	
(ii) provide a preliminary assessment	(iii) the petitioning district shall	In the Senate
of the source supervisory union services to the	remain a member district within the union district;	version, a
proposed new school district if withdrawal is	and	negative opinion
approved by the voters; and	(iv) the State Board's determination	from SBE stops
(iii) make any other finding or	and the resulting consequences imposed by such a	the withdrawal
declaration, and approve any other motion, related	determination shall be final and shall conclude the	process. It does
and necessary to the withdrawal proposal.	withdrawal action.	not proceed to
	(C) The withdrawal study committee	the voters.
	shall cease to exist after the vote of the State	
	Board.	
(f) Vote of the electorate.	(g) Vote of the electorate.	
(1) Vote following positive recommendation	(1) Within 30 days following receipt of the	
of the State Board.	Secretary's positive advisory opinion pursuant to	
(A) Within 30 days after receipt of the	subdivision (e)(2)(A) of this section or within 30	
State Board's written recommendation, the	days following the State Board's vote to approve	
superintendent shall file the withdrawal study	the withdrawal proposal pursuant to subdivision	
committee's report, the State Board's written	(f)(3)(A) of this section, the superintendent shall	
recommendation, and any report of the liaison	file the withdrawal study committee's report, the	

5.10.22 House Proposal	Senate Proposal of Amendment	Notes
subcommittee with the clerk of the union	State Board's written recommendation, and any	In the <b>House</b>
elementary or union high school district and the	report of the liaison subcommittee with the clerk of	proposal, the
district clerk of each of the member districts within	the union elementary or union high school district	vote proceeds
the union elementary or union high school district.	and the district clerk of each of the member	differently
	districts within the union elementary or union high	depending on
	school district.	whether there
(B) Within 90 days after the clerk of the	(2) Within 90 days after the clerk of the	was a positive or
union district receiving the reports and	union district receiving the reports and	negative opinion
recommendations described in subdivision (A) of	recommendations described in subdivision (1) of	from SBE.
this subsection, the voters of the union elementary	this subsection, the voters of the union elementary	
or union high school district, including those	or union high school district, including those	
residing in the petitioning district, shall vote	residing in the petitioning district, shall vote	In the <b>Senate</b>
whether to approve withdrawal as set forth in the	whether to approve withdrawal as set forth in the	version, the vote
report. The question shall be determined by	report. The question shall be determined by	only proceeds to
Australian ballot and shall proceed pursuant to	Australian ballot and shall proceed pursuant to	the electorate
sections 755 (warnings of union elementary and	sections 755 (warnings of union elementary and	after a positive
union high school district meetings) and 757-759	union high school district meetings) and 757-759	opinion from
(vote by Australian ballot) of this chapter.	(vote by Australian ballot) of this chapter.	AOE or SBE.
(C) Withdrawal from the union	(3) Withdrawal from the union elementary	The vote happens
elementary or union high school district shall occur	or union high school district shall occur if the	for all towns
if the question is approved by a majority vote of	question is approved by a majority vote of the	within the district
the union district voters living in each of the	union district voters living in each of the member	at the same time.
member districts within the union elementary or	districts within the union elementary or union high	All towns within
union high school district, including in the	school district, including in the petitioning district.	the district must
petitioning district. If a majority of the voters in	If a majority of the voters in one or more member	approve the
one or more member districts within the union	districts within the union elementary or union high	withdrawal
elementary or union high school district do not	school district do not vote in favor of withdrawal,	proposal for
vote in favor of withdrawal, then the proposed	then the proposed withdrawal shall not occur.	withdrawal to
withdrawal shall not occur.		occur.
(D) Within 45 days after the vote or 15	(4) Within 45 days after the vote or 15 days	
days after a vote to reconsider the original vote	after a vote to reconsider the original vote under 17	
under 17 V.S.A. § 2661, whichever is later, the	V.S.A. § 2661, whichever is later, the clerk of each	

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clerk of each member district within the union	member district within the union elementary or	
elementary or union high school district shall	union high school district shall certify the results	
certify the results of the vote to the Secretary of	of the vote to the Secretary of Education, and the	
Education, and the Secretary shall advise the State	Secretary shall advise the State Board of the	
Board of the certified results. Each clerk shall	certified results. Each clerk shall submit the	
submit the certification regardless of whether the	certification regardless of whether the voters in	
voters in that district approved withdrawal. The	that district approved withdrawal. The withdrawal	
withdrawal study committee shall cease to exist	study committee shall cease to exist when each	
when each clerk has submitted a certification to the	clerk has submitted a certification to the Secretary.	
Secretary.		
(E) If the petitioning district or one of the		
other member districts does not have a town school	(5) If the petitioning district or one of the	
district board, the legislative body or appropriate	other member districts does not have a town school	
officer of the town shall perform electoral	district board, the legislative body or appropriate	
functions, including warning meetings and	officer of the town shall perform electoral	
conducting the voting process, ordinarily	functions, including warning meetings and	
performed by and in member districts on behalf of	conducting the voting process, ordinarily	
a union school district.	performed by and in member districts on behalf of	
	a union school district.	
(2) Vote following negative		
recommendation of the State Board.		
(A) The superintendent shall file the		
withdrawal study committee's report, the State		
Board's written recommendation, and any report of		
the liaison subcommittee with the clerk of the		
union elementary or union high school district and		
the district clerk of each of the member districts		
within the union elementary or union high school		
district.		
(B) The union district voters residing in		
the petitioning district shall vote whether to		

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withdraw from the union elementary or union high		In the <b>House</b>
school district pursuant to the terms set forth in the		proposal, if there
report.		was a negative
(i) The question shall be determined		recommendation
by Australian ballot and shall proceed pursuant to		from SBE, the
sections 755 (warnings of union elementary and		withdrawal
union high school district meetings) and 757–759		proposal still
(vote by Australian ballot) of this chapter.		proceeds to a
(ii) The withdrawal proposal shall		vote of the
proceed to a vote in each of the other member		electorate but
districts within the union elementary or union high		withdrawal
school district if approved by at least 60 percent of		proposal must be
the union district voters residing in the petitioning		approved by 60%
district present and voting yes or no on the warned		of the voters in
question. If this percentage is not met, then the		the petitioning
proposed withdrawal shall not occur.		town present and
(C) Within 45 days after the vote in		voting yes or no
subdivision (B) of this subdivision (f)(2) or 15		before the vote
days after a vote to reconsider the original vote		can proceed to a
under 17 V.S.A. § 2661, whichever is later, the		vote of the other
clerk of the petitioning district shall certify the		towns within the
results of the vote to the Secretary of State who		USD.
shall record the certificate and give notice of the		
vote to the clerk of the union elementary or union		
high district, the clerks of each of the other		
member districts within the union district, and the		
Secretary of Education. The clerk of the		
petitioning district shall submit the certification		
regardless of whether the voters in the petitioning		
district approved withdrawal. The withdrawal		
study committee shall cease to exist upon		
submission of the certification.		

