

AGENCY OF EDUCATION

Barre, Vermont

TEAM: School Governance

ITEM: Will the State Board of Education approve the request of the Unified Towns and Gores in Essex County to assign the unorganized town of Ferdinand to the Essex North Supervisory Union pursuant to 16 V.S.A. § 261, effective July 1, 2018?

ACTING SECRETARY'S RECOMMENDED ACTION:

1. That the State Board of Education assign the unorganized town of Ferdinand to the Essex North Supervisory Union pursuant to 16 V.S.A. § 261(d), effective July 1, 2018.

STATUTORY AUTHORITY: 16 V.S.A. § 261

OVERVIEW: The Unorganized Township of Ferdinand is located in Essex County.¹ The Legislature designated all six of the unorganized towns and gores in that county as “the Unified Towns and Gores in Essex County” (Unified Towns and Gores). The Unified Towns and Gores are governed by a single three-member Board of Governors elected by their residents.²

In general, an unorganized town is not a “school district.”³ As a result, an unorganized town does not have a school board and does not appoint representatives to sit on a supervisory union board. Traditionally, however, the State Board has assigned each unorganized town to a supervisory union so that the supervisory union can provide services in any year in which a school-aged child resides in the unorganized town.⁴

Five of the Unified Towns and Gores are located within the boundaries of the Essex North Supervisory Union (ENSU). The sixth, Ferdinand, is within the boundaries of the North Country Supervisory Union (NCSU).

By letter dated May 21, 2018 addressed to the Chair of the NEK Choice District, the Board of Governors requested that Ferdinand be “with the NEK Choice District.”⁵

¹ 24 V.S.A. § 6.

² 24 V.S.A. chapter 41.

³ 16 V.S.A. § 11(10); *but see* § 4011(10) (unorganized town is a school district in connection with education funding statutes).

⁴ The State Board can redraw the boundaries of supervisory unions on its own initiative or at the request of a district or group of districts. 16 V.S.A. § 261(a).

⁵ The letter is attached. Note that an unorganized town is not able to merge with school districts to form a union school district pursuant to 16 V.S.A. §§ 701-724 because it is not a school district. For the same reason, the State Board cannot merge an unorganized town with a school district in the Board’s final statewide plan required by Act 46, Section 10.

The ENSU and the NCSU Boards are supportive of assignment of Ferdinand to the ENSU.⁶

Assignment of Ferdinand to the ENSU would support the more efficient use of State resources by locating all six of the Unified Towns and Gores within the same supervisory union.

Accordingly, it is advisable for the State Board to assign the Unorganized Township of Ferdinand, one of the "Unified Towns and Gores in Essex County," to the Essex North Supervisory Union.

STAFF AVAILABLE: Donna Russo-Savage, Principal Assistant, School Governance

⁶ See attachments.