

H.869

Introduced by Representatives Bosch of Clarendon, Harvey of Castleton,
Malay of Pittsford, Olson of Starksboro, Page of Newport City,
and Wells of Brownington

Referred to Committee on

Date:

Subject: Education; school districts; school directors; vacancies on school
boards

Statement of purpose of bill as introduced: This bill proposes to require a
union school district to fill a vacancy on its school board where the seat is
apportioned to a town by appointing an eligible person chosen by the
selectboard of the affected member town for the remainder of the term.

An act relating to vacancies on union school district boards where the seat is
apportioned to a town

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

Sec. 1. 16 V.S.A. § 731 is amended to read:

§ 731. VACANCY ON UNIFIED UNION SCHOOL DISTRICT BOARD

(a) Filling a vacancy. Notwithstanding any other provision of law to the
contrary, this section shall apply to a vacancy on a unified union school district

1 board, ~~unless otherwise provided in the articles of agreement of the district as~~
2 ~~initially approved by the voters on or before July 1, 2019.~~

3 (1) Proportional to town population. If the vacancy is for a seat where
4 membership is apportioned to a town within the unified union school district in
5 a number that is closely proportional to the town's relative population and only
6 voters residing in the town elect the board member, then the clerk of the
7 unified union school district shall notify the selectboard of the town not later
8 than five days after learning of the vacancy. Within 30 days after providing
9 notice ~~and after consultation with the selectboard~~, the unified union school
10 district board shall appoint an eligible person chosen by the selectboard of the
11 town to fill the vacancy ~~until the voters elect a successor at an annual or special~~
12 ~~meeting~~ for the remainder of the term.

13 (2) Modified at-large model: allocation to town; at-large representation.
14 If the vacancy is for a seat where membership is allocated to a town within the
15 unified union school district in a number that is not closely proportional to
16 each town's relative population and the board member is elected at large, then
17 the district clerk shall notify the selectboard of the town not later than five days
18 after learning of the vacancy. Within 30 days after providing notice ~~and after~~
19 ~~consultation with the selectboard~~, the unified union school district board shall
20 appoint an eligible person chosen by the selectboard of the town to fill the

1 vacancy ~~until the voters elect a successor at an annual or special meeting for~~
2 the remainder of the term.

3 * * *

4 Sec. 2. 16 V.S.A. § 749 is amended to read:

5 § 749. VACANCY ON UNION ELEMENTARY OR UNION HIGH
6 SCHOOL DISTRICT BOARD

7 (a) Filling a vacancy. Notwithstanding any other provisions of law to the
8 contrary, this section shall apply to a vacancy on a union elementary or union
9 high school district board, ~~unless otherwise provided in the articles of~~
10 ~~agreement of the union elementary or union high school district as initially~~
11 ~~approved by the voters on or before July 1, 2019.~~

12 * * *

13 (4) No board of member district. For purposes of subdivisions (1)
14 (proportional to town population) and (2) (modified at-large) of this subsection
15 ~~(a)~~, if the member district is also a union school district and any related town
16 school district has discontinued operations pursuant to subdivision 717(b)(2)
17 (discontinuation of forming districts in union elementary and union high
18 school districts) of this chapter and has no board, then the clerk of the union
19 elementary or union high school district shall notify the selectboard of the
20 pertinent town not later than five days after learning of the vacancy. Within 30
21 days after providing notice ~~and after consultation with the selectboard~~, the

1 union elementary or union high school district board shall appoint a person
2 who is otherwise eligible to serve as a member of the union elementary or
3 union high school district board and who is chosen by the selectboard to fill the
4 vacancy ~~until the voters elect a successor at an annual or special meeting~~
5 ~~pursuant to the provisions of section 748 (union elementary and union high~~
6 ~~school district board members) of this chapter~~ for the remainder of the term.

7 * * *

8 Sec. 3. EFFECTIVE DATE

9 This act shall take effect on July 1, 2026.