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(D) If the union elementary or union high		
school district voters residing in the petitioning		
district approve the withdrawal proposal pursuant		
to subdivision (B) of this subdivision (f)(2), then,		
within 90 days after receiving notice of the		
certification as required in subdivision (C) of this		There is no
subdivision (f)(2), the voters of the union		corresponding
elementary or union high school district residing in		60% threshold in
each of the other member districts shall vote on the		the Senate
same day whether to approve withdrawal of the		version because
petitioning district as set forth in the final report.		the withdrawal
(i) The question shall be determined		proposal only
by Australian ballot and shall proceed pursuant to		proceeds to the
sections 755 (warnings of union elementary and		voters if AOE or
union high school district meetings) and 757–759		SBE gives a
(vote by Australian ballot) of this chapter.		positive opinion.
(ii) Withdrawal from the union		
elementary or union high school district shall occur		
if the question is approved by a majority vote of		
the union district voters living in each of the other		
member districts within the union elementary or		
union high school district. If a majority of the		
voters living in one or more member districts		
within the union district do not vote in favor of		
withdrawal, then the proposed withdrawal shall not		
occur.		
(E) Within 45 days after the vote in		
subdivision (D) of this subdivision (f)(2) or 15		
days after a vote to reconsider the original vote		
under 17 V.S.A. § 2661, whichever is later, the		
clerk of each of the other member districts within		
the union elementary or union high school district		

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shall certify the results of the vote to the Secretary	•	
of Education, and the Secretary shall advise the		
State Board of the certified results. Each clerk		
shall submit the certification regardless of whether		
the voters in that member district approved		
withdrawal. The withdrawal study committee shall		
cease to exist when each clerk has submitted a		
certification to the Secretary.		
(F) If the petitioning district or one of the		
other member districts does not have a town school		
district board, the legislative body or appropriate		
officer of the town shall perform electoral		
functions, including warning meetings and		
conducting the voting process, ordinarily		
performed by and in member districts on behalf of		
a union school district.		
(g) Election of potential board members.	( <u>h) Election of potential board members.</u>	*Substantively
SAME*	SAME*	identical except
(h) State Board's duties if withdrawal is	(i) State Board's duties if withdrawal is	for internal
approved. SAME*	approved. SAME*	references
(i) Certification; Secretary of State. If the State	(j) Certification; Secretary of State. If the State	
Board declares it to be the obligation of the new	Board declares it to be the obligation of the new	
school district pursuant to subdivision (h)(2) of this	<u>school district pursuant to subdivision (i)(2) of this</u>	
section to provide for the education of resident	section to provide for the education of resident	
students who were formerly the responsibility of	students who were formerly the responsibility of	
the union elementary or union high school district,	the union elementary or union high school district,	
then within 30 days following such action the	then within 30 days following such action the	
Secretary of Education shall certify the adjustment	Secretary of Education shall certify the adjustment	
of the member districts within the union	of the member districts within the union	
elementary or union high school district to the	elementary or union high school district to the	
Secretary of State. When the Secretary of State	Secretary of State. When the Secretary of State	
records the certification of the Secretary of	records the certification of the Secretary of	

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Education, the member districts within the union	Education, the member districts within the union	
elementary or union high school district shall be	elementary or union high school district shall be	
adjusted accordingly; provided, however, that the	adjusted accordingly; provided, however, that the	
voter-approved proposal of withdrawal shall	voter-approved proposal of withdrawal shall	
establish the date on which withdrawal shall be	establish the date on which withdrawal shall be	
final, the new school district shall assume full and	final, the new school district shall assume full and	
sole responsibility for the education of its residents	sole responsibility for the education of its residents	
in the grades for which it is now organized, and the	in the grades for which it is now organized, and the	
union school district shall no longer have	union school district shall no longer have	
responsibility for the education of those students.	responsibility for the education of those students.	
Not more than 14 days after the date the Secretary	Not more than 14 days after the date the Secretary	
of Education certifies the adjustment, the Secretary	of Education certifies the adjustment, the Secretary	
of State shall file a certified copy of the recorded	of State shall file a certified copy of the recorded	
certification with the clerk of the union elementary	certification with the clerk of the union elementary	
or union school district and the clerk for new	or union school district and the clerk for new	
school district. Filing a certified copy with the	school district. Filing a certified copy with the	
clerks shall be prima facie evidence of full	clerks shall be prima facie evidence of full	*Substantively
compliance with the requirements for adjusting the	compliance with the requirements for adjusting the	identical except
union school district by withdrawal as set forth in	union school district by withdrawal as set forth in	for internal
this section.	this section.	references
(j) Timing of action. SAME*	(k) Timing of action. SAME*	
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### Sec. 4. WITHDRAWAL ACTIONS APPROVED BY STATE BOARD; NEW DISTRICTS WITH AN OPERATIONAL DATE ON OR AFTER JULY 1, 2023

(a) Application of this section. SAME (b) Vote of the board of the new school district; operational date. Before July 1, 2022, the board of the new school district shall vote whether to move forward with preparing for the operational date in effect on July 1, 2022 (current operational date) or whether to extend the operational date by one year. If the school board votes to extend the operational date, the operational date shall be extended to one year from the current operational date (new operational date). The board of the new school district shall notify the State Board and clerk of the union district of its decision and operational date on or before July 1, 2022. The State Board shall then review the preparedness of the new school district pursuant to subsection (d) of this section. The decision of the State Board shall be final regardless of whether it occurs in 2022 or 2023.

> (c) Status report. On or before the regular July State Board meeting in the year in which the review will occur, the board of the new school district shall submit a written status report to the Board detailing the actions the district has taken and will take to ensure that, as of its operational date, the district will be prepared to assume sole responsibility for the education of its students in prekindergarten through grade 12 in a manner that

### Sec. 4. WITHDRAWAL ACTIONS APPROVED BY STATE BOARD; NEW DISTRICTS WITH AN OPERATIONAL DATE ON OR AFTER JULY 1, 2023

#### (a) Application of this section. SAME

(b) Vote of the board of the new school district; operational date. Before July 1, 2022, the board of the new school district shall vote whether to move forward with preparing for the operational date in effect on July 1, 2022 (current operational date) or whether to extend the operational date by one year. If the school board votes to extend the operational date, the operational date shall be extended to one vear from the current operational date (new operational date). The board of the new school district shall notify the State Board and clerk of the union district of its decision and operational date on or before July 1, 2022. The State Board shall then review the preparedness of the new school district pursuant to subsection (c) or (d) of this section depending on the operational date. The decision of the State Board shall be final regardless of whether it occurs in 2022 or 2023. (c) Operational date in effect as of July 1,

2022; State Board review and action.

