

**Email from Olsen – requesting advisory opinion from AG**

**From:** Olsen, Oliver

**Sent:** Tuesday, December 28, 2021 1:12 PM

**To:** Clark, Charity <[Charity.Clark@vermont.gov](mailto:Charity.Clark@vermont.gov)>

**Cc:** Samuelson, Jennifer <[Jennifer.Samuelson@vermont.gov](mailto:Jennifer.Samuelson@vermont.gov)>; Simmons, Emily <[Emily.Simmons@vermont.gov](mailto:Emily.Simmons@vermont.gov)>

**Subject:** Request for Advisory Opinion RE: Stowe Withdrawal from LSUUSD

Hi Charity,

I am reaching out to request an Advisory Opinion from the Attorney General on the legal issues presented by Stowe's effort to withdraw from the Lamoille South Unified Union School District ("LSUUSD").

Representatives from Stowe have asked the State Board of Education ("SBE") to consider their community's request to withdraw from the LSUUSD, following a vote of the electorate in Stowe and other member communities in the LSUUSD.

Given the structure of the LSUUSD and the nature of its formation, it is unclear whether a dissolution of this district is legally permissible. More specifically, it is unclear whether the SBE has any jurisdiction over decisions related to the potential withdrawal of Stowe from the district. I have attached relevant memoranda from Agency of Education General Counsel and legal counsel for the Town of Stowe that speaks to this issue.

It would be helpful if the Attorney General can provide a formal Advisory Opinion to clarify whether this proposed withdrawal is permissible under Vermont law, and if so, whether the SBE's jurisdiction and role specified in 16 V.S.A. § 724(c) applies in this case.

Until the SBE has clear guidance that the proposed withdrawal is legally permissible and that the SBE has a role in this process, it would seem imprudent and inappropriate for the SBE to take up the matter. For that reason, I do not intend to place this matter on the SBE's agenda until there is an Advisory Opinion.

Thank you in advance for your assistance with this question.

Oliver Olsen

Chair, State Board of Education