



**TOWN OF BOXBOROUGH
SPECIAL TOWN MEETING
FEBRUARY 24, 2016
LIST OF ARTICLES**

- 1. AMEND FY 16 OPERATING BUDGET (RESERVE FUND)**
 - 2. WITHDRAWAL OF THE TOWN OF BOXBOROUGH FROM THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT**
 - 3. AMENDMENTS TO THE REGIONAL SCHOOL DISTRICT AGREEMENT OF THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT**
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To either of the Constables of the Town of Boxborough, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of M.G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Wednesday, February, 24, 2016 at 7:00 p.m. to act on Articles 1 through 3 of this Special Town Meeting Warrant.

ARTICLE 1 AMEND FY 16 OPERATING BUDGET (RESERVE FUND)

(Majority vote required)

To see if the Town will vote to transfer from Free Cash the sum of Fifty Thousand Dollars (\$50,000), more or less, to provide for the operations and expenses of the Town for the fiscal year beginning July 1, 2015 by amending the operating budget as voted under Annual Town Meeting Article 5 on May 11, 2015 by increasing the Reserve Fund, Department #132, as indicated below; or take any other action relative thereto.

Line Item #	Description	Appropriated at ATM 5/11/15	Proposed Increase/ <Decrease> Appropriation	Total FY 16 Allocation
132	Total Other – Reserve Fund	\$185,000	\$50,000	\$235,000

The Finance Committee recommends (7-0).

This year’s approved expenditures include Cemetery Crypt Reconstruction \$12,000; Three Town Hall HVAC units totaling \$23,250; Steele Farm Barn additional scope of repair work \$17,596; Town Hall Lift \$39,000. Other miscellaneous transfers bring the total transferred from the Reserve Fund to \$92,556, leaving a balance in the reserve fund as of 1/31/16 of \$92,444.

This has been an unusual year in terms of reserve fund transfer requests. Since we are still in the early part of winter, it is unclear what level of reserve fund transfers might be required to fund DPW expenses associated with snow removal or other personnel issues. There are also an additional 6 to 8 smaller items on the horizon for pending transfers as well. This item resets the Reserve Fund back to a level that the Finance Committee believes will be sufficient for the remainder of FY16.

The Board of Selectmen recommends (4-0).

ARTICLE 2 WITHDRAWAL OF THE TOWN OF BOXBOROUGH FROM THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT

(Majority vote required)

To see if the Town will vote to withdraw from the Minuteman Regional School District effective July 1, 2017, contingent upon the acceptance, on or before March 1, 2016, by all of the current members of the Minuteman District, and the approval, on or before December 31, 2016, by the Commissioner of Education, of the Amended Regional Agreement dated December 21, 2015 which has been submitted to the member towns by the Minuteman Regional School Committee; or take any other action relative thereto.

The Board of Selectmen recommends (3-1).

Background¹

Articles 2 and 3 are the result of a seven year effort to address the inadequacies of the facility at Minuteman Regional Vocational Technical High School ("Minuteman"). The current facility, built in the early 1970's, has serious building systems and capital maintenance issues, does not meet current code and architectural standards, and cannot properly support Minuteman's vocational-technical education programs. The facility MUST be repaired or replaced in order to ensure a SAFE building for our students. If we do nothing, Minuteman could lose its academic accreditation. It is important to note that the deterioration did not result from a refusal by the member towns to approve requests for repairs. Rather than seek sufficient funds to repair the existing structure, Minuteman's administration and school committee put their effort into seeking approval to build a new school with funding help from the Massachusetts School Building Authority (MSBA). That effort has been underway since 2009. It is the oldest school building project in the MSBA pipeline.

Minuteman proposes to build a new school at a cost of \$145 million, with a completion date of September 2020. If the member towns agree to fund this project by June 30, 2016, MSBA will pay for 30% of the cost, leaving the member towns to pay the remaining 70% or \$101 million. If that deadline is not met, Minuteman will lose MSBA funding and the member towns will pay the full cost. Minuteman estimates the cost of refurbishing the facility (instead of replacing it) at \$100 million. No MSBA funding is available for that.

