

## **16 V.S.A. chapter 11, subchapter 2: Exploration, Formation, and Organization**

- § 706. Proposal to form study committee; budget and membership
  - Study committees formed when boards of 2 or more school districts vote to establish one or are petitioned to do so by at least 5% of the district voters; school boards work with superintendents to set a budget and to determine the number of persons to serve on the study committee
  - Budget and membership on the study committee shall be “the same as the proportion of the school district’s equalized pupils to the total equalized pupils of all school districts intending to participate formally
  - Provisions for how union school districts are represented on study committees
- § 707. Approval of study budget; appointment of study committee; participation
  - If the proposed budget exceeds \$50k, the budget has to be approved by voters
  - Formal vs informal participation
- § 708. Study committee; necessary and advisable districts; contents of study committee report and proposed articles; dissolution of committee
  - Superintendent convenes the first meeting
  - Staff of SUs provide admin assistance
  - The Secretary is required to cooperate with the study committee and is authorized to make Agency staff available to provide technical assistance to the committee
  - Committee decisions reached by a majority of all members present and voting
  - Necessary vs. advisable school districts
  - If a study committee determines it is advisable to propose formation of a school district, “it shall prepare a report analyzing the strengths and challenges of the current structures of all ‘necessary’ and ‘advisable’ school districts and outlining the ways in which a union school district promotes the State policy set forth in” 16 V.S.A. § 701. Study committee is also required to prepare proposed articles of agreement
  - If a study committee determines that it is inadvisable to propose formation of a union school district, the committee dissolves
- § 709. Review by local school district boards; consideration and approval by State Board of Education (assumes new district is advisable)
  - Report and proposed articles of agreement go to school board as each necessary and each advisable school district
    - School boards can provide comments to the study committee
    - Study committee has sole authority over contents of the report and proposed articles
  - Report and proposed articles go to the Secretary, who submits them with recommendations to the State Board
  - The State Board
    - Considers the report and proposed articles
    - Shall provide the study committee an opportunity to be heard

- May ask the Secretary or study committee or both to make further investigation and may consider any other information the State Board deems to be pertinent; and
  - May request that the study committee amend the report and proposed articles or both
- If the State board finds “that formation of the proposed union school district is in the best interests of the State, the students, and the school districts, and aligns with the policy set forth in section 701 of this title, then it shall approve the study committee’s report and proposed articles of agreement, together with any amendments, as the final report and proposed articles of agreement, and shall give notice of its action to the study committee.”
- Chair of the study committee sends a copy of the final report and proposed articles to the clerk of each necessary and each advisable district at least 30 days prior to the vote on whether to form the new district
- § 710. Vote to form union school district
  - Voters of each district identified as necessary and each district identified as advisable vote whether to form the proposed district:
    - Vote held on date specified in final report
    - Vote is by Australian ballot
    - Vote shall be at separate school district meetings held on the same day
    - Opportunity for early and absentee voting provided
    - Board of each school district voting on the proposal shall warn the vote either as a special meeting of the district or as part of its annual meeting
- § 711. Vote to elect initial members of the union school district board
  - Initial board members elected at same meeting as vote to form the union district
- § 713. Certification of votes; designation of district as union school district; recording by Secretary of State
  - Within 45 days of the vote or 15 days after a vote to reconsider, the clerk of each school district voting shall certify the results to the Secretary of Ed. Clerk submits certification regardless of the results
  - If the voters voting in each district identified as necessary vote to form the district, the necessary districts constitute a union school district, together with any school district designated as advisable that votes to form the proposed union district
  - If the voters approve formation of the new district, the Secretary of Ed designates the newly formed district as a union district upon receiving the certification of each clerk
  - When Secretary of State records the certification of the Secretary of Ed, the union school district becomes a body politic and corporate with the powers incident to a municipal corporation, shall be known by the name or number given in the recorded certification