(1) Report. If the board of the new school district votes to move forward with preparing for the current operational date, it shall submit a written status report to the Board detailing the actions the district has taken and will take to ensure that, as of its operational date, the district will be prepared to assume sole responsibility for

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will meet educational quality standards as required	the education of its students in prekindergarten	
by 16 V.S.A. § 165 and to ensure the provision of	through grade 12 in a manner that will meet	
supervisory union services. The status report shall	educational quality standards as required by	
include a timeline indicating the date by which	16 V.S.A. § 165 and to ensure the provision of	
each action shall be complete.	supervisory union services. The status report shall	
	include a timeline indicating the date by which	
	each action shall be complete and the report shall	
	be submitted to the State Board on or before the	
	State Board's regular July 2022 meeting.	
(d) State Board review and findings.	(2) State Board review and action. The	
(1) Review. The State Board shall consider	State Board shall consider the status report and	
the status report and provide the board of the new	provide the board of the new school district an	
school district an opportunity to be heard. The	opportunity to be heard at a meeting located in the	
Board may, in its discretion, take testimony from	new school district. The State Board may also take	
other individuals and entities, including the union	testimony from other entities including the union	
school district and the Agency of Education. The	school district and the Secretary of Education. The	
State Board shall issue a determination of	State Board shall issue a determination of	
preparedness based on the review and report on or	preparedness based on the review and report on or	
before the September 1 of the year in which the	before September 1, 2022.	
review will occur.		
(2) Preparedness deemed likely. If the State	(A) Preparedness deemed likely. If the	
Board determines that it is likely the new school	State Board determines that it is likely the new	
district will be prepared, on the identified	school district will be prepared on the current	
operational date provided to the State Board	operational date to assume full responsibility for	
pursuant to subsection (b), to assume full	the education of its resident students in a manner	
responsibility for the education of its resident	that substantially complies with educational quality	
students in a manner that substantially complies	standards as required by 16 V.S.A. § 165 and to	
with educational quality standards as required by	ensure the provision of supervisory union services,	
<u>16 V.S.A. § 165, and to ensure the provision of</u>	then the new school district, the union district, and,	
supervisory union services, then the new school	if applicable, the supervisory union or unions shall	
district, the union district, and, if applicable, the	continue to take all actions necessary to prepare for	
supervisory union or unions shall continue to take	the realignment of duties on the operational date.	

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all actions necessary to prepare for the realignment		
of duties on the operational date.		
(3) Preparedness deemed unlikely.	(B) Preparedness deemed unlikely. If the	
(A) If the State Board determines there is	State Board determines there is a reasonable risk	
a reasonable risk that the new district will not be	that the new school district will not be able to be	
able to be prepared, on the operational date	prepared on the current operational date to assume	
provided to the State Board pursuant to subsection	full responsibility for the education of its resident	
(b), to assume full responsibility for the education	students in a manner that substantially complies	
of its resident students in a manner that	with educational quality standards as required by	
substantially complies with educational quality	16 V.S.A. § 165, and to ensure the provision of	
standards as required by 16 V.S.A. § 165, and to	supervisory union services, then:	
ensure the provision of supervisory union services,	(i) the State Board shall reverse and	In the Senate
then the Board shall issue a written advisory	void earlier declarations approving withdrawal and	version, if the
statement detailing the factors underlying its	reconstituting the new school district and the	SBE determines
conclusion, which it shall post on its website and	withdrawal action initiated pursuant to the former	preparedness is
transmit electronically to the board of the new	16 V.S.A. § 724 is concluded; provided, however,	unlikely, it
school district.	upon order of the State Board, the new school	reverses the
(B) Upon receipt of an advisory opinion	district and its board may continue to exist for up	withdrawal
pursuant to subdivision (d)(3)(A) of this section,	to six months after the date of the State Board's	declaration and
the board of the new school district shall post the	determination for the sole purpose of completing	the petitioning
document on its website and schedule the contents	any outstanding business that cannot legally be	town becomes a
as a topic for public discussion at a special or	performed by another entity;	town within the
regular board meeting.	(ii) the petitioning town shall be a	USD. There is
(C) Prior to the operational date and after	town within the union district:	no off-ramp, this
public discussion and any board deliberations:	(iii) the State Board's determination of	is a final
(i) The board of the new school	reasonable risk and the resulting consequences	decision.
district may continue to take all actions necessary	imposed by such a determination shall be final and	
to prepare for the realignment of duties on the	shall conclude the withdrawal action initiated	
operational date.	pursuant to the provisions of the former 16 V.S.A.	
(ii) On its own motion, or if petitioned	<u>§ 724;</u>	
to do so by at least five percent of the voters in the	(iv) if voters residing in any town	
new school district, the board of the new school	within the union district wish to initiate new	

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district shall warn a vote to request the State Board	withdrawal procedures, then they shall do so	
to reverse its declaration approving withdrawal and	pursuant to the process set forth in Sec. 3, 16	
reconstituting the new school district. The vote	V.S.A. § 724, of this act; and	
shall be held before the October 1 prior to the	(v) the State Board may make any	
operational date.	declarations and take any actions, including	
(I) The question shall be decided	recording certifications with the Secretary of State,	
by Australian ballot.	that are necessary to support the consequences	
(II) Within 45 days after the vote or	outlined in this subdivision (2)(B).	
15 days after a vote to reconsider under 17 V.S.A.		
<u>§ 2661, whichever is later, the clerk of the new</u>		In the <b>House</b>
school district shall certify the results of the vote to		proposal, if the
the Secretary of State who shall record the		SBE determines
certificate and give notice of the vote to the clerk		preparedness is
of the union district, the clerks of each of the other		unlikely, the SBE
towns within the union district, and the Secretary		writes an
of Education. The clerk of the new school district		advisory opinion
shall submit the certification regardless of whether		that shall be
the voters in the district voted to petition the State		posted for public
Board to reverse its declarations.		discussion. The
(D) If the new school district requests the		new school board
State Board to take action under subdivision (C) of		then decides
this subsection (d), then:		whether to
(i) the State Board shall reverse and		proceed with
void earlier declarations approving withdrawal and		withdrawal or
reconstituting the new school district and the		take the off-
withdrawal action initiated pursuant to the former		ramp.
16 V.S.A. § 724 is concluded; and		
(ii) the union school district shall		
continue to be solely responsible for the education		
of the students residing in the town that petitioned		
for withdrawal; provided, however:		

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(I) the new school district and its board shall continue to exist for up to six months after the day on which the State Board reverses and voids its earlier declarations for the sole purpose of completing any outstanding business that cannot legally be performed by another entity; and (II) the State Board may make any declarations and take any actions, including recording certifications with the Secretary of State, that are necessary to support the consequences outlined in this subdivision (d)(3)(D).	(d) Extension of operational date; State Board review and action. (1) Notification to State Board. If the board of the new school district voted to extend the operational date to one year from the operational date in effect on July 1, 2022, then the board shall notify the State Board of Education of the new operational date pursuant to subsection (b) of this section and shall continue to take all actions necessary to prepare for the realignment of duties on the new operational date. The State Board may ask for updates from the board of the new school district on preparedness efforts at any point before its regular July 2023 meeting. (2) Report. On or before the regular July 2023 State Board meeting, the new school district shall submit a written status report to the Board detailing the actions the district has taken and will take to ensure that as of its new operational date the district will be prepared to assume sole responsibility for the education of its students in	This is the <b>Senate</b> version if the operational date is extended. It is the same process as above.