Some of the member towns have expressed reluctance to embark on such a costly capital project under the terms of the current Minuteman Regional Agreement. Seven towns are actively considering withdrawal from the District. The changes in the revised agreement and their affect on Boxborough will be addressed more fully in our recommendation for Article 3. In summary, the revised agreement would:

- 1) adopt weighted voting so that a member's vote would be related to its enrollment, instead of each community having an equal vote, as currently provided;
- 2) adopt a new assessment formula for sharing capital costs that would introduce a wealth based factor into the formula, increasing Boxborough's assessment;

¹ On July 20, 2015, the Board of Selectmen appointed the Vocational Education Advisory Committee, an ad-hoc fact finding committee to research, analyze, evaluate, and recommend to the Board the best options for Vocational Technical Education that are both academically and financially appropriate for the Town of Boxborough and its students. The Board has received the Committee's report and makes this recommendation based on its evaluation and discussion of the information reported by VEAC and by the Department of Elementary and Secondary education as noted above. The Board thanks the members of VEAC for their assistance: Susan Bak, Chair, Anne McNeece, Brigid Bieber. Gary Kushner, and Hugh Fortmiller.

- 3) adopt a four year rolling average for enrollment based charges instead of using the most recent year's enrollment;
- 4) permit appointment of school committee members by the Board of Selectmen instead of by Town Moderator; and
- 5) provide an easier process for Members to withdraw from the District.

DISCUSSION

Boxborough has been a member of the Minuteman High School Regional School District since 1970. Its enrollment at Minuteman has declined steadily and dramatically in recent years. The time has come to recognize that the interests of Boxborough and its students are no longer best served by remaining a member of the District.

Withdrawing from the District will better serve our students. Because we are a member town, our students must attend Minuteman unless it does not offer the program they would like to pursue. As a non-member, our students would be able to apply to other fine schools that are considerably more convenient, such as Nashoba Valley Technical School in Westford, or Assabet Valley Regional Technical High School in Marlborough. Of course, they would still be able to apply to Minuteman on the same basis as students from other non-member towns. This year 41% of Minuteman's enrollment comes from non-member towns. It is a common practice across the Commonwealth.²

Withdrawal would take effect after approval by the Commissioner of Education. The earliest effective date would be July 1, 2017. All students enrolled at Minuteman before the effective date will be able to complete their high school years at Minuteman.

We have compared these three schools in several important respects: 1) Academics, 2) Convenience, and 3) Cost. We will discuss Convenience and Cost first, because they involve determinations of time and money about which there can be no dispute.

² *The Massachusetts Department of Elementary and Secondary Education (DESE) addressed the issue of withdrawal from a regional vocational school district in a January 15, 2016 letter from Deputy Commissioner Jeffrey R. Wulfson to Minuteman Superintendent Edward A. Bouquillon:*

*"I'd like to clarify the process for DESE review of a town's proposed withdrawal from a regional vocational school district. The Department's primary role in this situation is to ensure that the withdrawal conforms to the procedural requirements set out in the regional agreement, and to assist the district and the withdrawing town in addressing the various financial and logistical issues that arise from a withdrawal. **There is no requirement that a withdrawing town submit a plan on providing alternative access to vocational education. Although we encourage towns to provide or arrange for appropriate vocational education opportunities for their students, there is no legal requirement that they do so. State law (G.L. c74, s.7) already provides a mechanism for students to enroll in out-of-district vocational programs.***

This is a different situation than a town seeking to withdraw from a regional academic school district. Every town has a legal obligation to provide an academic course of study for its resident children, either by operating its own school, joining a regional academic school district, or entering into a tuition agreement with another district. Towns seeking to withdraw from a regional academic district would be required to provide a satisfactory plan for meeting this obligation."

1) **Convenience.** The mileage from Town Hall to the three schools is similar: 11.1 (Nashoba), 13.2 (Minuteman), and 13.4 (Assabet). However, the commuting times are very different:

- 1) Nashoba: 14 minutes
- 2) Assabet: 16 minutes
- 3) Minuteman: 34 minutes.

The commute to and from Minuteman is on Route 2 during rush hour. It is 20 minutes longer each way than the commute to Nashoba. Compared to that, our students spend an extra 40 minutes/day, or 3 hours 20 minutes per week, in traffic. Our students could put this time to better use.

Minuteman is by far the least convenient.

