

ARTICLES OF AGREEMENT

FOR THE ESTABLISHMENT AND OPERATION

OF THE

SCHUYLKILL COUNTY AREA VOCATIONAL-TECHNICAL SCHOOL

**As Amended August 11, 1983**

and

**Further Amended November 1, 2004**

Articles of Agreement for Establishment  
and Operation of the Schuylkill County  
Area Vocational-Technical School

Articles of Agreement made and entered into this 21<sup>st</sup> day of April, 1966 by and between the County Board of School Directors of Schuylkill County, Pennsylvania, and certain school systems and school districts of Schuylkill County which are parties signatory hereto, and which constitute the Schuylkill County Area Vocational Technical Board.

WITNESSETH:

WHEREAS, the County Board of School Directors of Schuylkill County and the School Directors of the aforesaid School Districts as the Schuylkill County Area Vocational Technical Board desire to provide the best possible educational opportunity for the pupils of said area; and

WHEREAS, it has been ascertained that definite need has been established for secondary school pupils and adults to receive vocational and technical instructions; and

WHEREAS, the parties hereto desire at this time to implement plans and undertake a program for vocational-technical education for secondary school pupils; and

WHEREAS, it is recognized that an area vocational-technical school can be operated more equitably and economically on a cooperative basis; and

WHEREAS, the Schuylkill County Board of School Directors has established the entire County of Schuylkill with certain exceptions as noted in the Area Vocational-Technical School Attendance Area Resolution as an Administrative Unit comprised of one Attendance Area; and

WHEREAS, the said School Districts have concluded to undertake the operation of Area Vocational-Technical Schools under County Board operations; and

WHEREAS, the County Board of School Directors of Schuylkill County has agreed to undertake such operation and approval thereof has been given by the State Department of Public Instruction.

NOW THEREFORE, IT IS AGREED BETWEEN any among the respective school districts as the Schuylkill County Vocational-Technical Board and the County Board of School Directors of Schuylkill County as follows:

## ARTICLE I

### 1.1 Definitions:

For the purpose of this agreement, the following definitions shall be used in the interpretation of this agreement:

- (a) “Schuylkill County Vocational-Technical Board” shall mean the boards of school directors of all the participating districts to this agreement.
- (b) “Member Districts” shall mean the several school districts, which are parties to this agreement, plus any additional districts, which may subsequently be admitted to this agreement.
- (c) “Member Board” shall mean the Board of School Directors of the respective school districts, which are parties to this agreement.

### 1.2 Assumption of Prior Obligations:

The Schuylkill County Area Vocational-Technical Board shall assume that proportionate share attributable to the Member Districts of the obligations incurred by the Schuylkill County Board of School Directors pursuant to the Articles of Agreement of Establishment and Operation of the Schuylkill County Area Vocational-Technical School previously executed by the Member Districts.

### 1.3 Effective Date and Term:

This Agreement shall become effective immediately upon adoption of resolutions by two or more districts, and shall remain in effect until all obligations incurred by the member boards in financing the construction of the Area Vocational-Technical Schools, and all obligations of any authority created in connection therewith or in the financing of any subsequent capital expenditures shall have been paid in full.

Thereafter, the term of this agreement may be extended as agreed by the parties. It is agreed that the County Board may, prior to the effective date of this agreement, recruit and employ a Director of Area Vocational-Technical Education as provided in Item 2.3 of this Agreement, and any other personnel that may be necessary to organize and establish the Area Vocational-Technical School Program.

**1.4 Quotas: (Amended August 11, 1983/Amended November 1, 2004 – Effective July 1, 2005)**

The base quota, 17% of the student enrollment in grades 9, 10 and 11 in each member school district, will be assigned and recalculated annually. The October 1 student enrollment of the current year will be used to calculate the base quota for the next year of operation of the Area Vocational-Technical School Program. Each member school district may elect to exceed its base quota.

**1.5 Sharing of Costs: (Amended November 1, 2004 – Effective July 1, 2005)**

When quotas for a given administrative unit are unfilled, such quotas may be assigned to another Member District at the discretion of the Intermediate Unit Board.

**1.6 Organization:**

The Schuylkill County Board of School Directors shall establish the Area Vocational-Technical Program for the Schuylkill County Attendance Area, which shall be for students in grades 10, 11, and 12 of the existing secondary schools. The organization of the program, and the courses included shall be the decision of the Schuylkill County Board of School Directors.

**ARTICLE II**

**2.1 County Board:**

The Schuylkill County Board of School Directors shall be the responsible agency to initiate the final procedures necessary to organize, establish and operate the Schuylkill County Area Vocational-Technical School Program and shall have all power and authority necessary to operate, administer and manage a school or institute which may be delegated to them under the laws of the Commonwealth of Pennsylvania, provided that the County Board shall conduct the affairs of the school or institute within the limits of the budget adopted by the Schuylkill County Area Vocational-Technical Board.

