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## **Study Committee's Relationship to School Boards**

**Is a study committee required to obtain the favorable vote of each participating school board before presenting its proposed Report and Articles of Agreement to the Secretary, State Board of Education, and the local voters?**

**If no, then is there any authority to require a study committee to do so?**

Nothing in State law *requires* a vote of the participating school boards or *authorizes the imposition* of such a requirement.

Voluntary mergers under Acts 46 (2015), 153 (2010), and 156 (2012) are governed by 16 V.S.A. chapter 11, which is the process enacted in 1968 for the creation of union school districts. That chapter provides in part:

- A study committee must include at least one board member from each participating school district. (16 V.S.A. § 706a(a)(2) and (b))
  - Each district is represented on the study committee in the same proportion as the district's equalized pupils bear to the total equalized pupils in all districts participating in the study committee. (16 V.S.A. § 706)
  - Each school board:
    - Appoints at least one of its members to sit on the study committee. (16 V.S.A. § 706a(a)(2) and (b))
    - Is permitted also to appoint a resident of the community who is not a board member (if the district is entitled to more than one member on the study committee). (16 V.S.A. § 706a(a)(2) and (b))
- Before completing its final report, a study committee is required to "transmit" the report and articles to "the school boards of each school district that participated in the study committee and any other school districts that the report identifies as necessary or advisable ... for the *review and comment* of each school board." (16 V.S.A. [§ 706c\(a\)](#) (emphasis added))

A school board might choose to vote on a proposed report and notify the study committee of the result. Such a vote, however, would be advisory in nature and would not be binding. Under state law, a study committee has sole authority to create the proposed report. (16 V.S.A. §§ 706b and 706c(a)) Ultimately the final content of a study committee report is a decision for the study committee.

*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.*