

## SCHOOL COMMITTEE BYLAWS

### ARTICLE I: THE DISTRICT

#### Section 1. The Name

The name of the District shall be "Minuteman Regional Vocational Technical School District" and the name of the district committee shall be "Minuteman Regional Vocational Technical School District Committee" herein after respectively referred to as the "District" and the "Committee."

The name "Minuteman" or a similar descriptive term may be used to describe the school in general information publications, correspondence, and otherwise.

#### Section 2: The Agreement

The basic agreement by and among the member towns, entitled "Agreement with respect to the establishment of a technical and vocational regional school district" and any lawful amendments thereto, (collectively, "Agreement") are hereby incorporated herein and made a part of these bylaws.

Should there be any conflict between the various articles and sections of these bylaws and the various provisions of the Regional District Agreement, the provision of said Agreement shall prevail.

In the event of any conflict between these provisions and the Massachusetts General Laws, the General Laws shall prevail.

#### Section 3. Seal

The seal of the District shall bear the name of the District and the year of its organization and shall otherwise be in such form as shall be approved by vote of the Committee.

### ARTICLE II: OBJECT

The purpose of the Minuteman Regional Vocational Technical School District is to operate a technical and vocational high school consisting of grades nine through twelve inclusive. (*District Agreement*)

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*First reading:*

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### **ARTICLE III: DUTIES AND POWERS:**

Section 1: The Committee shall have all the duties and powers as provided by law.

Section 2: The Committee shall have the power to select and terminate the superintendent, shall review and approve budgets for public education in the District and shall establish educational goals and policies for the school consistent with the requirements of law and statewide goals and standards established by the Board of Elementary and Secondary Education (M.G.L. 71:37)

Section 3: The Committee may award a contract to a superintendent of schools and a school business administrator for periods not exceeding six years which may provide for the salary, fringe benefits, and other conditions of employment, including but not limited to, severance pay, relocation expenses, reimbursement for expenses incurred in the performance of duties or office, liability insurance, and leave for said superintendent or school business administrator. (M.G.L. 71:41)

Nothing in this section shall be construed to prevent the Committee from voting to employ a superintendent of schools who has completed three or more years' service to serve at its discretion.

Section 4: Upon the recommendation of the superintendent, the committee shall appoint and set compensation for an administrator of special education, school physicians and registered nurses (unless employees of the Board of Health), and supervisors of attendance. Consent to hiring based on the superintendent's recommendation should not be unreasonably withheld.

Section 5: Upon the recommendation of the superintendent, the Committee may also establish and appoint positions of assistant or associate superintendents, who shall report to the superintendent, and the school committee shall fix the compensation paid to such assistant or associate superintendents. The school committee shall approve or disapprove the hiring of said positions. Such approval by the school committee of the recommendation shall not be unreasonably withheld; provided, however, that upon the request of the superintendent the school committee shall provide an explanation of disapproval. (M.G.L. 71:59)

### **ARTICLE IV: MEMBERS**

The members of the Committee shall be appointed by the town moderator of their community, each to serve a term of three years from the date specified by the Regional Agreement. The members may only vote on motions before the Committee after they have been sworn in by their town clerk.

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The members are not compensated for their work on the Committee, but they may be reimbursed for travel expenses incurred for Committee work if pre-approved by the chairperson of the Committee.

If a member is absent for four of the meetings of the Committee in any fiscal year, the Committee may choose to contact the moderator of the appointing town and request a replacement.

If a member resigns or otherwise vacates their position prior to the expiration of their term, the superintendent of the District or the chairperson of the Committee will notify the moderator of the appointing community within seven business days. The Moderator of the appointing community must appoint a replacement. The moderator of the appointing community will be given a copy of a Committee "Job Description" describing the recommended qualifications for the appointment, written notification their community is temporarily without representation in the oversight of the District until the vacancy is filled, and a written request to appoint a replacement within 30 business days. If the moderator fails to appoint a replacement within 30 business days, the chairperson will contact the moderator once. If an appointment is not made within a new 30 business-day period, the chairperson will contact the town manager/administrator of the appointing community apprising him/her of the need for the town to appoint a replacement.