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	prekindergarten through grade 12 in a manner that	
	will meet educational quality standards as required	
	by 16 V.S.A. § 165 and to ensure the provision of	
	supervisory union services. The status report shall	
	include a timeline indicating the date by which	
	each action shall be complete.	
	(3) State Board review and action. The	
	State Board shall consider the status report and	
	provide the board of the new school district an	
	opportunity to be heard at a meeting located in the	
	new school district. The State Board may also take	
	testimony from other entities including the union	
	school district and the Secretary of Education. The	
	State Board shall issue a determination of	
	preparedness based on the review and the report on	
	or before September 1, 2023.	
	(A) Preparedness deemed likely. If the	
	State Board determines that it is likely the new	
	school district will be prepared on the new	
	operational date to assume full responsibility for	
	the education of its resident students in a manner	
	that substantially complies with educational quality	
	standards as required by 16 V.S.A. § 165 and to	
	ensure the provision of supervisory union services,	
	then the new school district, the union district, and,	
	if applicable, the supervisory union or unions shall	
	continue to take all actions necessary to prepare for	
	the realignment of duties on the operational date.	
	(B) Preparedness deemed unlikely. If the	
	State Board determines there is a reasonable risk	
	that the new school district will not be able to be	
	prepared on the new operational date to assume	

5.10.22 House Proposal	Senate Proposal of Amendment	Notes
	full responsibility for the education of its resident	
	students in a manner that substantially complies	
	with educational quality standards as required by	
	16 V.S.A. § 165 and to ensure the provision of	
	supervisory union services, then:	
	(i) the State Board shall reverse and	
	void earlier declarations approving withdrawal and	
	reconstituting the new school district and the	
	withdrawal action initiated pursuant to the former	
	16 V.S.A. § 724 is concluded; provided, however,	
	upon order of the State Board, the new school	
	district and its board may continue to exist for up	
	to six months after the date of the State Board's	
	determination for the sole purpose of completing	
	any outstanding business that cannot legally be	
	performed by another entity;	
	(ii) the petitioning town shall be a	
	town within the union district;	
	(iii) the State Board's determination of	
	reasonable risk and the resulting consequences	
	imposed by such a determination shall be final and	
	shall conclude the withdrawal action initiated	
	pursuant to the provisions of the former 16 V.S.A.	
	<u>§ 724;</u>	
	(iv) if voters residing in any town	
	within the union district wish to initiate new	
	withdrawal procedures, then they shall do so	
	pursuant to the process set forth in Sec. 3, 16	
	V.S.A. § 724, of this act; and	
	(v) the State Board may make any	
	declarations and take any actions, including	
	recording certifications with the Secretary of State,	

5.10.22 House Proposal	Senate Proposal of Amendment	Notes
	that are necessary to support the consequences	
	outlined in this subdivision (3)(B).	
(e) Repeal. This section is repealed on July 1,	(e) Repeal. This section is repealed on July 1,	
<u>2024.</u>	<u>2024.</u>	
Sec. 6. WITHDRAWAL PROPOSALS ON WHICH	Sec. 6. WITHDRAWAL PROPOSALS ON WHICH	
THE STATE BOARD HAS NOT TAKEN	THE STATE BOARD HAS NOT TAKEN	
ACTION; UNION DISTRICT CREATED BY	ACTION; UNION DISTRICT CREATED BY	
THE ELECTORATE	THE ELECTORATE	
	(a) Application of this section. SAME	
(a) Application of this section. SAME	(b) Decision regarding timing of State Board	
(b) Decision regarding timing of State Board review.	review. At any time before July 1, 2022, the self-	
At any time before July 1, 2022, the self-selected	selected representatives of the petitioning town	
representatives of the petitioning town shall decide	shall decide whether to begin a State Board of	
whether to begin a State Board of Education review of	Education review of their withdrawal proposal in	
their withdrawal proposal in July of 2022 or July of 2023	July of 2022 or July of 2023 and shall transmit	
and shall transmit their decision and proposed operational	their decision and proposed operational date to the	
date to the State Board of Education and the clerk of the	State Board of Education and the clerk of the union	
union district. The State Board shall review the	district. The State Board shall review the	
withdrawal proposal only once. If the review of the	withdrawal proposal only once. If the review of	
withdrawal proposal occurs in 2023, the State Board may	the withdrawal proposal occurs in 2023, the State	
ask for updates from the self-selected members of the	Board may ask for updates from the self-selected	
petitioning town on preparedness efforts prior to the final	members of the petitioning town on preparedness	
withdrawal proposal review. The decision of the State	efforts prior to the final withdrawal proposal	
Board shall be final regardless of whether it occurs in	review. The decision of the State Board shall be	
<u>2022 or 2023.</u>	final regardless of whether it occurs in 2022 or	
	$\frac{2023.}{2023.}$	
(c) Report and plan. On or before the second	(c) Report and plan. On or before the second	
Wednesday of July in the year in which the review	Wednesday of July in the year in which the review	
will occur, the self-selected representatives of the	will occur, the self-selected representatives of the	
petitioning town shall submit a written report and	petitioning town shall submit a written report and	
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plan to the State Board and shall indicate to the	plan to the State Board and shall indicate to the	
State Board that the documents are submitted	State Board that the documents are submitted	
pursuant to this section.	pursuant to this section.	
(1) Report. SAME*	(1) Report. SAME*	
(2) Plan. SAME*	(2) Plan. SAME*	
(d) State Board review and action.	(d) Review and preparedness determination by	
	the State Board.	
(1) Review. The State Board shall consider	(1) Review. The State Board shall consider	
the report and plan and shall provide the self-	the report and plan and provide the self-selected	
selected representatives of the petitioning town and	representatives of the petitioning town and the	
the board of the union district an opportunity to be	board of the union district an opportunity to be	
heard. The Board may, in its discretion, take	heard at a meeting held at a location within the	
testimony from other individuals and entities. The	petitioning town. The State Board may also take	
State Board shall issue a determination of	testimony from other individuals and entities,	
preparedness as soon as possible after receipt of	including the Secretary of Education and any	
the report and plan but in no event later than the	supervisory union that has been identified as a	
September 1 of the year in which the review will	potential source of supervisory union services for	
occur based on the decision the self-selected	the proposed new school district. The State Board	
representatives of the petitioning town made	shall issue a determination of preparedness as soon	
pursuant to subsection (b) of this section.	as possible after receipt of the report and plan but	
	in no event later than September 1, 2022 or	
	September 1, 2023, as applicable, based on the	
	decision of the self-selected representatives of the	
	petitioning town made pursuant to subsection (b)	
	of this section.	
(2) Preparedness determination and vote to	(2) Preparedness deemed likely; State Board	
approve withdrawal. The State Board shall	of Education action. If the State Board determines	
determine if it is likely or unlikely the proposed	that it is likely the proposed new school district on	
new school district will be prepared to assume full	the proposed operational date will be prepared to	
responsibility for the education of its resident	assume full responsibility for the education of its	
students in a manner that substantially complies	resident students in a manner that substantially	
with educational quality standards as required by	complies with educational quality standards as	

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16 V.S.A. § 165 and whether it is likely or unlikely	required by 16 V.S.A. § 165 and that it is also	
that supervisory union services will be available to	likely supervisory union services will be available	
the proposed new school district on the operational	to the proposed new school district, then it shall	In the House
date. If the State Board determines preparedness is	vote to:	proposal, the
unlikely, it shall issue a written advisory statement		SBE shall
detailing the factors underlying its conclusion,		approve the
which shall be posted on its website. Upon		withdrawal
making its preparedness determination, the State		proposal
Board shall vote to:		regardless of
(A) approve the withdrawal proposal;	(A) approve the withdrawal proposal;	whether it
(B) approve any motion necessary for the	(B) approve any motion necessary for the	determines
withdrawal process to proceed pursuant to	withdrawal process to proceed pursuant to	preparedness is
subsection (e) of this section, including a motion to	subsection (e) of this section, including a motion to	likely or
create a new school district as of the date of the	create a new school district as of the date of the	unlikely. The
motion in order to enable the election of members	motion in order to enable the election of members	off-ramp is
to the board of the proposed new school district,	to the board of the proposed new school district,	available below.
negotiation and voter approval of a withdrawal	negotiation and voter approval of a withdrawal	
agreement pursuant to the former 16 V.S.A.	agreement pursuant to the former 16 V.S.A.	
§ 724(c), and preparation to assume full	§ 724(c), and preparation to assume full	In the Senate
responsibility for the education of resident students	responsibility for the education of resident students	version, the SBE
on the operational date;	on the operational date;	only approves the
(C) determine or set a schedule for	(C) determine or set a schedule for	withdrawal
determining the manner in which supervisory	determining the manner in which supervisory	proposal if it
union services will be provided to the proposed	union services will be provided to the proposed	determines
new school district and, if appropriate, the union	new school district and, if appropriate, the union	preparedness is
district, to be effective on the proposed new school	district, to be effective on the proposed new school	likely.
district's operational date; and	district's operational date; and	
(D) make any other findings or	(D) make any other findings or	
declarations and approve any other motions that	declarations and approve any other motions that	
are related and necessary to the withdrawal	are related and necessary to the withdrawal	
proposal.	proposal.	

