

**AGENCY OF EDUCATION
Montpelier, Vermont**

TEAM: Legal

ACTION ITEM: Will the State Board of Education find that the proposed formation of the Central Vermont Career Center School District (CVCCSD) is in the best interests of the students and the region. and therefore will it approve the report of the CVCCSD planning committee as the committee's final report pursuant to 16 V.S.A. § 1573?

SECRETARY'S RECOMMENDED ACTION: That the State Board of Education find that the proposed formation of the Central Vermont Career Center School District (CVCCSD) is in the best interests of the students and the region and approve the report of the CVCCSD planning committee as the committee's final report pursuant to 16 V.S.A. § 1573.

STATUTORY AUTHORITY: 16 V.S.A. § 1573

BACKGROUND INFORMATION: Career technical education (CTE) is designed to provide students with the academic and technical skills, knowledge, and training necessary to succeed in future careers and to become lifelong learners. Rigorous CTE program standards incorporate technical and academic competencies and makes content accessible to students by providing it in a hands-on context.

Vermont provides approved CTE programming in 17 CTE centers¹ located throughout the State. The State Board designates a service region for each CTE center by identifying the center or centers that the student in each secondary school may attend.²

Governance of a CTE center requires expertise in the funding mechanisms, laws, state policy, inter-agency relations, and other matters that are unique to CTE and about which most boards serving only PreK-12 students do not need to be deeply knowledgeable.

Each CTE center operates under one of two governance models established in statute: (i) one secondary school district assumes all governance responsibility for the regional CTE center or (ii) the secondary school districts in the service region create an independent CTE district.

Under the first and most common model, one school district within the service region hosts the center (Host District). The Host District's school board governs the center and only that district's voters vote whether to approve a proposed budget.³ A regional advisory board (RAB) – whose members represent the interests of and are selected by the other secondary school districts in the

¹ Two of the 17 CTE centers are associated with and governed by an independent school – St Johnsbury Academy and Lyndon Institute. In addition, two comprehensive high schools provide approved CTE programming. The discussion in this document focuses on the characteristics of the 15 publicly-governed CTE centers.

² 16 V.S.A. § 1531(b).

³ 16 V.S.A. § 1541.

service region⁴ (Sending Districts) – provides policy and financial recommendations to the Host District.⁵ As stated by the CVCCSD planning committee:

[Host Districts] must be stewards of the region’s interests and needs. While expressly elected to a local board and accountable to local voters, [Host District board members] have the burden of being the public representatives overseeing the region’s needs and interests for the CTE center.⁶

In 2015, eight union high school districts (UHSDs) served as Host Districts of regional CTE centers. Subsequently, seven of the eight UHSDs merged with elementary districts to form unified union school districts (UUSD). Prior to creation of the UUSD, the board of each Host District was responsible for the secondary education of students residing in the UHSD and the career technical education of students residing in the CTE service region. Upon formation of the UUSD, each new Host District also became responsible for the elementary education of students residing in what had formerly been a number of distinct town school districts – resulting in an increase in the number of students for whom the Host District is responsible and an expansion of the substantive areas in which the district must be proficient. In addition, the boards in most of these new districts have assumed the duties previously performed by an SU board.

Under the second governance model, the secondary school districts within a service region form and operate as an independent CTE school district (CTE District).⁷ The board members of the CTE District are appointed and elected from throughout the service region pursuant to a method explicitly established in statute.⁸ All voters in the member secondary school districts vote on the CTE center’s budget.

There are currently three CTE Districts in the State.⁹

CREATION OF CTE DISTRICTS and STATE BOARD OF EDUCATION’S ROLE:

The process for forming a CTE District is similar, but not identical, to that required for the creation of a union school district.

Vermont law¹⁰ permits two or more of the following to form a committee to explore formation of a CTE District:

1. The school board of a Host District.
2. A majority of the boards of all Sending Districts.
3. An “entity that performs workforce development activities pursuant to 10 V.S.A. § 542 in a CTE center region.”¹¹

⁴ 16 V.S.A. § 1542.