## **ARTICLE V: OFFICERS**

### **Section 1. Election or Appointment**

At the Annual Meeting in July of each year, presided over by the superintendent or another person who is not a member of the Committee, the Committee shall organize and elect by ballot (*Note: ballot is required by 71:16A, and by Amendment 3 of the Regional Agreement*) a chairperson and vice chairperson from among its membership. The Committee shall also appoint a Secretary and hire a treasurer who need not be members of the Committee. In keeping with the Chapter 71: Section 16A, in no case shall the business manager serve as the treasurer or assistant treasurer. All officers shall hold office until the next annual meeting when the next election will be held and appointments made.

### **Section 2. Chairperson**

The chairperson shall preside at all Committee meetings and shall perform such other duties as may be delegated to him or her by the Committee.

The duties of the chairperson shall be:

- a. To call each meeting to order at the appropriate time.

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- b. To preside at all meetings. "Presiding" includes: announcing the order of business; stating and putting to a vote all questions regularly moved; appointing subcommittee chairpersons; charging subcommittees with their duties; allowing for adequate discussion and debate on all matters which properly come before the Committee; enforcing the observance of order and procedure; announcing the result of any vote taken; and, subject to appeal, deciding all questions of order and procedure.
- c. To represent and stand for the Committee, declaring its will and obeying its decisions.
- d. To have final approval of items to be placed on the Committee agenda.
- e. To sign contracts and instruments, the execution of which have been authorized by the Committee.
- f. To vote on all budgetary matters, but may choose to abstain on other matters except to break a tie.

### Section 3. Vice-Chairperson

The vice-chairperson shall exercise the powers and perform the duties of the chairperson in the absence or incapacity of the chairperson.

### Section 4. Temporary Chairperson

If both the chairperson and vice-chairperson are absent or unable to perform their duties, the Committee shall appoint a temporary chairperson to preside and to perform such other duties of the chairperson as may specifically be delegated by the Committee. The secretary of the Committee will first preside at the meeting to appoint a temporary chairperson and then step aside.

### Section 5. Secretary

The secretary shall keep or cause to be kept the minutes of the proceedings of the Committee. The secretary shall review the draft minutes of the proceedings of the Committee in advance of the Committee's next meeting and make all necessary revisions. The secretary may delegate any or all of the following duties of secretary to the assistant secretary or clerk, who may be an employee of the District.

- a. official custodianship of the district seal, and all records of the District and the treasurer's bond.
- b. submission of an annual report to the Selectmen of the member towns in sufficient time for printing in the annual reports of the member towns and for inclusion in electronic documents.

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### Section 5A. Assistant Secretary or Clerk

The Committee may appoint an assistant secretary or clerk who need not be a member of the Committee, may be an employee of the District, and who shall, in the absence of the secretary, perform his/her duties and shall be subject to applicable requirements and penalties.

### Section 6. Temporary Secretary

If the office of secretary is vacant or if the secretary is absent or unable to perform his/her duties because of disability, the Committee may appoint a temporary secretary to hold such office and exercise the powers and perform the duties thereof until a secretary is duly appointed or the secretary who was disabled or absent resumes work.

### Section 7. Treasurer

The treasurer shall receive all moneys paid to the District or the Committee, and shall deposit the same in such banks as the Committee shall designate (*note that the original bylaws allowed the treasurer to choose the bank*). He/she shall also pay out money in such amounts as have been approved by the Committee, provided that he/she shall pay no money from the treasury, other than court judgments, bonds, or notes which may become due and interest thereon, except upon an order or warrants signed by at least three members of the Committee or a warrant subcommittee so designated by the majority. He/she shall render reports of all receipts and disbursements, and of all bank account statements, quarterly unless otherwise directed by the Committee, and shall perform such other duties as the Committee may determine.