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	(3) Preparedness deemed unlikely. If the	
	State Board determines there is a reasonable risk	
	that the proposed new school district will not be	
	able to be prepared on the proposed operational	
	date to assume full responsibility for the education	In the Senate
	of its resident students in a manner that	version, if the
	substantially complies with educational quality	SBE determines
	standards as required by 16 V.S.A. § 165 and to	preparedness is
	ensure the provision of supervisory union services,	unlikely, the SBE
	and that the criteria will not be met by postponing	shall deny the
	the operational date, then:	withdrawal
	(A) the State Board shall declare that the	proposal and the
	petitioning town's proposal to withdraw initiated	petitioning town
	under the former 16 V.S.A. § 724 is denied;	remains a town
	(B) the petitioning town shall remain a	within the USD.
	town within the union district;	This decision is
	(C) the State Board's determination of	final.
	reasonable risk and the resulting consequences	
	imposed by such a determination shall be final and	
	shall conclude the withdrawal action initiated	
	pursuant to the provisions of the former 16 V.S.A.	
	<u>§ 724; and</u>	
	(D) if voters residing in any town within	
	the union district wish to initiate new withdrawal	
	procedures, then they shall do so pursuant to the	
	process set forth in Sec. 3, 16 V.S.A. § 724, of this	
	act.	
(e) Actions necessary to be fully operational.	(e) Preparedness deemed likely; next steps. If	
After the State Board makes its determination of	the State Board approves the withdrawal process	
preparedness and approves the withdrawal process	pursuant to subdivision (d)(2) of this section, then	
pursuant to subdivision (d)(2) of this section, then	the new school district, the union district, and, if	
the new school district, the union district, and, if	applicable, the supervisory union or unions shall	

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applicable, the supervisory union or unions shall	take all actions necessary to be fully operational on	
take all actions necessary to be fully operational on	the identified operational date. At a minimum, the	
the identified operational date. At a minimum, the	required necessary actions shall include:	
required necessary actions shall include:		
(1) election of initial school board members	(1) election of initial school board members	
by the voters of the new school district, whose	by the voters of the new school district, whose	
terms of office shall be arranged so that one each	terms of office shall be arranged so that one each	
expires on the day of the second, third, and fourth	expires on the day of the second, third, and fourth	
annual meeting of the new school district and	annual meeting of the new school district and	
whose sole responsibility until the new school	whose sole responsibility until the new school	
district's operational date shall be to prepare for	district's operational date shall be to prepare for	
the district to assume sole responsibility for the	the district to assume sole responsibility for the	
education of resident students on that date;	education of resident students on that date;	
(2) negotiation by the board of the new	(2) negotiation by the board of the new	
school district and the board of the union district of	school district and the board of the union district of	
the proposed financial terms of withdrawal in order	the proposed financial terms of withdrawal in order	
to comply with the requirements of the former	to comply with the requirements of the former	
<u>16 V.S.A. § 724(c);</u>	<u>16 V.S.A. § 724(c);</u>	
(3) approval by the voters of each town	(3) approval by the voters of each town	
within the union district of the negotiated proposed	within the union district of the negotiated proposed	
financial terms of withdrawal in order to comply	financial terms of withdrawal in order to comply	
with the requirements of the former 16 V.S.A. §	with the requirements of the former 16 V.S.A. §	
<u>724(c);</u>	<u>724(c);</u>	
(4) preparation of a proposed budget by the	(4) preparation of a proposed budget by the	
board of the new school district for the fiscal year	board of the new school district for the fiscal year	
beginning on the district's operational date,	beginning on the district's operational date,	
together with presentation to and approval by the	together with presentation to and approval by the	
district's voters prior to that date;	district's voters prior to that date;	
(5) preparation for the provision of	(5) preparation for the provision of	
supervisory union services to the new school	supervisory union services to the new school	
district and, if applicable, for the transition of the	district and, if applicable, for the transition of the	

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union school district from a supervisory district	union school district from a supervisory district	
structure to a supervisory union structure; and	structure to a supervisory union structure; and	
(6) all other actions necessary to transition	(6) all other actions necessary to transition	
from one school district to two districts and, if	from one school district to two districts and, if	
applicable, to transition from a supervisory district	applicable, to transition from a supervisory district	
structure to a supervisory union structure,	structure to a supervisory union structure,	
including any actions necessary to address the	including any actions necessary to address the	
collectively bargained rights of employees of the	collectively bargained rights of employees of the	
former employing entity.	former employing entity.	
(f) Preparedness deemed unlikely.		
(1) If the State Board determines		
preparedness is unlikely and issues a written		
advisory statement detailing the factors underlying		The House
its conclusion pursuant to subdivision (d)(2) of this		proposal allows
section, it shall electronically transmit the advisory		for the off-ramp
statement to the board of the new school district		to be taken after
upon its election.		the withdrawal is
(2) Upon receipt of the advisory statement,		approved by SBE
the board of the new school district shall post the		but before the
document on its website and schedule the contents		operational date
as a topic for public discussion at a special or		
regular board meeting.		
(3) Prior to the operational date and after		
public discussion and any board deliberations:		
(A) The board of the new school district		
may continue to take all actions necessary to		
prepare for the realignment of duties on the		
operational date.		
(B) On its own motion, or if petitioned to		
do so by at least five percent of the voters in the		
new school district, the board of the new school		
district shall warn a vote to request the State Board		

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to reverse its declaration approving withdrawal and		
reconstituting the new school district. The vote		
shall be held before the October 1 prior to the		
operational date.		
(i) The question shall be decided by		
Australian ballot.		
(ii) Within 45 days after the vote or 15		
days after a vote to reconsider under 17 V.S.A. §		
2661, whichever is later, the clerk of the new		
school district shall certify the results of the vote to		
the Secretary of State who shall record the		
certificate and give notice of the vote to the clerk		
of the union district, the clerks of each of the other		
towns within the union district, and the Secretary		
of Education. The clerk of the new school district		
shall submit the certification regardless of whether		
the voters in the district voted to petition the State		
Board to reverse its declarations.		
(4) If the new school district requests the		
State Board to take action under subdivision (3) of		
this subsection, then:		
(A) the State Board shall reverse and		
void earlier declarations approving withdrawal and		
reconstituting the new school district and the		
withdrawal action initiated pursuant to the former		
16 V.S.A. § 724 is concluded; and		
(B) the union school district shall		
<u>continue to be solely responsible for the education</u>		
of the students residing in the town that petitioned		
for withdrawal; provided, however:		
(i) the new school district and its		
board shall continue to exist for up to six months		

