

1 **BY-LAWS FOR THE SOUTHWEST VERMONT CAREER DEVELOPMENT CENTER**
2 **REGIONAL TECHNICAL SCHOOL DISTRICT BOARD OF DIRECTORS**
3

4 **ARTICLE I**
5 **NAME AND MEMBERSHIP**
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7 a. The name of the Regional Technical School District shall be the Southwest Vermont
8 Regional Technical School District.
9

10 b. The name of this Board shall be the Southwest Vermont Regional Technical School District
11 Board, hereinafter the Board. The Board shall possess all authority to make program and
12 management decisions for the technical center located in Bennington, Vermont, hereinafter the
13 CDC, and shall be the local technical educational authority for any and all purposes under state
14 and federal law.
15

16 c. As of September 16, 2002, the school districts included in this Regional Technical School
17 District and served by the Center, hereinafter the SWVRTSD, include the following: Arlington,
18 Bennington, Dorset, Manchester, North Bennington, Pownal, Readsboro, Sandgate, Searsburg,
19 Shaftsbury, Stamford, Sunderland, Woodford. The Mount Anthony Union School District shall
20 be included in the RTSD, except for voting on Directors, District Officers, or the Annual Budget.
21 The State Board of Education may from time to time change the service region served by this
22 Regional Technical School District.
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24 **ARTICLE II**
25 **POWERS AND DUTIES OF THE BOARD**
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27 In addition to the powers and duties named below, the Board shall exercise all duties and powers
28 assigned under state and federal law to a School Board or Local Educational Agency and any
29 other powers incidental thereto.
30

31 **Section 1. Goals**
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33 The Goals of the Board are those expressed in the CDC’s mission statement: “The Southwest
34 Vermont Career Development Center is committed to preparing secondary and post secondary
35 students for career and lifelong learning in a rapidly changing world.”
36

37 The Board shall work in cooperation with business and industry partners to assure a collaborative
38 approach and genuine commitment to technical education.

39 Technical education is designed to provide secondary and adult students with knowledge, skills,
40 and aptitude that will assist them in obtaining employment or further training and education upon
41 graduation. Technical education expands students’ options by:

- 42 • Testing a student’s interests.
- 43 • Providing a successful path to further education or employment.
- 44 • Broadening life-long skills.

- 1 • Providing further educational opportunities.
- 2 • Acquiring those skills which are a part of every career choice.

3

4 **Section 2. Duties**

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6 The Board shall meet periodically to carry out the following duties and any other duties
7 established by state or federal law, including the statutory responsibilities of local boards which
8 manage technical education centers. All Board meetings shall be subject to Vermont's Open
9 Meeting Law.

10

11 **a. Policy**

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13 The Board shall adopt such policies consistent with 16 V.S.A. 563.1 and that allow for a
14 cooperative relationship with all the participating schools, including currently existing and
15 relevant policies adopted previously by the MAU Board of Directors. The Board shall adopt
16 such other new educational and other policies pertaining to the operations of the SWV Regional
17 Technical School District as seem advisable and in keeping with the purposes of the RTSD, and
18 as required by state and federal law. The Board shall possess the authority to amend its policies
19 from time to time.

20

21 **b. Program**

22

- 23 1. The Board shall establish the secondary and adult curriculum of the CDC including the
24 technical courses and programs offered.
- 25
- 26 2. Whenever advantageous to the service region, the Board shall provide for the
27 decentralization of the CDC programs, including the creation of satellite programs.
- 28
- 29 3. The Board shall evaluate the success of the CDC in serving all parts of its service area and in
30 offering useful adult training and educational programs.
- 31
- 32 4. The Board shall evaluate the quality of each course and program offered by the CDC.
- 33
- 34 5. The Board shall coordinate the CDC's activities with other state programs, including
35 licensing, job training, and apprenticeship programs.
- 36
- 37 6. The Board shall create and offer programs designed to acquaint prospective students with
38 CDC programs and courses.

39

40 **c. Personnel and Collective Bargaining**

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- 42 1. The Board shall employ a Director of the CDC. Upon recommendation of the Director, the
43 Board shall employ all the faculty, administration and staff required to provide the approved
44 program of the CDC.