The treasurer shall give bond for the faithful performance of his/her duties in accordance with law, in such amount as may be required by law and such additional amount, if any, as the Committee shall direct, the premium of such bond to be paid as an operating expense from the funds of the District.

The treasurer and assistant treasurer shall be subject to the provisions of Chapter 71: Section 16A and sections thirty-five, fifty-two, and one hundred and nine A of Chapter 41, to the extent applicable and any other provisions of the General Laws that apply.

The treasurer will be paid a stipend to be determined by the Committee. There will be no benefits associated with the stipend.

### Section 8. Assistant Treasurer

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The Committee may appoint an assistant treasurer who need not be a member of the Committee and who shall, in the absence of the treasurer, perform his/her duties and shall be subject to the requirements and penalties applicable to him/her.

The assistant treasurer will be paid a stipend to be determined by the Committee. There will be no benefits associated with the stipend.

#### Section 9. Vacancies

A vacancy caused by the death or resignation of an officer may be filled by the Committee at any time in the same manner as is provided in Section 1 of this Article.

### **ARTICLE VI: MEETINGS**

#### Section 1. Annual Meetings

The annual meeting of the Committee shall be held at the first regular meeting of the Committee held in the month of July of each year for the purpose of electing officers and conducting such other business as may come before the meeting.

The members shall be called together at the annual meeting by the presiding chairperson (typically the superintendent or another person who is not a member of the Committee). The presiding chairperson shall accept nominations for chairperson of the Committee and turn the meeting over to the newly elected chairperson after the election has been held. The newly elected chairperson shall preside over the election of other officers.

The chairperson shall appoint subcommittee and subcommittee chairs subject to the approval of the full Committee.

#### Section 2. Regular Meetings

Regular meetings of the Committee shall be held at least monthly, except in August, at the Minuteman Regional Vocational Technical School at 7:00 p.m. or as may from time to time be determined by vote of the Committee, provided that notice of any change in the date, time or place of regular meetings shall be communicated by the secretary to any members of the Committee who may have been absent from the meeting at which such change was made. All meetings shall be posted in accordance with the Open Meeting Law (so called) Chapter 39: Section 23B.

Except in an emergency, a notice of every meeting of the Committee shall be filed as directed by the secretary of the Committee with the clerk of each city or town within the district at least

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forty-eight hours, excluding Saturdays, Sundays and legal holidays, prior to such meeting, pursuant to the applicable laws of the Commonwealth. Meetings shall not extend beyond 10:00 PM unless two-thirds of the Committee present votes to extend the meeting for thirty minutes. Subsequent thirty-minute extensions shall be voted by two-thirds of the Committee present. The vote to extend the meeting is not debatable.

The general public will be notified through local media and on the official website of the District of the cancellation of any meeting due to weather conditions or any unforeseen circumstances. Attempts will be made to contact all members by telephone or via electronic communications.

### Section 3. Special Meetings

The chairperson has the authority to call a special meeting, if he/she deems it expedient. The chairperson or the superintendent shall call a special meeting of the Committee, upon written request of one-third (rounded down) of the sworn members of the Committee. The notice of a special meeting shall be in writing, shall state the time, place, and purpose of the meeting and shall be posted and given to each member of the Committee either by delivering a copy thereof to such member in hand or via electronic communication, or by leaving the same at his/her home address at least twenty-four hours before the time of the meeting or by mailing postage prepaid a copy thereof addressed to the member at his/her business or home address not later than forty-eight hours (exclusive of Sundays and legal holidays) preceding the day on which such special meeting is to be held. At such special meeting no business shall be considered other than that designated in the notice.

### Section 4: Emergency Meetings

An emergency meeting of the Committee or any of its subcommittees may be called by the superintendent and/or the chair for a sudden, generally unexpected occurrence or set of circumstances demanding immediate attention (M.G.L. 39:23A).

### Section 5. Quorum

A quorum for the transaction of business shall be a majority of the sworn- in membership of the Committee. If a seat is vacant and has not been filled by the member town, that seat shall not count in determining the quorum. When a quorum is in attendance, action may be taken by a majority of the members present.

