

CHAPLIN, HAMPTON, SCOTLAND, REGION 11

LEGAL PROCESS FOR ADDING OR WITHDRAWING GRADES FROM A REGIONAL SCHOOL DISTRICT

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OBJECTIVES

- To outline the legal process to add and/or withdraw grades to a Regional School District.
- To provide a general understanding of the legal impact or status of the “Schools Working Group Study Results” Report and steps that may be taken as follow up to the Report.

ADDING OR WITHDRAWING GRADES

- The addition/withdrawal of grades to a regional school district is governed by Connecticut General Statutes 10-47b.
- The process mirrors that for dissolution of a regional school district.

ADDING OR WITHDRAWING GRADES

- Who can initiate the process for the addition/withdrawal of grades to Regional School District 11 (i.e., a regional school district which does not include all existing elementary and secondary school grades)?
 - District 11 *may* on its own, or *shall* upon the request of the Boards of Education of at least two of the Towns which comprise District 11, recommend a study of the advisability of the addition/withdrawal of grades.

ADDING OR WITHDRAWING GRADES

- How does District 11 request the study?
 - Region 11 must request the study to the Chairmen of Boards of Education of each participating Town, and the Chairmen of each of the Boards of Finance or other such fiscal authorities of each participating Town.

ADDING OR WITHDRAWING GRADES

- What is the next step after District 11 requests the study?
 - Within 30 days of receipt of the request the Chairmen of each of the Boards of Education and Boards of Finance (or fiscal authority) must appoint one member to a study committee.

ADDING OR WITHDRAWING GRADES

- The chairmen of the District 11 Board of Education must appoint three members of the Regional Board (one from each participating Town) to the study committee.
- Expenses by the committee shall be borne by District 11. The expenses shall not exceed three dollars times the number of pupils in average daily membership of such Town.

ADDING OR WITHDRAWING GRADES

- What happens after the respective chairmen make their appointments?
 - The Town Clerk of each Town shall immediately give notice of the appointments to the State Commissioner of Education.

ADDING OR WITHDRAWING GRADES

- Within 30 days of receipt of the last of such notices, the Commissioner shall appoint a consultant to the committee. The consultant shall call the first meeting of the committee within 10 days after such appointment.

ADDING OR WITHDRAWING GRADES

- What does the study committee do?
 - The committee will conduct a study into the desirability and feasibility of adding/withdrawing grades to the existing school region.
 - The committee shall, at least semiannually, make progress reports to the participating Towns and the State DOE in such manner as the committee deems suitable.

ADDING OR WITHDRAWING GRADES

- Upon completion of its study, the committee shall present a written report of its findings and recommendations to the participating towns no later than one year from the date of the first organizational meeting.
- Section 10-43 enumerates 9 categories that should be included in the written report.

ADDING OR WITHDRAWING GRADES

- What happens after the committee completes its written report?
 - If the committee recommends a plan for the addition or withdrawal of grades from the District 11, then a referendum must be held in each participating Town.

ADDING OR WITHDRAWING GRADES

- What does General Statutes § 10-45 require in regard to the referendum?
 - Upon recommendation to add grades to the region, the committee shall set the day on which the referendum shall be held simultaneously in each of the participating Towns to determine whether additional grades will be added/withdrawn from Regional School District 11.

ADDING OR WITHDRAWING GRADES

- The referendum shall be held between 45-90 days after the recommendation is made.
- The referendum vote shall ask a “yes” or “no” question in regard to the addition or withdrawal of grades to District 11. Majority rules in each individual Town.

ADDING OR WITHDRAWING GRADES

- What happens if each participating Town receives a majority vote in favor of adding or withdrawing grades?
 - The participating Towns may then implement the plan outlined in the committee report.

ADDING OR WITHDRAWING GRADES

- What happens if the majority vote in one Town is against adding or withdrawing grades?
 - If one Town votes “no”, then the addition or withdrawal of grades fails.

ADDING OR WITHDRAWING GRADES

- What happens if the addition or withdrawal of grades fails?
 - If the vote fails, District 11 may recommend a second referendum. The legislative bodies of all three Towns must approve a second referendum. As with the first referendum, majority rules in each Town, and all three Towns must vote “yes” to add or withdraw grades.

SCHOOLS WORKING GROUP STUDY

- As indicated by Milone and MacBroom, the Study was initiated by the First Selectmen of Chaplin, Hampton and Scotland to ensure sufficient and suitable educational facilities which would maintain flexibility to accommodate changes in educational policy, economic conditions and enrollment.

SCHOOLS WORKING GROUP STUDY

- The Schools Working Study Group is separate from the “study” required under 10-47b to initiate the legal process to add or withdraw grades from District 11.
- The Schools Working Study Group Results Report provides the three Towns with the opportunity – through in depth analysis - to consider changes in District 11 structure before initiating the process in 10-47b.

NEXT STEPS?

- To initiate any potential change to grades – whether adding or withdrawing – requires initiation of the process under 10-47b.
- The 10-47b process begins with District 11, on its own or upon the request of the Boards of Education of at least two of the Towns which comprise District 11, recommending a study as to the advisability of the addition/withdrawal of grades.

NEXT STEPS?

- While change cannot occur without following the 10-47b process, the in depth nature of the Schools Working Group Study and the recent nature of the data gathered for that Study, should result in more efficient or speedy 10-47b process.
- Ultimately, the decision to add or withdraw grades to District 11 will be in the hands of the voters of the individual Towns.