

SILVER LAKE REGIONAL SCHOOL DISTRICT AGREEMENT

*AMMENDED AND APPROVED BY VOTE OF THE REGIONAL SCHOOL  
COMMITTEE ON SEPTEMBER 13, 2001*

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# AGREEMENT FOR REGIONAL SCHOOL DISTRICT

## FOR THE THREE TOWNS OF

### HALIFAX, KINGSTON AND PLYMPTON

#### I. REGIONAL SCHOOL DISTRICT

##### 1. Establishment

(amended 2001)

- a. The Towns of Halifax, Kingston, Pembroke and Plympton in the Commonwealth of Massachusetts, pursuant to the provisions of Section 14 of Chapter 71 of the General Laws, voted at their respective annual town meetings in 1951 for the appointment of three members from each town to a Regional School District Planning Board. The duty of this Board was to consider the advisability of establishing a Regional School District as provided in Chapter 71, Section 14 through 16I, inclusive of the General Laws as amended.
- b. At their respective Town Meetings in 1952, voters in each of the four Towns accepted the recommendations of the Planning Board and voted to establish a Regional School District and adopted the Regional School District Agreement as submitted to them.
- c. At their respective annual Town Meetings in 2001, the voters of the four Towns voted to authorize Pembroke's withdrawal from the Regional School District and at Special Town Meetings in the fall of 2001, voted to adopt the following amended Agreement, which had been approved by the Emergency Finance Board and the Department of Education of the Commonwealth of Massachusetts.

##### 2. Admission of Additional Towns to the Regional School District

(amended 1965)

- a. The newly admitted town shall pay to the District its share as determined in Section IV, paragraph 1a, of the funded indebtedness already retired. Said petitioning town shall become a Member Town if the proposed amendment is approved by the Committee and accepted by the petitioning town and each Member Town, and provided further that the petitioning town shall also accept the Agreement with any amendments thereto, and acceptance by the petitioning town and by the Member Towns to be by majority vote at an annual or special town meeting.

(amended 1959 &  
1965)

- b. Upon admission of a town to the District, assessments levied against the Member Towns by the District to meet capital costs as defined in Section IV, paragraph 1a, shall be reapportioned, the terms of reapportionment to be stipulated in the amendment to the Agreement by which the town is admitted to the District.

(amended 1959 &  
2001)

- c. The newly admitted town shall pay to the District its share, as determined in Section IV, paragraphs 1a and 1c, of the funded indebtedness already retired. For the purpose of this calculation such retired indebtedness shall be considered as the difference between (1) the original plus any subsequent capital costs, exclusive of interest and the total state construction grant, depreciated at the rate of 2 per cent per year, and (2) that part of capital costs as yet unpaid less that part of the state construction grant not yet received. Such share shall be paid in equal installments not later than July 15<sup>th</sup>, October 15<sup>th</sup>, January 15<sup>th</sup>, and March 15<sup>th</sup>, in each year during the remaining period of indebtedness. Payments thus made shall be credited to the other towns comprising the District in amounts proportionate to the share of capital costs each has paid in the past.
- d. If no funded indebtedness exists, the newly admitted town shall nevertheless assume liability for its share of past funded indebtedness which shall be computed in the manner described above in Section I, 2c and paid directly to the other towns then comprising the District in the proportion due each, payments to be made in ten equal annual installments.

### 3. Withdrawal of a Town from the Regional School District

- a. Any Member Town may petition to withdraw from the District under terms stipulated in a proposed amendment to the Agreement provided (1) that such withdrawal is approved by the State Department of Education and the Emergency Finance Board, and (2) that the town seeking to withdraw has paid over to the District any operating costs for which it became liable as a member of the District, and (3) that said town shall remain liable to the District for its share of the indebtedness of the District outstanding at the time of such withdrawal, and for interest thereon, to the same extent and in the same manner as though the town had not withdrawn from the District, except that such liability shall be reduced by any amount which such town has paid over at the time of withdrawal and which has been applied to the payment to such indebtedness or interest.

(amended 2001)

b. The Town petitioning to withdraw shall deposit with the Regional School District a Bond equal to one percent of the latest annual gross operating budget of the Region. This Bond shall be retained by the Region should the petitioning Town fail to vote to withdraw.

(amended 2001)

c. Said petitioning town shall cease to be a Member Town if and when the proposed amendment is approved by the School Committee and accepted by the petitioning town and each of the other Member Towns, acceptance by the petitioning town and by the other Member Towns to be by majority vote at an annual or special Town Meeting.

d. Money received by the District from the withdrawing Town for payment of funded indebtedness or interest thereon shall be used for this purpose only.