### Section 6. Executive Sessions

Closed executive sessions may be held at any time for any purpose permitted by law upon vote of a majority of the members present; otherwise all meetings shall be open to the public in accordance with Chapter 39, section 23B (Open Meeting Law).

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## ARTICLE VII: COMMITTEES

### Section 1. Subcommittees

(a) Subcommittees may be established by the Committee at any time to carry out a specified task or function and report thereon periodically to the Committee. Each subcommittee shall be discharged upon completion of its assigned task and, in any event, at the annual meeting next following its establishment, unless the Committee at that time votes to continue its existence.

(b) Process for the establishment of subcommittees: The chairperson of the Committee shall appoint all subcommittees, subject to approval by the full Committee, and may serve as ex officio member of all subcommittees, except when otherwise directed by the Committee.

(c) The committee may establish a warrant subcommittee of no less than three members for the purpose of signing payroll warrants and accounts payable warrants to allow for the release of checks; provided, however, that such subcommittee shall make available to the committee at the next meeting, a record of such actions of such subcommittee.

(d) A subcommittee shall make recommendations to the Committee, but shall not make decisions on behalf of the Committee.

### Section 2. School Building Committee

The Committee may appoint a school building committee which shall have such powers and duties relative to the construction, reconstruction, remodeling, repair, expansion or equipping of school buildings or facilities as the committee determines. The school building committee will be composed of persons from a representative sample of member communities and shall include persons whose expertise may include but not be limited to construction, finance and large project management. Members of the school building committee are subject to all Massachusetts General Laws relating to conflict of interest.

## ARTICLE VIII: PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Committee in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Committee may adopt.

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In accordance with Roberts Rules, the Committee may also suspend parliamentary rules of order by a two-thirds vote.

## **ARTICLE IX: FINANCIAL**

### **Section 1. Annual Audit**

The Committee shall solicit proposals and contract with an independent certified public accountant to perform an annual financial audit and make management recommendations, and shall receive the audit report in public session. Copies of the audit shall be provided within ten days to the director of accounts and to the board of selectmen, town manager, mayor or city manager, as the case may be, in each member municipality.

The committee may choose to require an audit of any or all of the accounts maintained which are part of the regional school district budget, are associated with any capital projects of the district, or which pertain to any entities which are operated by school district personnel using district owned property or equipment, including but not limited to community education, Adult education, retail establishments operated as educational projects, or rental properties.

## **ARTICLE X: LEGAL**

### **Section 1. Selection of Counsel**

The Committee shall annually appoint legal counsel to address issues determined by the Committee. See also BDG.

## **ARTICLE XI OTHER RULES AND AMENDMENTS**

### **Section 1. Amendments**

These bylaws may be amended by a vote of a super-majority (2/3) of the Committee at a regular meeting of the Committee, provided notice in writing of the particular change proposed has been mailed postage prepaid to each member at least five days prior to the regular meeting at which the proposed amendment is to be acted upon. This requirement to notify members by mail of a proposed change in the Bylaws shall not apply if all members of the Committee are present at the meeting when the change is proposed.

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An amendment to the bylaws goes into effect immediately upon its adoption, unless the motion to adopt specifies another time for it to become effective, or the Committee has set such a time by a previously adopted motion.

### Section 3. Repeal

The repeal of a bylaw shall not thereby have the effect of reviving any bylaw heretofore repealed.

### Section 4. Validity

If any article or section of any articles of these bylaws is declared unconstitutional or illegal by any court, or is disapproved by any state authority having jurisdiction, the validity of the remaining provisions of these bylaws shall not be affected thereby.

The foregoing bylaws were adopted unanimously at the regular meeting of the Minuteman Regional Vocational Technical School District Committee duly called and held Tuesday, May 18, 1971. They were revised by unanimous vote at the regular meetings on June 7, 1988, August 23, 1988 and April 27, 2010. They were revised May 25, 2010. Language related to election of officers was moved to Policy BDA, as approved on March 12, 2013, and these bylaws were revised and approved again on June 18, 2013.

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