2) **Cost.** We have considered our per pupil costs, including transportation, for each school based on an enrollment of 5 students. In the case of Minuteman, we have used the projections given us by the Administration, including the capital costs for the new school project. The results are:

- 1) Nashoba: FY17 \$26,700 2020 (unknown)
- 2) Assabet: FY17 \$28,200 2020 (unknown)
- 3) Minuteman: FY17 \$36,304 2020 \$42,254 (with 10 member towns, new agreement, and building project)

Minuteman is by far the most expensive.

3) **Academics.** We compare academic performance last because it is the most important and the least susceptible to a purely numerical analysis. Nevertheless, there is a wealth of numerical data available on the website of the Massachusetts Department of Elementary and Secondary Education (DESE), and we have examined it closely. You can find DESE's 2015 Report Card Overviews for each school at these links:

Assabet:

<http://profiles.doe.mass.edu/reportcard/SchoolReportCardOverview.aspx?linkid=105&orgcode=08010605&fycode=2015&orgtypecode=6&>

Minuteman:

<http://profiles.doe.mass.edu/reportcard/SchoolReportCardOverview.aspx?linkid=105&orgcode=08300605&fycode=2015&orgtypecode=6&>

Nashoba:

<http://profiles.doe.mass.edu/reportcard/SchoolReportCardOverview.aspx?linkid=105&orgcode=08520605&fycode=2015&orgtypecode=6&>

Our analysis of this data shows that, compared to Assabet and Nashoba, Minuteman has the lowest graduation rate and percentage of students attending institutions of higher education. It has the lowest MCAS performance in Math and STE (Science and Technology/Engineering). It has the highest dropout rate, poorest attendance rate, and worst suspension rate. On the other hand, it has the highest combined SAT scores, the highest MCAS performance in ELA (English Language Arts) and the lowest student-teacher ratio. The schools vary significantly

in their enrollment of SPED students, with Assabet and Nashoba at about 33% and Minuteman at about 51%. We do not know to what extent this difference may affect the above performance data.

Evaluating the academic quality of these schools ultimately requires us to make a judgment as to priorities. How much weight should we give to SAT scores as compared to graduation rate? Are language arts or science and technology/engineering more important for our students attending a vocational/technical high school? Is a lower student-teacher ratio more important than the rate at which our students go on to institutions of higher education? Your priorities may be different, and we encourage you to look at the DESE report card links and decide for yourself.

Conclusion

In our judgment, Minuteman's overall academic performance is certainly no better than the other two schools, and arguably worse. There is no doubt that Minuteman is, by far, the least convenient and most expensive of the three schools compared.

The Board of Selectmen recommends that you vote "Yes" to withdraw from the Minuteman Regional School District effective July 1, 2017.

The Finance Committee recommends (7-0).

While Minuteman has provided a good education for Boxborough students over the years, the VEAC has provided data that shows students could obtain a quality vocational education of a similar or higher standard for a similar or lesser cost elsewhere.

**ARTICLE 3 AMENDMENTS TO THE REGIONAL SCHOOL DISTRICT AGREEMENT OF THE
MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT**

(Majority vote required)

To see if the Town will vote, consistent with Section VII of the existing “Agreement With Respect to the Establishment of a Technical and Vocational Regional School District” for the Minuteman Regional Vocational School District, to accept the amendments to said Agreement which have been initiated and approved by a vote of the Regional School Committee on December 21, 2015, and which have been submitted as a restated “Regional Agreement” bearing the date of December 21, 2015 to the Board of Selectmen of each member town; or take any other action relative thereto.

Summary

Background: In March 2014, the Minuteman Regional School Committee approved a set of amendments to the Agreement, which were sent to all member towns for consideration at their 2014 annual town meetings. The motivation for the proposed amendments was the need to obtain the unanimous consent of the member towns in order to undertake the vital and long overdue capital campaign necessary to bring the existing, antiquated school structure into compliance with building codes. Ten member towns voted to approve, one town voted against, and five towns, including Boxborough, passed over the article. Because adoption of the amendments required unanimous vote of the member towns, the School Committee presented the amendments to those six towns to consider again in 2015. Boxborough voted to pass over the article and the remaining five towns did likewise or did not take any further action.