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after the day on which the State Board reverses and		
voids its earlier declarations for the sole purpose of		
completing any outstanding business that cannot		
legally be performed by another entity; and		
(ii) the State Board may make any		
declarations and take any actions, including		
recording certifications with the Secretary of State,		
that are necessary to support the consequences		
outlined in this subdivision (e)(4).		
(g) Application of this section to withdrawal		
from a union elementary or union high school		The House
district.		proposal keeps
(1) The processes outlined in this section		the subsection
shall apply to an action of a member school district		with applies this
to withdraw from a union elementary or union high		Section to
school district if the four elements set forth in		withdrawal from
subdivisions (1)–(4) of subdivision (a) are met.		a UESD or
(2) For purposes of applying the process in		UHSD. This
this section to withdrawal from a union elementary		language may not
or union high school district under this subsection,		be necessary at
the terms used in subsections (a) through (d) of this		this time because
section have the following meanings:		there it is highly
(A) "Petitioning town" means the		unlikely a UESD
member district of the union elementary or union		or UHSD could
high school district that initiated the withdrawal		complete the
process pursuant to the provisions of 16 V.S.A. §		actions necessary
721a that were in effect prior to the effective date		for this section to
of Sec. 3 of this act.		be applicable to
(B) "Selectboard" means the board of the		them at this time.
member district that initiated the withdrawal		
process pursuant to the provisions of 16 V.S.A.		

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§ 721a that were in effect prior to the effective date		
of Sec. 3 of this act.		
(C) "Town within the union school		
district" means a member district of the union		
elementary or union high school district.		
(h) Repeal. This section is repealed on July 1,	(f) Repeal. This section is repealed on July 1, 2025.	
<u>2025</u> .		

## Sec. 7. WITHDRAWAL PROPOSALS; NO FINAL RATIFICATION VOTES

(a) Application of this section. This section shall apply solely to a withdrawal action initiated by a town within a union district (petitioning town) pursuant to the provisions of 16 V.S.A. § 724 that were in effect prior to the effective date of Sec. 3 of this act (former 16 V.S.A. § 724) if each of the following actions occurred prior to that date:

(1) the union district formed pursuant to the provisions of 16 V.S.A. §§ 706–706j that were in effect prior to the effective date of Sec. 3 of this act:

(2) a vote in the petitioning town to approve a withdrawal proposal was warned to occur on or before June 1, 2022; and

(3) the voters of each of the other towns within the union district have not voted whether to ratify the withdrawal proposal prior to the effective date of this section or they each voted but the votes are not final prior to the effective date.

(b) Vote of the other towns within the union district. If the voters in the petitioning town vote to approve withdrawal, then within 90 days after the town clerks in the other towns within the union district receive notice from the Secretary of State pursuant to the former 16 V.S.A. § 724(b) that the vote in the petitioning town is final, the voters of the other towns within the union district shall vote whether to ratify the withdrawal proposal. The question shall be determined by Australian ballot and shall proceed pursuant to Sec. 3, 16 V.S.A. § 737 (warnings of unified union school district

## Sec. 7. WITHDRAWAL PROPOSALS; NO FINAL RATIFICATION VOTES

(a) Application of this section. This section shall apply solely to a withdrawal action initiated by a town within a union district (petitioning town) pursuant to the provisions of 16 V.S.A. § 724 that were in effect prior to the effective date of Sec. 3 of this act (former 16 V.S.A. § 724) if each of the following actions occurred prior to that date:

(1) the union district formed pursuant to the provisions of 16 V.S.A. §§ 706–706j that were in effect prior to the effective date of Sec. 3 of this act;

(2) a vote in the petitioning town to approve a withdrawal proposal was warned to occur on or before June 1, 2022; and

(3) the voters of each of the other towns within the union district have not voted whether to ratify the withdrawal proposal prior to the effective date of this section or they each voted but the votes are not final prior to the effective date.

(b) Vote of the other towns within the union district. If the voters in the petitioning town vote to approve withdrawal, then within 90 days after the town clerks in the other towns within the union district receive notice from the Secretary of State pursuant to the former 16 V.S.A. § 724(b) that the vote in the petitioning town is final, the voters of the other towns within the union district shall vote whether to ratify the withdrawal proposal. The question shall be determined by Australian ballot and shall proceed pursuant to Sec. 3, 16 V.S.A. § 737 (warnings of unified union school district

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meetings) and §§ 739–741 (vote by Australian	meetings) and §§ 739–741 (vote by Australian	
ballot) of this act. The ballots shall not be	ballot) of this act. The ballots shall not be	
commingled.	commingled.	
(1) Vote not to ratify withdrawal. If a	(1) Vote not to ratify withdrawal. If a	
majority of the voters in one or more towns within	majority of the voters in one or more towns within	
the union district do not vote in favor of	the union district do not vote in favor of	
withdrawal, then the proposed withdrawal shall not	withdrawal, then the proposed withdrawal shall not	
occur. The voters residing in any town within the	occur. The voters residing in any town within the	
union district may initiate new withdrawal	union district may initiate new withdrawal	
procedures pursuant to the process set forth in Sec.	procedures pursuant to the process set forth in Sec.	
3, 16 V.S.A. § 724, of this act.	<u>3, 16 V.S.A. § 724, of this act.</u>	
(2) Vote in favor of withdrawal. If a	(2) Vote in favor of withdrawal. If a	
majority of the voters in all towns within the union	majority of the voters in all towns within the union	
district vote in favor of withdrawal, then the	district vote in favor of withdrawal, then the	
withdrawal process shall proceed pursuant to	withdrawal process shall proceed pursuant to	
subsections (c)–(g) of this section.	subsections (c)–(e) of this section.	
(c) Decision regarding timing of State Board review.	(c) Decision regarding timing of State Board	
Within 30 days after the ratification votes of the other	review. Within 30 days after the ratification votes	
towns within the union district are final, the self-selected	of the other towns within the union district are	
representatives of the petitioning town shall decide	final, the self-selected representatives of the	
whether to undergo a State Board of Education review of	petitioning town shall decide whether to undergo a	
the withdrawal proposal in 2022 or 2023 and shall	State Board of Education review of the withdrawal	
transmit their decision and proposed operational date to	proposal in 2022 or 2023 and shall transmit their	
the State Board of Education and clerk of the union	decision and proposed operational date to the State	
district. In accordance with the decision of the self-	Board of Education and clerk of the union district.	
selected representatives of the petitioning town regarding	In accordance with the decision of the self-selected	
the year in which the withdrawal proposal shall be	representatives of the petitioning town regarding	
reviewed, the State Board, in consultation with the self-	the year in which the withdrawal proposal shall be	
selected representatives, shall determine the date the final	reviewed, the State Board, in consultation with the	
withdrawal proposal review will begin and transmit the	self-selected representatives, shall determine the	
date to the self-selected representatives of the petitioning	date the final withdrawal proposal review will	
town and the clerk of the union school district. The State	begin and transmit the date to the self-selected	