1
2 2. The Board shall be subject to all collective bargaining agreements established for teachers,
3 administration and support staff and shall abide by any applicable labor laws.
4

5 **d. Finance**
6

7 1. The Board shall propose the annual operating budget of the CDC for approval by the voters of
8 the Southwest Vermont Regional Technical School District.
9

10 2. The Board shall announce the annual cost per pupil and respective school tuition.
11

12 3. The Board shall approve the application of any grants submitted for the operation of the CDC.
13

14 4. The Board shall provide at the expense of the Regional Technical School District, all
15 textbooks, learning materials, equipment, and supplies.
16

17 5. The Board shall establish salaries of the following District officers: the Moderator, Clerk,
18 and Treasurer of the Regional Technical School District. The compensation for Directors shall
19 be established by a vote of the electorate of the Regional Technical School District.
20

21 6. The Board shall establish a system of accounting for the funds received and expenditures made
22 by the Regional Technical School District and make provisions for an annual audit by a public
23 accountant of the financial statements of the District, in accordance with state law. The Board
24 shall report annually to the member school districts a summary of the financial operations of the
25 school district for the preceding school year.
26

27 **e. Facilities and Land**

28 The Board shall lease the current CDC facility and fixtures, located at 321 Park Street,
29 Bennington, VT., and, in accordance with the terms of the lease, shall have authority to make
30 any construction recommendations to the Regional Technical School District electorate in
31 accordance with the laws of the State of Vermont. The Mount Anthony Union School District
32 shall retain title in the land upon which the current facility is built. If the current facility is
33 expanded, ownership any newly constructed property will be negotiated between the
34 SWVRTSD and the MAU School District.
35

36 **f. Hearings**
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38 The Board shall act as a hearing authority for all matters appropriately before it.
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41 **ARTICLE III.**
42 **REGIONAL BOARD MEMBERSHIP**
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44 **Section 1. Composition of the SWV Regional Technical School District Board**

Directors shall be elected by the voters of the SWVRTSD at the district's annual meeting to be held on the first Tuesday after the first Monday of March. Election of all Directors will take place by Australian ballot at each of the member town school districts and the results of the vote will not be commingled prior to counting the ballots. Voting results will be reported to the Regional Technical School District Clerk by the member town school district clerks. The voting results will be reported to the Interim Regional Technical School District Clerk during the first year of voting only.

Section 2. Selection of Board Members

- a. Candidates for Directors shall be nominated by the Nominations Committee of the Board in consultation with the regional local school boards, the Bennington County School and Workforce Partnership (the regional Workforce Investment Board), other affected Workforce Investment Boards, the Bennington County Industrial Corporation (the regional economic development corporation), and other organizations representative of the interests of trade, business, industry and labor, which it may deem appropriate. Every effort should be made to create a Board fully representative of the service region of the Technical School District.
- b. Any registered voter within the RTSD may place his or her name on the ballot by filing with the clerk of the RTSD ~~a statement of nominations signed by at least 30 voters in the RTSD or one percent of the legal voters in the RTSD, whichever is less and accepted in writing by the nominee, not less than 30 nor more than 40 days prior to the date of the vote~~ *no later than 5:00 p.m. on the sixth Monday preceding the day of the election, a statement of nominations signed by at least 30 voters of the RTSD and accepted in writing by the nominee.* 1
- c. The candidates for Director shall be elected to the then vacant positions on the Board. For example, if three seats are open, the three candidates receiving the three largest vote totals throughout the RTSD shall be elected to those seats.
- d. In the event of a tie which, if unbroken, will result in more directors being elected than the Regional Governing Board is entitled to have, the then sitting Board membership shall cast one vote for one of the candidates tied, and so create a plurality for that candidate.
- e. Ballots will not be commingled, and results reported by each town to the Technical School District Clerk. The results of the voting for the first slate of Directors shall be reported by each member town to the interim Regional Technical School District Clerk.
- f. The Clerk, Moderator, and Treasurer of the Regional Technical School District shall be elected for a three-year term by the majority vote of the voters by Australian ballot in the Regional Technical School District after nomination by the Board's Nominations Committee and

□ Amended 12/22/03

in the same manner and time that Regional Governing Board Directors are elected.

Section 3. Terms of Office

After an initial period when terms shall be staggered as described in the Governance Planning Committee Report, all terms of the Board of Directors shall be 3 years.

Section 4. Voting Rights

Each member of the Board shall be entitled to one vote and may cast that vote on each matter submitted to a vote of the Board. Proxy voting and absentee voting shall not be permitted.

Section 5. Termination of Membership

A member shall no longer be eligible to serve as a Director should he/she cease to be a resident of the area served by the RTSD.

Section 6. Transfer of Membership

Membership in the Board is not transferable or assignable.

Section 7. Resignation

Any member may resign by filing a written resignation with the chairperson of the Board.

