

AGENDA

Southern Oregon Education Service District BOARD OF DIRECTORS ORGANIZATIONAL MEETING

6:00 PM – Wednesday, July 17, 2024

SOESD Administration Office

101 North Grape Street, Medford OR 97501



1. Preliminary

- A. Call to Order/Roll Call
- B. Land Acknowledgment
- C. Pledge of Allegiance
- D. Comments from Representatives of the Associations
- E. *Requests to Address Agenda Items

2. Consent Agenda

- A. Approval of Agenda
- B. Approval of Minutes
- C. Personnel Report

3. Communications

SOESD Superintendent's Report

4. Administration

- A. SOESD Organizational Structure for 2024-2025
- B. Organizational Items for 2024-2025
- C. ORS 190 Agreement of the OAESD
- D. Contract for Services with Belong Partners
- E. Contracts for Staffing Services

5. Business Affairs

- A. 2024-2025 SOESD Resolutions 1, 2, 3, and 4
- B. Authorization for Staff to Sign Checks
- C. Filing Budget Documents
- D. PACE Insurance / SOESD Phoenix Campus Reconstruction

6. Executive Session

ORS 192.660 (2)(i) – Evaluation of the Superintendent

7. Open Session

Board Action on Superintendent's Evaluation

8. Miscellaneous

- A. OSBA Summer Board Conference, August 9-11, 2024, Salem, Oregon
- B. All SOESD Staff Inservice, August 23, 2024, Southern Oregon University, 8:30 AM
- C. Next Regular Meeting: September 18 2024, 6:00 PM, SOESD Administration Office
- D. 2024 OSBA Annual Convention, Portland Marriott Downtown Waterfront, November 7-9, 2024

9. Adjournment

*Members of the community will have opportunity to provide public comment regarding a specific agenda topic during the preliminary portion of the meeting. If you wish to speak to a specific agenda item, complete the request form provided at this link by 12:00 noon on Wednesday, July 17, 2024: <https://forms.gle/9drdBrFt7yw9odWd9>

TO ATTEND VIRTUALLY:
Join by computer: <https://soesd.zoom.us/j/97762491735>
Join by phone: +1 669 900 6833
Meeting ID: 977 6249 1735

The meeting location is accessible to persons with disabilities. In accordance with the ADA, requests for accommodations should be made at least 48 hours before the meeting to: Jessica Bach, Southern Oregon ESD, 101 North Grape Street, Medford OR 97501
Phone: 541-776-8590 ext 1116
Email: jessica_bach@soesd.k12.or.us

ANNOTATED AGENDA
Southern Oregon Education Service District
Board of Directors Organizational Meeting
SOESD Administration Office | 101 North Grape Street | Medford, Oregon
6:00 PM – Wednesday, July 17, 2024

1. Preliminary

- A. Call to Order/Roll Call
- B. Land Acknowledgment
Southern Oregon Education Service District and the areas in which we serve are located within the ancestral homelands of the Shasta, Takelma, Latgawa, Modoc, and the Yahooskin-Paiute peoples who lived here since time immemorial. The full text of SOESD’s land acknowledgement can be read at this link:
<https://www.soesd.k12.or.us/equity/>
- C. Pledge of Allegiance
- D. Comments from Representatives of the Associations
- E. Requests to Address Agenda Items

2. Consent Agenda

- A. Approval of Agenda
- B. Approval of Minutes:
 - Budget Hearing, June 18, 2024 ([Page 6](#))
 - Regular Meeting, June 18, 2024 ([Pages 7-11](#))
 - Special Meeting, June 25, 2024 ([Page 12](#))
- C. Personnel Report
There are no personnel items to report at this time.

Proposed Action: Move to approve all items on the consent agenda.

3. Communications

SOESD Superintendent’s Report

4. Administration

- A. SOESD Organizational Structure for 2024-2025
Superintendent Beveridge will share the proposed organizational chart and list of administrative staff for your review and action. ([Page 13](#))
Proposed Action: Move to approve SOESD’s organizational structure and approve the new organizational chart presented for 2024-2025.
- B. Organizational Items for 2024-2025 – The superintendent and CFO will address the items listed below:
 - 1. District Clerk and Deputy Clerk – The superintendent is charged by law to be named as clerk. We recommend that the Chief Financial Officer be named as deputy clerk.
 - 2. Safety Officer – We recommend that the Board appoint the Chief Financial Officer to serve as safety officer.
 - 3. Budget Officer – The superintendent-clerk should be designated as the district’s budget officer.