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Board shall review the withdrawal proposal only once. If	representatives of the petitioning town and the	
the review of the withdrawal proposal occurs in 2023, the	clerk of the union school district. The State Board	
State Board may ask for updates from the self-selected	shall review the withdrawal proposal only once. If	
members of the petitioning town on preparedness efforts	the review of the withdrawal proposal occurs in	
prior to the final withdrawal proposal review. The	2023, the State Board may ask for updates from	
decision of the State Board shall be final regardless of	the self-selected members of the petitioning town	
whether it occurs in 2022 or 2023.	on preparedness efforts prior to the final	
	withdrawal proposal review. The decision of the	
	State Board shall be final regardless of whether it	
	<u>occurs in 2022 or 2023.</u>	
(d) Report and plan. On or before the date set	(d) Report and plan. On or before the date set	
by the State Board to begin the final withdrawal	by the State Board to begin the final withdrawal	
proposal review, the self-selected representatives	proposal review, the self-selected representatives	
of the petitioning town shall submit a written	of the petitioning town shall submit a written	
report and plan to the State Board and shall	report and plan to the State Board and shall	
indicate to the State Board that the documents are	indicate to the State Board that the documents are	
submitted pursuant to this section.	submitted pursuant to this section.	
(1) Report. SAME	(1) Report. SAME	
( <u>) Plan.</u> SAME	(2) Plan. SAME	
(e) State Board review and action.	(e) Review and preparedness determination by the State Board.	
(1) Review. The State Board shall consider the	(1) Review. The State Board shall consider	
report and plan and shall provide the self-selected	the report and plan and provide the self-selected	
representatives of the petitioning town and the board of	representatives of the petitioning town and the	
the union district an opportunity to be heard. The Board	board of the union district an opportunity to be	
may, in its discretion, take testimony from other	heard at a meeting held at a location within the	
individuals and entities. The State Board shall issue a	petitioning town. The State Board may also take	
determination of preparedness as soon as possible after	testimony from other individuals and entities	
receipt of the report and plan but in no event later than 90	including the Secretary of Education and any	
days after the date set by the State Board to begin the final	supervisory union that has been identified as a	
withdrawal proposal review.	potential source of supervisory union services for	
	the proposed new school district. The State Board	

5.10.22 House Proposal	Senate Proposal of Amendment	Notes
	shall issue a determination of preparedness as soon	
	as possible after receipt of the report and plan but	
	in no event later than 90 days after the date set by	
	the State Board to begin the final withdrawal	
	proposal review.	
(2) Preparedness determination and vote to	(2) Preparedness deemed likely; State Board	
approve withdrawal. The State Board shall	of Education action. If the State Board determines	In the <b>House</b>
determine if it is likely or unlikely the proposed	that it is likely the proposed new school district on	proposal, the
new school district will be prepared to assume full	the proposed operational date will be prepared to	SBE shall
responsibility for the education of its resident	assume full responsibility for the education of its	approve the
students in a manner that substantially complies	resident students in a manner that substantially	withdrawal
with educational quality standards as required by	complies with educational quality standards as	proposal
16 V.S.A. § 165 and whether it is likely or unlikely	required by 16 V.S.A. § 165 and that it is also	regardless of
that supervisory union services will be available to	likely supervisory union services will be available	whether it
the proposed new school district on the operational	to the proposed new school district, then it shall	determines
date. If the State Board determines preparedness is	vote to:	preparedness is
unlikely, it shall issue a written advisory statement		likely or
detailing the factors underlying its conclusion,		unlikely. The
which shall be posted on its website. Upon		off-ramp is
making its preparedness determination, the State		available below.
Board shall vote to:		
(A) approve the withdrawal proposal;	(A) approve the withdrawal proposal;	
(B) approve any motion necessary for the	(B) approve any motion necessary for the	In the Senate
withdrawal process to proceed pursuant to	withdrawal process to proceed pursuant to	version, the SBE
subsection (f) of this section, including a motion to	subsection (f) of this section, including a motion to	only approves the
create a new school district as of the date of the	create a new school district as of the date of the	withdrawal
motion in order to enable the election of members	motion in order to enable the election of members	proposal if it
to the board of the proposed new school district,	to the board of the proposed new school district,	determines
negotiation and voter approval of a withdrawal	negotiation and voter approval of a withdrawal	preparedness is
agreement pursuant to the former 16 V.S.A.	agreement pursuant to the former 16 V.S.A.	likely
§ 724(c), and preparation to assume full	<u>§ 724(c), and preparation to assume full</u>	
		1

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responsibility for the education of resident students	responsibility for the education of resident students	
on the operational date;	on the operational date;	
(C) determine or set a schedule for	(C) determine or set a schedule for	
determining the manner in which supervisory	determining the manner in which supervisory	
union services will be provided to the proposed	union services will be provided to the proposed	
new school district and, if appropriate, the union	new school district and, if appropriate, the union	
district, to be effective on the proposed new school	district, to be effective on the proposed new school	
district's operational date; and	district's operational date; and	
(D) make any other findings or	(D) make any other findings or	
declarations and approve any other motions that	declarations and approve any other motions that	
are related and necessary to the withdrawal	are related and necessary to the withdrawal	
proposal.	<u>proposal.</u>	
	(3) Preparedness deemed unlikely. If the	
	State Board determines there is a reasonable risk	In the Senate
	that the proposed new school district will not be	version, if the
	able to be prepared on the proposed operational	SBE determines
	date to assume full responsibility for the education	preparedness is
	of its resident students in a manner that	unlikely, the SBE
	substantially complies with educational quality	shall deny the
	standards as required by 16 V.S.A. § 165 and to	withdrawal
	ensure the provision of supervisory union services,	proposal and the
	and that the criteria will not be met by postponing	petitioning town
	the operational date, then:	remains a town
	(A) the State Board shall declare that the	within the USD.
	petitioning town's proposal to withdraw initiated	This decision is
	under the former 16 V.S.A. § 724 is denied;	final.
	(B) the petitioning town shall remain a	
	town within the union district;	
	(C) the State Board's determination of	
	reasonable risk and the resulting consequences	
	imposed by such a determination shall be final and	
	shall conclude the withdrawal action initiated	

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	pursuant to the provisions of the former 16 V.S.A.	
	<u>§ 724; and</u>	
	(D) if voters residing in any town within	
	the union district wish to initiate new withdrawal	
	procedures, then they shall do so pursuant to the	
	process set forth in Sec. 3, 16 V.S.A. § 724, of this	
	act.	
(f) Actions necessary to be fully operational.	(f) Preparedness deemed likely; next steps. If	
After the State Board makes its determination of	the State Board approves the withdrawal process	
preparedness and approves the withdrawal process	pursuant to subdivision (e)(2) of this section, then	
pursuant to subdivision (e)(2) of this section, then	the new school district, the union district, and, if	
the new school district, the union district, and, if	applicable, the supervisory union or unions shall	
applicable, the supervisory union or unions shall	take all actions necessary to be fully operational on	
take all actions necessary to be fully operational on	the identified operational date. At a minimum, the	
the identified operational date. At a minimum, the	required necessary actions shall include:	
required necessary actions shall include:	(1) election of initial school board members	
(1) election of initial school board members	by the voters of the new school district, whose	
by the voters of the new school district, whose	terms of office shall be arranged so that one each	
terms of office shall be arranged so that one each	expires on the day of the second, third, and fourth	
expires on the day of the second, third, and fourth	annual meeting of the new school district and	
annual meeting of the new school district and	whose sole responsibility until the new school	
whose sole responsibility until the new school	district's operational date shall be to prepare for	
district's operational date shall be to prepare for	the district to assume sole responsibility for the	
the district to assume sole responsibility for the	education of resident students on that date;	
education of resident students on that date;	(2) negotiation by the board of the new	
(2) negotiation by the board of the new	school district and the board of the union district of	
school district and the board of the union district of	the proposed financial terms of withdrawal in order	
the proposed financial terms of withdrawal in order	to comply with the requirements of the former	
to comply with the requirements of the former	<u>16 V.S.A. § 724(c);</u>	
<u>16 V.S.A. § 724(c);</u>	(3) approval by the voters of each town	
(3) approval by the voters of each town	within the union district of the negotiated proposed	
within the union district of the negotiated proposed	financial terms of withdrawal in order to comply	