It was clear that the proposed amended agreement would have to be further revised in order to achieve a unanimous vote of support. After a good deal of discussion among selectmen in the member towns, as well as members of the school committee, further revisions to the March 2014 draft were recommended and endorsed, and on December 21, 2015, the Minuteman Regional School Committee unanimously approved a revised Regional Agreement, with additional revisions providing for a streamlined process for withdrawal by member towns, reduction of the minimum enrollment charge from five students to one, and requiring out-of-district communities to help pay for their share of capital costs of a new building.

The full text of the revised Regional Agreement, on which you are being asked to vote, is available in both clean and red-line versions, at the Boxborough Town Clerk’s office, the Sargent Memorial Library and on-line, by clicking the town meeting links from the home page of the Boxborough web.

Principal features of the revised Regional Agreement are highlighted below.

The Board of Selectmen recommends (4-0), regardless of how the Town votes on Article 2.

As discussed in our recommendation on Article 2 above, Articles 2 and 3 are the result of a longstanding effort to address the inadequacies of the facility at Minuteman Regional Vocational Technical High School (“Minuteman”). Technically speaking, there is no link between the Regional Agreement and Minuteman’s plans to build a new school with financial help from the Massachusetts School Building Authority (MSBA). The MSBA is not requiring Minuteman to secure a new Agreement. Practically and politically speaking, however, there is a direct link. Several town officials have said they could not support the Minuteman project in their towns until a new Regional Agreement is approved by all 16 towns.

Principal features of the revised Regional Agreement include:

- 1) A new formula for sharing capital costs among member communities. The new formula includes factors for each community's enrollment at Minuteman, each community's relative ability to pay, and a minimum share for each community. The current formula attributes a five-student minimum to low-enrolling communities but otherwise is based on enrollment only. The new formula would employ a one-student per year minimum.
- 2) A new formula for assessments using a four year rolling average for enrollment based charges. Assessments are currently based only on previous year enrollment.
- 3) Weighted voting on the Minuteman School Committee with 50% of vote strength shared equally among members and 50% based on each community's 4-year rolling average enrollment. The present agreement provides for one vote per town, even though some towns have much larger numbers of students at Minuteman and, even under the new agreement, will continue to carry a higher percentage of the costs. The new Agreement calls for weighted voting in most cases. Exceptions include votes to incur debt, which require approval by 2/3 of all School Committee members regardless of enrollment.
- 4) Appointment of Minuteman School Committee members by the boards of selectmen of the member town (or the mayor, in the case of a city), unless the town provides otherwise by bylaw or charter. It is hoped that moving to executive branch appointments, instead of moderators' appointments, will improve accountability of the District to the member communities. Towns wishing to retain the moderator's appointing authority may do so by bylaw/charter.
- 5) A more workable process for communities to withdraw from the district. The revised agreement provides seven communities¹ the option to withdraw as part of the ratification process. Going forward, a member town could withdraw from the District by town meeting vote on reasonable notice, subject to an obligation to pay its share of outstanding capital, and with approval from the State Education Commissioner, unless at least half of the other members' legislative bodies vote to disapprove. The current agreement requires an affirmative vote by every member town to allow a community to withdraw.

DISCUSSION

- A) If the Town votes "Yes" on Article 2, it needs to vote "Yes" on Article 3 in order to give effect to its decision to withdraw. If approved by all sixteen member towns, the new Regional Agreement would provide seven towns, including Boxborough, the ability to receive the necessary unanimous approval with this vote.
- B) If the Town votes "No" on Article 2, it should still vote "Yes" on Article 3 and approve the new Regional Agreement because the benefits would outweigh the drawbacks. A "Yes" vote would also provide a safer and better educational experience for Boxborough's students who would continue to attend Minuteman because it would permit the construction of a new, safe, state of the art school building.

Benefits

The principal benefit is the opportunity to build a new school for our students. Revision of the Regional Agreement is critical to approval of the School Building Project by the member towns. If that Project is not approved, the District would face difficult challenges operating and maintaining its existing facility. All member communities would share those costs, which, without MSBA assistance, may be higher than the cost to build a new school.

¹ The seven towns are: Boxborough, Carlisle, Dover, Lincoln, Sudbury, Wayland, and Weston, accounting for a total of less than 10% of the District's enrollment.

The new Agreement could also make it easier to attract new members. Some non-member towns that have sent their students to Minuteman for years have been deterred from joining the district because the current agreement requires unanimity in order to withdraw. If they decide to join the District, they would pay a greater share, and our costs (should we stay) would decrease.