(amended 2001)

e. Matters involving the transition of staff and/or students, interim housing arrangements, transfer of assets, and on-going liabilities and expenses shall be part of a separate Agreement between the Region and the withdrawing Town.

## II. REGIONAL DISTRICT SCHOOL COMMITTEE

### 1. Composition

(amended 1953 &  
2001)

The Committee shall consist of nine members, three of whom shall be elected from the Town of Halifax, four of whom shall be elected from the Town of Kingston and two of whom shall be elected from the Town of Plympton.

### 2. Weighted Voting

(amended 1992 &  
2001)

For purposes of voting on matters properly before the Committee, Committee members from the towns of Halifax, Kingston and Plympton shall have their recorded votes weighted to insure compliance with equal apportionment principles. The weighted vote of each Committee member shall be established every ten years according to the Federal Census. The exact percentages would be converted into a specific number of votes per Committee member. Based on the 2000 Federal Census, each Halifax member will have 2 votes, each Kingston member will have 2 votes, and each Plympton member will have 1 vote.

### 3. Selection

Committee members shall be elected at the respective annual Town Meetings of the member towns.

### 4. Terms of Office

(amended 1968,  
1977, 2001)

Members shall be elected for a term of three years. All terms of office shall commence on June first.

### 5. Vacancies

Any vacancy occurring among the members shall be filled by the Selectmen and the remaining members of the School Committee of the Town in which the member was elected, with the member so appointed to serve until June 1<sup>st</sup> following the next annual meeting of such Town. If the unexpired term of the former member extends beyond such June 1<sup>st</sup> meeting, a new member shall be elected at the Town's annual election to fill the unexpired term.

### 6. Organization

(amended 2001)

At the regular School Committee Meeting following June 1st, the Committee shall organize and elect a Chairman from its own membership. The Committee shall also elect such other officers as it deems advisable, determine the terms of office and prescribe the powers and duties of any of its officers, fix the time and place for its regular meetings, and provide for the calling of Special Meetings.

### 7. Powers and Duties

- a. The Regional District School Committee shall have all the powers conferred, and all the duties imposed, by Sections 16 to 161, inclusive, of Chapter 71 of the General Laws, and any amendments thereto, and all the powers and duties conferred and imposed upon school committees by law, the same to be exercised for and on behalf of the Regional District.
- b. The Regional District School Committee, for and on behalf of the District, shall establish and maintain within the District a Central Office for the transaction of its business, the place to be determined by the Committee; and the Committee shall have the power to equip said Central Office and to purchase such supplies as may be required in the transaction of the business of the District.

- c. The Regional District School Committee shall have authority to act on any and all matters, not inconsistent with existing laws, which may seem advisable.

### III. REGIONAL DISTRICT SCHOOL SYSTEM

#### 1. Type

(amended 2001)

The Regional School District shall be a secondary school system for Grades VII – XII inclusive.

#### 2. Location

(amended 2001)

All Regional Schools shall be located within the Region.

#### 3. Transportation

(amended 1973 & 2001)

School transportation shall be provided by the Regional School District, and the cost thereof shall be apportioned to the Member Towns as an operating cost.

### IV. REGIONAL SCHOOL DISTRICT FINANCES

#### 1. Method of Apportioning Capital Costs in the Regional School District

- a. With respect to construction costs incurred prior to July 1, 1973, each member town's share for each fiscal year shall be determined by computing the ratio which that town's pupil enrollment in the Regional District Schools on the preceding October 1 bears to the total pupil enrollment from all the member towns in the Regional District Schools on the same date.

(amended 1959 & 1965)

- b. Each member town's share of construction costs incurred on or after July 1, 1973 and before January 1, 2001, with respect to any Regional District School shall be determined for each fiscal year by computing the ratio which that town's pupil enrollment in that school on the preceding October 1 bears to the total pupil enrollment from all the member towns in that school on the same date.

