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Closing a School after Merging into a Single District

1. I live in a very small school district that operates its own elementary school. My district is considering merging with other districts that are much larger. I'm worried that if we merge, the new, larger school board will decide to close our school. Is there any way to protect ourselves from that?

For merger to occur, the voters of your district will have to approve the merger proposal developed by the study committee and approved by the State Board of Education. The merger proposal will include Articles of Agreement that govern the future activities of the new district. Merger proposals can include Articles of Agreement that address closure of schools in a variety of ways. For example, the Articles could permit closure of a school after the effective date of merger only if the new board approves the action unanimously or by a super-majority or after also obtaining the approval of the voters of the town in which the school is located.

Here are a few examples of language included in merger proposals that have been presented to the State Board:

- An affirmative vote of ten [of the thirteen] members of the Addison Central School District Board of Directors shall be required to approve the closure of a school. Prior to holding a vote on whether to close a school, the Board shall hold public hearings regarding the proposed school closure, at least one of which must be held in the town in which the school is located. Following the public hearings, the Addison Central School District Board of Directors shall give public notice of its intent to hold a vote on whether to close a school, stating the reason for the closure, at least ten days prior to the vote. *[Article 14 of the proposed Articles of Agreement approved by the voters of each district in the Addison Central SU]*
- During [the initial] four (4) year period [of operation], the Unified District may not close any of these schools without first obtaining approval of a majority of the electorate of the town in which the school is located. Upon expiration of this four (4) year period, the Unified District's Board of Directors may vote to close any of these schools provided the board so votes by a two thirds (2/3) majority. *[Excerpt from Article 1, paragraph 6, of the proposed Articles of Agreement approved by the voters of the Brandon, Goshen, Leicester, Pittsford, Sudbury, and Whiting Town School Districts (Rutland Northeast SU)]*
- No elementary school shall be closed without a unanimous vote of the New Union School District Board, and an affirmative vote of the town in which it is located. *[Excerpt from Article 4 of the proposed Articles of Agreement approved by the voters of each district in the Rutland South SU]*

2. Assume that Districts A, B, and C merge their governance structures to become one new unified union school district ("UUSD") that operates three PK-8 schools for all resident students in those grades and pays tuition for all resident 9-12 students. Also assume that at some point after it becomes a UUSD, the new UUSD decides (under whatever terms the UUSD's Articles of Agreement specify) to close the PK-8 school in Town A.

Question: Do the PK-8 students living in Town A attend one of the remaining two schools operated by the UUSD in Towns B and C or does the UUSD pay tuition for the PK-8 students in Town A to attend the PK-8 school of their choice?

When the new UUSD was created, Town A became a member town of a single school district. Town A is no longer a separate school district. Closing the school in Town A under the terms agreed upon in the Articles of Agreement wouldn't expel Town A from the UUSD. Because a school district, including a UUSD, is a single municipality with one governing board, one budget, one tax rate, all students in the UUSD must be treated the same.

Therefore, if the PK-8 school building in Town A is closed, the K-8 students in that town would attend the K-8 school operated by its district (the UUSD) in Town B or in C or have the option to enroll in either.

(Prekindergarten functions under a different structure and so is not addressed in this response).

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.