⁵ 16 V.S.A. § 1541(b) and (c).

⁶ CVCCSD Planning Committee, *Proposed Formation Plan*, 17.

⁷ 16 V.S.A. Ch. 37, Subch. 5A.

⁸ 16 V.S.A. § 1572(b)(1).

⁹ The Patricia A Hannaford Career Center School District, the River Valley Technical Center School District, and the Southwest Vermont Regional Technical School District.

¹⁰ 16 V.S.A. § 1572(a).

¹¹ See footnote 22.

Membership on the planning committee must include representatives of the Host District, the Sending Districts, regional employers, and residents of the CTE center region.¹²

If the planning committee determines that a change in governance structure is needed, then it prepares a report that includes specific details, including the composition of the proposed CTE District's board, the proposed bylaws, and a plan for transitioning to the new governance structure.¹³ Regarding board composition, Vermont law:

1. Requires that at least 60 percent of the members are:
 - a. Directly elected by the voters; or
 - b. Appointed by and from the member school district boards; or
 - c. A combination of (a) and (b).
2. Allows for additional members identified for their expertise, who are appointed by the members elected or appointed under (1) above, provided that the additional members cannot exceed 40 percent of the board's total membership.¹⁴

Upon receipt of the planning committee's report, the Secretary consults with "the chair of the entity that performs workforce development activities pursuant to 10 V.S.A. § 542" and submits the report and a recommendation to the State Board.¹⁵

Similar to the process to create a new union school district, the State Board provides the planning committee and other interested parties an opportunity to be heard and considers the report and the Secretary's recommendations. The Board may request the Secretary or the planning committee, or both, to make further investigation, may consider any other information it deems to be pertinent, and may schedule additional meetings to consider the proposal.

If, after due consideration ..., the State Board finds that establishment of the alternative governance structure *is in the best interests of the students and the region involved*, it shall approve the report submitted by the committee, together with any amendments, as a final report of the planning committee and shall give notice of its action to the committee.¹⁶

If approved by the State Board, the planning committee files a copy of the final report with the clerk of each school district in the region at least 20 days prior to the vote to adopt the alternative governance structure.¹⁷ The voters of all districts vote by Australian ballot on the day and during the same hours; absentee voting is permitted.¹⁸

The proposal to form a CTE District is approved if a majority of the combined total of all votes cast are in favor of the proposal.¹⁹

¹² *Id.*

¹³ 16 V.S.A. § 1572(b).

¹⁴ *Id.*

¹⁵ 16 V.S.A. § 1573.

¹⁶ *Id.* (emphasis added).

¹⁷ *Id.*

¹⁸ 16 V.S.A. § 1574.

¹⁹ 16 V.S.A. § 1575.

Upon such approval, the Secretary declares “the existing governance structure of the career technical center to be void, the region to be designated a [CTE District], and the new governance system to be authorized, all as of the date specified in the [proposal, and certifies] the declaration to the Secretary of State.”²⁰

PROPOSAL OF THE CVCCSD PLANNING COMMITTEE:

The Central Vermont Career Center is located in Barre, VT. The current member districts of the CVCC region are:

1. Barre Unified Union School District #61
2. Cabot School District
3. Harwood Unified Union School District #42
4. Montpelier Roxbury School District #69
5. Twinfield Union School District #33
6. Washington Central Unified Union School District #32

The Spaulding Union High School District (SUHSD) served as the Host District of the CVCC for many decades. On July 1, 2019, the new Barre Unified Union School District (BUUSD) assumed that role. Each of the other districts listed above is entitled to representation on the CTE center’s RAB.

