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Withdrawal from / Dissolution of an Existing Union School District

How does a member of an existing union high school district withdraw from the union district?

The process governing withdrawal from a union high¹ school district has been in statute for decades. ([16 VSA § 721a.](#))

An overview of the process is as follows:

1. The voters of member town A vote whether to withdraw from the union high school district
2. If the voters of A approve withdrawal, then the voters in *each* of the other member towns vote *separately* whether to ratify A's withdrawal
3. The voters in *each* of the other must towns must vote to approve the withdrawal for the process to go forward – in other words, their votes are neither commingled nor added together and a “no” vote by the voters of any one member town will stop the process
4. If each of the other member towns approves withdrawal by A, then the State Board of Education reviews the voters' decision, holds a meeting with the parties, and considers:
 - a. Whether the students in A will have a school to attend if A withdraws from the union school district – if so, then the State Board declares that A has withdrawn from the union school district as of:
 - i. the next July 1 or
 - ii. as soon as A has satisfied its financial obligations to the union school district or has entered into an agreement to do so “in an amount satisfactory to the electorate of each member” of the union school district
 - b. Whether it “is in the best interests of the State, the students, and the members remaining” for the union school district to continue to exist without A as a member OR whether the union school district should be dissolved
 - i. If the State Board determines that the union school district should be dissolved, then it declares the dissolution according to a time frame similar to that listed above
5. The State Board files any declaration(s) with the Secretary of State and others

¹ To simplify the explanation, this document assumes that a member wishes to withdraw from a union high school district, but the process is the same for withdrawal from a union elementary school district.

If a member town successfully withdraws and the union school building is located in that town, then does the town school district own and operate the school?

Even if “A” withdraws from the union school district (or even if the State Board dissolves the entire union school district), it doesn’t mean that A will automatically have control of the union school building – even if the building is located within the geographic boundaries of A.

If a member town successfully withdraws and becomes a single district responsible for the education of all resident students in PK-12, then will it become its own supervisory district and hire its own superintendent?

Or will it be assigned to a supervisory union with multiple districts?

Even if “A” becomes a single PK-12 district after it withdraws from a union high school, the State Board will not automatically designate it a supervisory district, able to hire its own superintendent. The State Board is equally as likely to assign the district to an existing or newly created SU.

Vermont statute (again, for decades) has authorized the State Board of Education – on its own initiative or at the request of member districts – to redraw the boundaries of an SU. Therefore, if a member withdraws from a union school district, or if a union school district is dissolved and only the former member town school districts remain, then the State Board might decide to place the district(s) in different existing SUs or to create one or more entirely new SUs in the region. ([16 VSA § 261.](#))

Why does a member that wants to withdraw from a union school district have to get approval from all of the other members?

Withdrawal from, or dissolution of, a union school district is a lengthy process that requires widespread approval at several levels. We believe that the Legislature intentionally created this process so that the decision is made in a deliberate, thoughtful manner that insulates students from the negative consequences of local passions or political instability. In addition, approval from the other members recognizes that it is necessary to resolve issues related to property ownership and financial obligations owed by the withdrawing district(s) to the union school district (or, in the case of dissolution, of the members to each other).

Note: This document is provided for guidance only and does not have the force of law. See the underlying statutes and/or Acts for more detail.