Section 8. Vacancy

Any vacancy on the Board shall be filled by the Board within 30 days of receiving notice of the vacancy, by a majority vote of all remaining directors until an election at a special or annual meeting is held. Appointment should be made after consultation and in cooperation with organizations mentioned in Section 2 a. above.

Section 9. Compensation

Directors of the Board shall receive compensation established by a vote of the electorate of the Regional Technical School District.

Section 10. Transition

If formation of the SWVRTSD is approved by the voters, the CDC Regional Governing

Board ,
hereinafter, CDCRGB, shall remain in existence and shall:

- a. Conduct itself in the manner provided for and exercise all authority granted to the SWVRTSD Board under this Report and the laws applicable to a Regional Technical Center School District.
- b. Warn and hold the first annual meeting of the SWVRTSD on the first Tuesday following the first Monday in March in the year following formation of the district.
- c. During the 2002-2003 school year, the Mt. Anthony Union [MAU] Board and CDCRGB agree to a process of mutual consultation prior to taking personnel actions which might impact the statutory or contractual rights of CDC employees. Nothing in this agreement will adversely affect such rights of employees or the authority of the MAU Board to hear employee appeals and take final action as provided by law and contract.
- d. During the 2002-2003 school year, the CDCRGB will develop a proposed budget for the 2003 - 2004 school year, giving due consideration to the recommendations and guidelines of the MAU Board and anticipated changes in enrollment. Such recommendations and guidelines shall be provided the CDCRGB no later than November 30, 2002. In any event, the MAU Board must approve any proposed budget for warning before a public vote. In the event of a disagreement regarding the proposed CDC budget, the CDCRGB and MAU Board of Directors agree to follow the process set forth in 16 V.S.A. §1541(b).
- e. During the school year 2002-2003, the CDCRGB will continue to coordinate policies with the MAU Policy Committee except where otherwise required by state law and regulation.
- f. If formation of the SWVRTSD is approved by the voters, the duly elected clerk, treasurer and moderator of the Mount Anthony Union School District shall be the interim clerk, treasurer and moderator of the SWVRTSD until their successors are elected and take office following the district's first annual meeting.

ARTICLE IV BOARD OFFICERS

Section 1. Officers

There shall be three (3) officers of the Board; a chairperson, vice-chairperson, and secretary. The Board may create other offices from time to time as the Board may deem desirable.

Section 2. Election and Term of Office

The officers of the Board shall be elected annually at the meeting of the Board which immediately follows the election of Board members each year. Officers shall serve for one year or until a successor has been elected and named.

Section 3. Removal

Any officer elected or appointed by the Board may be removed from office by a two-thirds vote of all members sitting on the Board whenever, in the judgment of the Board, the best interests of the Board would be served thereby.

Section 4. Vacancy

The vice chairperson shall succeed the chairperson in the event of a vacancy. All other vacancies in an office because of death, resignation, removal, disqualification from the Board, or otherwise, shall be filled by the vote of the Board.

Section 5. Chairperson

The chairperson shall preside at all the meetings of the Board, and may sign all letters, reports, and other communications of the Board. In addition, he/she shall perform all duties incident to the office of chairperson and such other duties as from time to time may be assigned to him/her by the Board.

Section 6. Vice Chairperson

The Vice Chairperson shall act in the absence of the chairperson and shall fill the position of chairperson should that position become vacant. [see sec. 4, above]

Section 7. Secretary

- a. The secretary shall cause true and correct minutes of the meetings, both regular and special, of the Board to be kept, and shall promptly transmit true and correct copies to each of the members, and to such other persons as the Board may deem.
- b. Except as otherwise provided by the Clerk of the RTSD, the secretary shall see that all notices are duly given in accordance with the provisions of these by-laws and the laws of the State of Vermont and the United States.
- c. The secretary shall act as the custodian of the Board's records.
- d. The secretary shall keep a register of the address and telephone numbers of each member of the Board which shall be furnished to the secretary by such members at the first meeting held after the annual election of members.

e. The secretary shall perform all duties incident to the office of recorder and such other duties as from time to time may be assigned to the office by the chairperson or by the Board as a whole.

ARTICLE V BOARD COMMITTEES

Section 1. Standing and Special Committees

There shall be a Nominations Committee of the Board. The Board may, from time to time, establish and abolish such other standing or special committees as it may from time to time, deem necessary for the fulfillment of the purposes of the Center. Each member of every standing or special committee, except the Nominations Committee, shall be a member of the Board.