During the 2018-2019 school year, the SUHSD served approximately 850 students in grades 9-12. The BUUSD is now responsible for the education of approximately 2,450 students in PreK-12.²¹

By April 2021, the boards of the BUUSD and all five Sending Districts approved creation of the CVCCSD planning committee, and the committee convened 13 meetings to consider creation of a CTE District.²² As stated by the planning committee:

CVCC is considering an array of current challenges to deliver on its promise to provide world class technical and career education to constituents in its service region. Given well documented limitations with its current aging and undersized facilities, CVCC’s leadership is exploring its prospects for new and (or) renovated facilities. Inherent with such explorations must be attendant governance considerations.²³

The planning committee is clear that considerations “of an alternate governance structure are not driven by concerns over inadequacies with current governance. Rather, alternate governance considerations should focus on whether prospective governance changes could further advance the quality of programs and services delivered by CVCC to its constituents.”²⁴

²⁰ *Id.*

²¹ *Proposed Formation Plan*, 17. The approximate numbers of students in this paragraph do not include CVCC students who reside in any of the five Sending Districts or outside the service region.

²² A list of the committee members, staff, meeting dates, and other information is in the *Proposed Formation Plan* at pages 6-7. There has not been a workforce investment board (WIB) or similar entity in the service region for many years. As a result, formation of the planning committee occurred by the method involving approval by the Host District and a majority of Sending Districts. In addition, in the absence of a WIB, a regional manager of the Department of Labor served on the planning committee and the Secretary consulted with that individual prior to completing this recommendation as required by 16 V.S.A. § 1573.

²³ *Proposed Formation Plan*, 16.

²⁴ *Proposed Formation Plan*, 16.

The planning committee identifies several distinct reasons supporting formation of a CTE District,²⁵ including the benefits of:

1. Empowering all citizens in the service region to have more direct access to and control of the CTE center, including development and approval of its budget.
2. Electing a governing board that is representative of the entire service region.
3. Enabling a CTE center's governing board to focus solely on CTE students and issues, rather than also on the education of PreK-12 students and the operation of a variety of graded schools in multiple towns.

In addition, the planning committee references the work of a companion committee charged with "Re-Envisioning Career and Technical Education in Central Vermont," which recognizes that:

the demand for skilled labor in Vermont is at an all-time high and CVCC does not have the instruction and lab space to meet current and future demand. Jobs exist for many more students than CVCC can train and a study of the feasibility and cost of a renovation or new construction that could increase CVCC's capacity by 70% continues. The scope and scale of this parallel project provides ... justification for changing CCVC's governance structure.²⁶

The planning committee states that expanding or constructing a facility within the BUUSD is less than ideal because Barre is not positioned centrally within the geographically extensive service region.²⁷ Further, the committee reasons that development of a new facility outside the BUUSD – while not expressly prohibited under the Host District governance model – would not only be "awkward" but would also "be unique and pose added governance challenges."²⁸ Both considerations weighed in favor of the planning committee's decision to propose formation of a CTE District.

For these and other factors, the CVCCSD planning committee proposes creation of a CTE District. If approved by the State Board, it will present the proposal, including the proposed bylaws, to the voters of the service region on March 1, 2022.

If approved by the voters of the service region:

1. The CVCCSD will assume full responsibility as a CTE District on July 1, 2022.
2. The six school districts currently within the service region will be the initial member districts of the CVCCSD (Member Districts).
3. The CTE service region will remain the same, unless adjusted by the State Board
4. The governing board will consist of the following ten voting members:
 - a. Six Appointed Members – The board of each of the six Member Districts will appoint one of its own board members to sit on the CVCCSD board.
 - b. Four Elected Members – The voters of the entire CVCCSD will elect, at-large, one member from the residents of each of the four largest Member Districts.

²⁵ *Proposed Formation Plan*, 16-19.

²⁶ *Proposed Formation Plan*, 19.

²⁷ The service region includes 16 towns, six high schools, six school districts, and five supervisory unions/supervisory districts.

²⁸ *Proposed Formation Plan*, 18.

5. The superintendent of each Member District will be a non-voting member of the CVCCSD board. In addition, the board is empowered to appoint other non-voting members, including students.

SECRETARY'S RECOMMENDATION:

Pursuant to 16 V.S.A. § 1573, the Secretary recommends that the State Board of Education:

1. Find that the proposed formation of the Central Vermont Career Center School District is in the best interests of the students and the region; and
2. Approve the report of the CVCCSD planning committee as the committee's final report.

STAFF AVAILABLE: Donna Russo-Savage, Staff Attorney