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financial terms of withdrawal in order to comply	with the requirements of the former 16 V.S.A. §	
with the requirements of the former 16 V.S.A. §	<u>724(c);</u>	
<u>724(c);</u>	(4) preparation of a proposed budget by the	
(4) preparation of a proposed budget by the	board of the new school district for the fiscal year	
board of the new school district for the fiscal year	beginning on the district's operational date,	
beginning on the district's operational date,	together with presentation to and approval by the	
together with presentation to and approval by the	district's voters prior to that date;	
district's voters prior to that date;	(5) preparation for the provision of	
(5) preparation for the provision of	supervisory union services to the new school	
supervisory union services to the new school	district and, if applicable, for the transition of the	
district and, if applicable, for the transition of the	union school district from a supervisory district	
union school district from a supervisory district	structure to a supervisory union structure; and	
structure to a supervisory union structure; and	(6) all other actions necessary to transition	
(6) all other actions necessary to transition	from one school district to two districts and, if	
from one school district to two districts and, if	applicable, to transition from a supervisory district	
applicable, to transition from a supervisory district	structure to a supervisory union structure,	
structure to a supervisory union structure,	including any actions necessary to address the	
including any actions necessary to address the	collectively bargained rights of employees of the	
collectively bargained rights of employees of the	former employing entity.	
former employing entity.		
(g) Preparedness deemed unlikely.		The House
(1) If the State Board determines		proposal allows
preparedness is unlikely and issues a written		for the off-ramp
advisory statement detailing the factors underlying		to be taken after
its conclusion pursuant to subdivision (e)(2) of this		the withdrawal is
section, it shall electronically transmit the advisory		approved by SBE
statement to the board of the new school district		but before the
upon its election.		operational date
(2) Upon receipt of the advisory statement,		
the board of the new school district shall post the		
document on its website and schedule the contents		

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as a topic for public discussion at a special or		
regular board meeting.		
(3) Prior to the operational date and after		
public discussion and any board deliberations:		
(A) The board of the new school district		
may continue to take all actions necessary to		
prepare for the realignment of duties on the		
operational date.		
(B) On its own motion, or if petitioned to		
do so by at least five percent of the voters in the		
new school district, the board of the new school		
district shall warn a vote to request the State Board		
to reverse its declaration approving withdrawal and		
reconstituting the new school district. The vote		
shall be held before the October 1 prior to the		
operational date.		
(i) The question shall be decided by		
Australian ballot.		
(ii) Within 45 days after the vote or 15		
days after a vote to reconsider under 17 V.S.A. §		
2661, whichever is later, the clerk of the new		
school district shall certify the results of the vote to		
the Secretary of State who shall record the		
certificate and give notice of the vote to the clerk		
of the union district, the clerks of each of the other		
towns within the union district, and the Secretary		
of Education. The clerk of the new school district		
shall submit the certification regardless of whether		
the voters in the district voted to petition the State		
Board to reverse its declarations.		

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(4) If the new school district requests the	-	
State Board to take action under subdivision (3) of		
this subsection, then:		
(A) the State Board shall reverse and		
void earlier declarations approving withdrawal and		
reconstituting the new school district and the		
withdrawal action initiated pursuant to the former		
16 V.S.A. § 724 is concluded; and		
(B) the union school district shall		
continue to be solely responsible for the education		
of the students residing in the town that petitioned		
for withdrawal; provided, however:		
(i) the new school district and its		
board shall continue to exist for up to six months		
after the day on which the State Board reverses and		
voids its earlier declarations for the sole purpose of		
completing any outstanding business that cannot		
legally be performed by another entity; and		
(ii) the State Board may make any		The House
declarations and take any actions, including		proposal keeps
recording certifications with the Secretary of State,		the subsection
that are necessary to support the consequences		with applies this
outlined in this subdivision (e)(4).		Section to
(h) Application of this section to withdrawal		withdrawal from
from a union elementary or union high school		a UESD or
district.		UHSD. This
(1) The processes outlined in this section		language may not
shall apply to an action of a member school district		be necessary at
to withdraw from a union elementary or union high		this time because
school district if the four elements set forth in		there it is highly
subdivisions (1)–(4) of subdivision (a) are met.		unlikely a UESD
		or UHSD could

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(2) For purposes of applying the process in		complete the
this section to withdrawal from a union elementary		actions necessary
or union high school district under this subsection,		for this section to
the terms used in subsections (a) through (g) of this		be applicable to
section have the following meanings:		them at this time
(A) "Petitioning town" means the		
member district of the union elementary or union		
high school district that initiated the withdrawal		
process pursuant to the provisions of 16 V.S.A. §		
721a that were in effect prior to the effective date		
of Sec. 3 of this act.		
(B) "Selectboard" means the board of the		
member district that initiated the withdrawal		
process pursuant to the provisions of 16 V.S.A.		
§ 721a that were in effect prior to the effective date		
of Sec. 3 of this act.		
(C) "Town within the union school		
district" means a member district of the union		
elementary or union high school district.		
(i) Repeal. This section is repealed on July 1,	(g) Repeal. This section is repealed on July 1,	
<u>2025.</u>	<u>2025.</u>	
Sec. 8. TEMPORARY MORATORIUM ON	Sec. 8. TEMPORARY MORATORIUM ON	
UNION SCHOOL DISTRICT SCHOOL	UNION SCHOOL DISTRICT SCHOOL	
CLOSURES	CLOSURES	
(a) Notwithstanding any provision of law to the	(a) Notwithstanding any provision of law to the	
contrary, a union school district shall be prohibited	contrary, a union school district shall be prohibited	
from closing a school building within its district	from closing a school building within its district	
unless the school building closure has already been	unless the school building closure has already been	
accounted for in the fiscal year 2023 school	accounted for in the fiscal year 2023 school budget	
budget; the closure is necessary to protect the	or the closure is approved by the district voters	
health and safety of students; the school district is	residing in the town in which the building is	

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unable to adequately staff the school building at	located. For the purposes of this section, "closing	
issue; the closure is approved by the district voters	a school building " means the district ceases to use	
residing in the town in which the building is	the building to provide direct education for a	
located; or keeping the school building open would	majority of the grades operated within the building	
be detrimental to the educational opportunities of	on or before July 1, 2022.	
the students in the school building. For the		
purposes of this section, "closing a school		
building" means the district ceases to use the		
building to provide direct education for a majority		
of the grades operated within the building on or		
before July 1, 2022.		
(b) This section is repealed on July 1, 2023.	(b) This section is repealed on July 1, 2024.	