In addition, the new Agreement provides a more workable process for withdrawing should the Town wish to do so at any time in the future. Going forward, a member town could withdraw from the District by town meeting vote on reasonable notice, subject to an obligation to pay its share of outstanding capital, and with approval from the State Education Commissioner, unless at least half of the other members' legislative bodies vote to disapprove. The current agreement requires an affirmative vote by every member town to allow a community to withdraw.

Drawbacks

The principal downsides to the new agreement result from changes to the formulas for voting and assessments.

VOTING:

Each member town would no longer get an equal vote. Instead, weighted voting would be employed, with 50% of vote strength shared equally among members and 50% based on the 4- year rolling average enrollment. Incurring debt is specifically excepted and would require approval by 2/3 of all school committee members regardless of enrollment share or actual attendance at the committee meeting. Boxborough's vote would decrease from 1/16, or 6.25%, to approximately 4%. That number would vary slightly with changes in enrollment and would be affected by how many towns vote to withdraw.

We do not consider this to be a significant change in our overall voting power.

ASSESSMENTS:

- 1) ANNUAL OPERATING COSTS: Based on 4-year rolling average enrollment share, instead of the most recent year.
- 2) CAPITAL COSTS: Each member community would pay a base 1% of yearly total. 50% would be based on 4-year rolling average enrollment share. The remainder would consider certain factors used in calculating Chapter 70 state aid to education along with enrollment (the so-called "wealth factor"). In calculating the rolling average, a one-student minimum enrollment per year would be used, replacing the five-student minimum enrollment used for capital assessment under the present agreement. **This provision was not in the 2014 proposed amendments.**

If withdrawal is properly pursued following a District-wide election that authorizes new debt, the subject community would not be liable for a share of the debt that its own voters disapproved in that election.

These changes would increase Boxborough's assessments if enrollment continues at the recent 5 student level or increases. If enrollment continues to decline, as it has in recent years, to below 5 students, Boxborough's assessment could decline as a result of the decrease in minimum student enrollment charge from 5 to 1. In addition, if a future capital project (not the current building proposal) is proposed, Boxborough could disapprove the new debt and would not be liable for it if it votes to withdraw at that time, even if withdrawal is not approved.

We consider this to be an acceptable provision because it could actually reduce our assessment if enrollment continues to decline, and gives us a way to avoid liability for new debt. Under either of those circumstances, the revised capital assessment formula would no longer be a drawback but a benefit.

Conclusion

The Board voted (3-1) that, for Boxborough, the best course is to withdraw from the Minuteman Regional School District now. If the Town votes to do so, it should approve the revised Regional Agreement in order to give effect to its decision. If the Town votes to remain in the District, it should also approve the revised Regional Agreement so that the District would be better able to serve the vocational education needs of our students by constructing a new, safe, state of the art school building.

The Board of Selectmen recommends that you vote "Yes" to accept the amendments to the existing "Agreement With Respect to the Establishment of a Technical and Vocational Regional School District" for the Minuteman Regional Vocational School District.

The Finance Committee recommends (6-1).

Pro

Regardless of how the town has voted on Article 2, the majority of the Finance Committee is of the view that the town's best financial interests are served by approving the new regional agreement.

The regional agreement as provided in the warrant does a number of things that are good for Boxborough and the District. The agreement lowers the minimum number of students from 5 to 1. The new agreement will initially allow 7 member towns to leave the District with no penalty including Boxborough if we so desire. The agreement will most likely allow the schools remaining in the district to agree to build a new school, which will entail a capital assessment on all member towns for the next 30 years.

Con

The new agreement will change the voting structure of the school committee and limit Boxborough's vote on the committee. The new agreement changes the budget model and will charge more to Boxborough due to the Wealth factor. In addition, we will be forced to pay for a minimum of one student even if there are no Boxborough students attending.

Hereof, fail not deliver these warrants with your return of service thereon to the Town Clerk on or before February 10, 2016.

Vincent M. Amoroso, Chairman
Board of Selectmen

Susan M. Bak, Clerk
Board of Selectmen

Leslie R. Fox
Board of Selectmen

James J. Gorman
Board of Selectmen

Robert T. Stemple
Board of Selectmen