(amended 1973 & 2001)

- c. With respect to construction costs incurred on or after January 1, 2001, each Member Town's share shall be determined for each fiscal year by computing the ratio which that Town's pupil

enrollment in the District on the preceding October 1 bears to the total pupil enrollment from all Member Towns

(amended 2001)

- d. Construction costs shall include all expenses in the nature of capital outlay such as the cost of acquiring land, the cost of constructing, reconstructing, and adding to buildings, and the cost of remodeling or making extraordinary repairs to a school building or buildings, including without limitation, the cost of the original equipment and furnishings for such buildings, or additions, plans, architects' and consultants' fees, grading and other costs incidental to placing school buildings and additions and related premises, such as playing fields and parking lots, etc., in operating condition; and such construction costs shall also include payment of principal of and interest on bonds, notes or other obligations issued by the District to finance construction costs. A withdrawing town's share of any future installment of principal and interest on obligations outstanding on the effective date of its withdrawal on account of construction costs shall be fixed at the percentage prevailing for such town in the annual apportionment for the year at the beginning of which or within which the withdrawal takes effect. The remainder of any such installment shall be apportioned to the remaining participating towns in accordance with this paragraph.

2. Method of Apportioning the Operating Costs of the Regional School District

(amended 1959)

- a. Operating expenses shall include all costs not included in construction costs as defined in Paragraph 1d of Section IV, but including interest on temporary notes issued by the District in anticipation of revenue.

(amended 2001)

- b. Operating expenses shall be apportioned to the Member Towns as follows: Reducing the Gross Operating Budget by any appropriated Excess & Deficiency funds, all unallocated Estimated Receipts (including but not limited to State Transportation reimbursements; payments to the District for Shared Costs; and all tuition receipts.) This Net Operating Budget is then apportioned to the Member Towns on the basis of their enrollment as of October 1 of the preceding year and after being reduced by each Town's allocated State Education Aid, is assessed to each Town.



### 3. Budget

(amended 1975)

The Regional School District Committee shall, no later than forty-five days prior to the earliest date on which the business session of the annual town meeting of any member town is to be held, but not later than March 31, determine the amounts necessary to be raised to maintain and operate the District School during the ensuing fiscal year, and the amount required for payment of debt and interest incurred by the District which will be due in said fiscal year, and shall prepare a formal budget including these amounts. Said Committee shall apportion the said amounts in accordance with the provisions of Section IV of this agreement. The amount so apportioned for each member town shall be certified by the Regional School District Treasurer to the Treasurers of the Member Towns of the District within 30 days from the date on which the annual budget is adopted, but not later than April 30, and each Member Town at the next annual town meeting shall appropriate the amount so certified. The provisions of this Section shall be enforced as provided in Chapter 71 of the General Laws, Section 16 B appended.

### 4. Payments by Towns

Payments of the amounts apportioned to the Member Towns shall, in equal installments, be paid to the Regional District School Committee by the towns quarterly, on the fifteenth day of July, October, January and March in each fiscal year.

### 5. Annual Report

The Regional District School Committee shall submit to each of the Member Towns an Annual Report containing a detailed financial statement and a statement showing the methods by which the annual charges assessed each town were computed together with such additional information relating to the operation and maintenance of the Regional District School as may be deemed necessary by the Committee or by the Selectmen of any Member Town.

## V. Amendments

### 1. Limitations

(amended 1970)

This agreement may be amended from time to time in the manner hereinafter provided, but no amendment shall be made which shall substantially impair the rights of the holders of any bonds, notes or other obligations of the District then outstanding, or the rights of

the District to procure the means for payment thereof provided that nothing in this section shall prevent the admission of a new town or new towns to the District and the reapportionment accordingly of that part of the cost of construction represented by bonds or notes of the District then outstanding and of interest thereon.

## 2. Procedure

(amended 1970)

Any proposal for amendment may be initiated by a majority vote of the Regional District School Committee or by a petition signed by ten percent of the registered voters of each of the member towns. In the latter case, said petition shall contain at the end thereof a certification by the Town Clerk of each Member Town as to the number of registered voters in said town according to the most recent voting list and the number of signatures on the petition which appear to be the names of the registered voters of said town and said petition shall be presented to the Secretary of the Committee. In either case, the Secretary shall forthwith mail or deliver a notice in writing to the Board of Selectmen of each of the Member Towns that a proposal to amend this Agreement has been made and shall enclose a copy of such proposal (without the signatures in the case of a proposal by petition). The Selectmen of each Member Town shall include in the warrant for the next Annual or Special Town Meeting called for the purpose, an article stating the proposal or the substance thereof. Such amendment shall take effect upon its acceptance of at least all of the Member Towns less one. Acceptance by each Town shall be by majority vote at a Town Meeting as described above.

## VI. VOCATIONAL EDUCATION

(amended 1950)

The Silver Lake Regional District Committee is hereby authorized to establish and maintain State-aided Vocational Education, acting as trustee therefore, in accordance with the provisions of Chapter 74, General Laws, and Acts amendatory thereto, or dependent thereon; if the Regional District School Committee deems it desirable.