In no event shall this section be interpreted as delegating to the County Board any powers, which the Area Vocational-Technical Board is prohibited from delegating by the laws of the Commonwealth of Pennsylvania. However, it shall delegate to the County Board those powers, which under the laws of the Commonwealth of

Pennsylvania can be delegated, to the extent that the subject items are provided for within the current budget.

**2.2 Chief Administrator: (Amended August 11, 1983)**

The Chief Administrator of the Area Vocational-Technical Schools shall be the Schuylkill Intermediate Unit No. 29 Executive Director, and he shall have all the powers, duties, and responsibilities granted by law.

**2.3 Director of Vocational-Technical Education:**

The duties of the Director of Vocational-Technical Education shall be determined and conform to the School Laws, regulations and policies of the Department of Public Instruction and of the County Board.

**2.4 General Advisory Committee:**

Pursuant to the provisions of the School Code, the County Board shall appoint a General Advisory Committee to advise on such matters as the need for a particular shop, laboratory, occupation, equipment, curriculum, labor and management coordination, business and industrial requirements or selection of personnel. Members of the General Advisory Committee shall be appointed from representatives of local trades, industries, business and research and educational agencies, occupations and administrators of participating school districts.

**2.5 Operating Advisory Committee:**

There shall be established an Operating Advisory Committee consisting of one (1) Representative, either a member of the School Board, Joint Committee, or a School Administrator, from each Administrative Unit in which a secondary school program is in operation. This representative shall be appointed by the school board or Joint Committee of the administrative unit, which he is to represent. It shall be the function of the Operating Advisory Committee to advise the County Board in all matters affecting the operation of the Area Vocational-Technical Schools including, but not limited to, selection of sites for school buildings, personnel policies and employment, and other general procedures and duties generally assumed by school directors of school districts.

### ARTICLE III

#### 3.1 Definition of Capital Expenditures:

Capital expenditures for the purpose of this agreement shall include debt service and amortizing rental (including both principal and interest portions) payable to a lending institution or to a municipal authority, State Public School Building Authority, General State Authority, or non-profit corporation, or for the purchase, acquisition or erection of buildings, additions to buildings, furniture, equipment, sites and costs related to any or all of these. Non-amortizing rental shall not be deemed a capital expenditure but shall be deemed a current expense.

#### 3.2 Sharing Capital Expenses:

The debt service, or capital costs involved, shall be the responsibility of the member districts on the basis of the Market Value of the district, as assigned annually by the Pennsylvania State Tax Equalization Board and its relationship to the Total Market Value for the participating districts in the Attendance Area during the same year.

#### 3.3 Authority Financing and Leases:

The member districts do hereby authorize the County Board to enter into agreements on behalf of the member districts with the State Public School Building Authority, the General State Authority, a non-profit corporation, or municipality authorities to buy land, build, alter, lease, equip, and operate facilities for the Schuylkill County Vocational-Technical School. If municipality Authority financing is deemed appropriate, the member districts do hereby agree to take all necessary steps in order to create a joint municipal authority for the purpose of financing the acquisition and improvement of suitable sites and the erection and equipping of appropriate school buildings for the conduct of the Area Vocational-Technical Schools.

### ARTICLE IV

#### 4.1 Current Expenses: (Amended November 1, 2004 – Effective July 1, 2005)

Current expenses and costs of operation of the total program of the Area Vocational-Technical Schools in the Attendance Areas shall be borne by the component school districts shared proportionately on the basis of each member school district's 17% quota.

4.2 Transportation Costs:

Transportation costs for pupils enrolled in the Area Vocational-Technical School Program shall be considered as and included in the current expenses and costs of the operation of the total program.

ARTICLE V

5.1 Admission of New Members:

School districts not a part of the original agreement to operate a program of Area Vocational-Technical education in Schuylkill County may become members upon petitioning the Schuylkill County Area Vocational-Technical School Board for admission to membership. Approval of three-fourths of the member districts at the time of the petition will be necessary to become members of the organization.

5.2 Conditions and Terms:

The member districts, through the County Board, will establish the terms and conditions for admission of new member districts. Such terms and conditions shall include but not be limited to, the amount which such new district shall contribute to the cost of the school and the amount of further annual payments it shall make on account of obligations to the State Public School Building Authority, General State Authority, a non-profit corporation, or rentals under leases with municipality authorities.

5.3 Rights, Privileges, and Responsibilities:

Newly admitted districts shall possess all rights, privileges, and responsibilities of districts of original membership after formal acceptance to membership as part of this agreement, and fulfillment of the initial obligation in compliance hereto.

5.4 Amendment to Agreement:

This agreement may be amended as deemed necessary upon ratification of such proposed Amendment by each of the member districts who are a party to this Agreement.

5.5 Items Beyond Agreement:

All matters not specifically covered by the terms of this Agreement shall be administered in accordance with the School Code of Pennsylvania.

IN WITNESS WHEREOF, the said Schuylkill County Board of School Directors and said member DISTRICTS have hereunto caused the due execution hereof under and by virtue of appropriate resolution duly adopted and recorded in the minutes of meetings of the respective member Boards.