Section 2. Nominations Committee

The Nominations Committee shall be comprised of at least two but not more than three board members whose term does not expire for at least one year, and at least one but no more than two interested residents of the service region. The Nominations Committee shall seek nominations for candidates for board membership from the regional school boards, from local business and industry organizations such as the Bennington County Industrial Commission, from the local School and Workforce Partnership, from Higher Education, and from the public. The Nominations Committee shall also nominate District Officers for election by the voters of the Regional Technical School District.

Section 3. Membership on Committees

Unless otherwise determined by the Board in its decision to establish a committee, and except for the Nominations Committee which shall require an affirmative vote of a majority of the Regional Governing Board, present and voting; the Chairperson of the Board shall appoint all members to the various committees.

Section 4. Term of Office

The term for each committee member shall be from organizational meeting to organizational meeting of the Board. Each member of a committee shall continue as such for the term of his/her appointment or until his/her successor is appointed, unless the committee shall be sooner terminated or abolished.

Section 5. Rules

Each committee may adopt rules for its own operation not inconsistent with these by-laws or with rules adopted by the Board, or the laws and regulations of the State of Vermont.

Committees shall conduct all business in accordance with Vermont's Open Meeting Law, 1 V.S.A. 310 et. seq.

Section 6. Quorum

Unless otherwise provided in the decision of the Board designating a committee, a majority of the committee shall constitute a quorum and an act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

Section 7. Vacancy

A vacancy in the membership of any committee may be filled by an appointment made in the same manner as provided in the case of the original appointment to the committee.

ARTICLE VI MEETINGS OF THE BOARD

Section 1. Regular meetings

The Board shall meet at least once a month with additional meetings as required. The Board shall conduct all business in accordance with Vermont's Open Meeting Law, 1 V.S.A. 310 et seq..

Section 2. Special Meetings

Special meetings may be called by the chairperson or by a majority vote of the Board.

Section 3. Place of Meetings

The Board shall hold its meetings at such places as announced by the Chairperson or agreed to by a majority of the Board.

Section 4. Notice of Meetings

a. Notice of meetings, both regular and special, shall be given in writing to all members of the Board, stating the day, hour and location of the meeting, and describing the items to be considered and discussed at the meetings.

b. All meetings shall may be warned to the public of the service area described in Article 1 of these by-laws stating the day, hour, and location of the meeting, and describing the items to be considered and discussed at the meetings.

Section 5. Quorum of the Board

The presence of at least fifty-one percent [51%] of the members shall be required in order to constitute a quorum necessary for the transaction of the business of the Board. No decision of the Board shall be valid unless a majority of the members of the Board then present concur therein by their votes.

Section 6. Conduct of Meetings

All regular and special meetings of the Board shall be conducted in accordance with Roberts Rules of Order.

Section 7. Meetings open to the Public

All regular and special meetings of the Board and its standing or special committees shall comply with Vermont's Open Meeting Law.

ARTICLE VII ACQUISITION OF SUPERVISORY UNION SERVICES

The Board may contract for services with a Supervisory Union for the purposes of supervision of the Director of the Center, provision of special education services, provision of financial management services, contract negotiations, and other such supervisory services which the Board may deem advisable or are required by the laws or regulations of the State of Vermont. The Board may hire such staff as are required for the effective operation of the Regional Technical School District, including a Superintendent.

ARTICLE VIII BUDGET

The annual budget of the RTSD shall be prepared by the finance committee of the Board for the Board's recommendation to the voters of the Regional Technical School District voting on a date set for that purpose by the Board. Voting for the RTSD recommended budget shall be by Australian ballot at the date of the RTSD's Annual meeting, at the member school districts' regular polling places, and all votes cast shall not be commingled. Vote totals shall be reported by member school district clerks to the RTSD's clerk.

ARTICLE IX AMENDMENTS

The governance plan and by-laws of the SWVRTSD may be amended by a two-thirds (2/3) majority vote of the entire Board of Directors present and voting at a meeting appropriately called and warned for that purpose. However, to dissolve the governance structure or to amend the method of adopting the annual budget of the SWVRTSD as described in the By-Laws, a majority vote of the voters of the SWV Regional Technical

School District at an annual or special meeting duly warned for that purpose is required.

**ARTICLE X
DURATION**

These By-Laws will remain in effect until they are superceded by the adoption of new by-laws as provided for in Article IX, until the dissolution of the Southwest Vermont Regional Technical School District, or until superceded by applicable State or Federal law.