

## Regional School District Dissolution

By: Marybeth Sullivan, Associate Analyst  
September 18, 2017 | 2017-R-0213

### Issue

Explain (1) the effect on a regional school district when a member town dissolves itself, (2) how a regional school district could initiate the process of dissolving the district, and (3) how to reassign students after dissolution.

### Summary

State law does not address how a member town's dissolution would affect a regional school district, which consists of two or more member towns. It does, however, specify a series of steps that a regional school district must take in order to dissolve, a process that is initiated by member towns. These steps include (1) application for withdrawal, (2) appointment of a study committee, (3) completion of the committee report, (4) State Board of Education (SBE) action, and (5) local referenda. In the event that one member town of a regional school district dissolves itself, it is unclear whether this would negate the need to follow these steps in order for the regional district to also dissolve.

After a regional school district dissolves, former member towns are still obligated to provide educational services to students by designating schools that resident children must attend ([CGS §§ 10-186 & 10-220\(a\)](#)). If the towns do not wish to form local school districts individually, they have other options for assigning their students: (1) forming new regional school districts with other towns or (2) entering into cooperative arrangements with other districts to establish interdistrict attendance programs.

## **Dissolution Process**

### ***Application for Dissolution***

Individual member towns' legislative bodies must vote to apply to the regional school board to institute withdrawal from the district. For districts consisting of two towns, one member town's application is enough to trigger the dissolution process. However, for districts composed of three or more towns, an application from at least two towns is necessary for dissolution ([CGS § 10-63a](#)).

### ***Appointment of Study Committee***

Within 30 days of receiving an application, the regional school board must call for a committee to study issues relating to withdrawal or dissolution. Committee membership must include:

1. a member from the school board of each of the district's member towns, appointed by those boards (or, if a town has no school board, a member chosen by its legislative body from among town electors);
2. a member of the fiscal board of each member town;
3. two members of the regional board of education, only one of whom may be from a town making the application;
4. a member who lives outside the regional district, appointed by the education commissioner;
5. the state treasurer or her designee; and
6. an expert in municipal bonding and financing who lives outside the district, appointed by the regional board.

The education commissioner's appointee calls the first meeting. Committee members are not paid, but their expenses and the regional board's expenses in connection with the dissolution procedures must be paid by the town(s) seeking dissolution ([CGS § 10-63b](#)).

### ***Committee Operating Procedures***

At its first meeting, the study committee must elect the officers it considers necessary, who must include at least a chairperson; a secretary; and a treasurer. The secretary must keep minutes and file copies with the member towns' town clerks, and the treasurer must be bonded and receive and spend the committee's funds while keeping detailed accounts. Meetings are held at the call of the chair or as the committee determines. A majority of the membership constitutes a quorum ([CGS §§ 10-41 & 10-63b](#)).

## ***Committee Report***

Within a year, the committee must prepare a written report that includes the following:

1. a recommendation on the advisability of withdrawal or dissolution,
2. the value of the regional district's net assets,
3. an apportionment of such assets to each member town on the basis of their relative enrollments,
4. a plan for settling the district's obligations and transferring property to the member towns' school districts,
5. a timetable for dissolution and establishment of local school boards if none exist,
6. the referendum question to be determined by the respective towns (see below), and
7. any other matters the committee considers necessary ([CGS § 10-63c](#)).

## ***State Board Action and Local Referenda***

The dissolution plan must be submitted to SBE for its approval or disapproval. SBE must forward its decision to the study committee and the member towns' town clerks within 30 days. The town clerks must make copies of the committee's report and SBE's statement of decision widely available. The committee must then hold a public meeting in each town to present the plan within 30 days of receiving a copy of SBE's approval. Each member town must hold a referendum on the same day, within 45 to 90 days, to vote on whether to dissolve the district. If there is an affirmative vote in each member town, then the regional board and its member towns must cooperatively implement the dissolution plan. However, if the regional district does not maintain a high school, an affirmative vote in any one town is enough ([CGS §§ 10-63c, 10-43 & 10-45](#)).

## ***Outstanding Obligations***

Member towns remain liable for the regional school district's outstanding debt upon dissolution. The regional board and the towns involved may agree on how to repay the obligations as part of the final dissolution plan ([CGS § 10-63f](#)).

## ***Limitations on Dissolution***

A member town of a regional school district may not submit a withdrawal or dissolution application (1) within three years of the district's formation or (2) if such town has applied for withdrawal or dissolution within the previous three years ([CGS § 10-63g](#)).

## **Options for Students after Dissolution**

### ***Local School Districts***

Upon dissolution, a former member town may choose to form a local school district that consists of a single town.

### ***New Regional School Districts***

State law allows a former member town to establish a new regional school district with one or more other towns. The steps for this process are very similar to those for dissolving a regional school district. The procedure requires (1) establishment of a temporary regional school study committee, (2) coverage of committee expenses, (3) a written report of the committee's findings, (4) SBE review and approval, and (5) simultaneous referenda in each participating town ([CGS §§ 10-39 through 10-45](#)).

Some regional districts operate all the elementary and high schools for the participating towns. Others operate schools only at the high school level. The grades to be served by the regional school district are set out in the regionalization plan, and the statutes also provide a process for the addition or withdrawal of grades after a regional district has been formed ([CGS § 10-47b](#)).

### ***Cooperative Arrangements***

State law also allows local and regional boards of education to establish cooperative arrangements with one another to provide school accommodation services, programs, or activities ([CGS § 10-158a](#)). Boards must agree in writing to form such an arrangement.

Cooperative arrangements can establish a committee to supervise their programs with the committee membership determined by the agreement. The participating boards of education may give such committees extensive power, including the power to apply for and expend federal grants; to receive and disburse funds appropriated by the participating boards of education; to employ personnel; to enter into contracts; and otherwise to provide specified programs, services, and activities.

The statutes also provide for specific types of cooperative arrangements, as follows:

1. *charter schools*: any two or more boards of education cooperatively apply to the education commissioner to establish a charter school ([CGS § 10-66bb](#));
2. *interdistrict magnet schools*: cooperative arrangements are specifically authorized to operate interdistrict magnet schools and receive the interdistrict magnet school program operating grant ([CGS § 10-264l](#)); and
3. *regional agriscience centers*: boards of education may enter into agreements with one another to establish a regional agriscience center in conjunction with its regular public school system ([CGS § 10-64](#)).

MSG:cmg