4. Newspaper of Record – We recommend that the Grants Pass Daily Courier be named the newspaper of record.
5. Mileage Reimbursement Rate for Staff and Board – It has been Board practice to pay the IRS-approved rate. We recommend continuation of this practice.
6. Authorization to Submit Grant and Contract Proposals – It is necessary to respond quickly to grant and contract opportunities. We request that the Board continue to authorize the superintendent and the CFO, in the superintendent’s absence, to submit proposals for grants and contracts as well as accept awards during the 2024-2025 fiscal year.
7. Authorization to Request Contract Funds – We recommend that the Board continue its practice of authorizing the signatures of the superintendent or CFO to request payments from funding sources.
8. Coordination of Americans with Disabilities Act – We recommend that the Chief Human Resources Officer be named Section 504 / ADA coordinator.
9. Attendance Officer – State law requires ESDs to name an attendance officer. We recommend the appointment of the superintendent to serve in that role.
10. Board Attorney – It is requested that you authorize the superintendent to seek specialized legal counsel, when deemed necessary, from the Hungerford Law Firm.
11. Auditor – Per existing contract, we recommend that Isler Medford LLC serves as the district’s auditor for 2024-2025.
12. Title IX Coordinator – We recommend that the Chief Human Resources Officer be designated as the Title IX Coordinator.
13. Authorized Depositories of Funds – We recommend two depositories of funds: First Interstate Bank for general operation, and State of Oregon Local Government Investment Pool.
14. Local Contract Review – It is recommended that the Southern Oregon ESD Board of Directors act as the district’s Local Contract Review Board.
15. Identifying Purchasing Practices – It is recommended that Southern Oregon ESD continue its practice of following the Attorney General’s Model Public Contract Rules and ORS 279 pertaining to public contracting.
16. Insurance Agent of Record – SOESD’s Insurance Agent of Record is Lloyd Williamson, Protectors Insurance.

Proposed Action: Move to accept administration’s recommendations as presented for organizational items 1 through 16.

Roll call vote will be conducted.

- C. ORS 190 Agreement of the OAESD
The ORS 190 Agreement is a legal agreement for operational structures for OAESD and its members. It enables the OAESD to be recognized governmentally and for liability protections. Superintendent Beveridge will provide additional information and answer your questions.

[\(Page 14-23\)](#)

PROPOSED ACTION: Move to approve the ORS 190 Agreement of the OAESD.

- D. Contract for Services with Belong Partners
Administration requests board approval to enter into agreements with Belong Partners (formerly Sound Discipline) not to exceed \$213,250.00 for multiple workshop series, district partnerships, coaching, teacher supports, and consultation provided to educators throughout the region during the 2024-2025 school year. These services

continue to be requested by component districts and were in the SOESD Student Success Act Comprehensive Support Plan as part of the 2024-2025 Local Service Plan approved by the board and component districts.

PROPOSED ACTION: Move to approve entering into agreements with Belong Partners at a cost not to exceed \$213,250.00.

E. Contracts for Staffing Services

Administration requests the Board’s approval to enter into agreements for the 2024-2025 school year for staffing services as detailed in the table below. All efforts to advertise and fill these positions through the employment process have been unsuccessful.

Blazerworks	Sign Language Interpreter School Psychologist Autism Consultant	2.0 FTE 7.0 FTE 0.6 FTE	\$1,750,000.00
Epic Special Education Staffing	Virtual School Psychologist Occupational Therapist	1.0 FTE 0.3 FTE	\$195,000.00
PNW Professionals	Speech-Language Pathologist	1.0 FTE	\$149,920.00
Tyler York	Teacher of Visually Impaired (with extended school-year services)	1.0 FTE	\$174,400.00

PROPOSED ACTION: Move to approve entering into agreements for staffing services not to exceed the amounts presented.

5. **Business Affairs**

A. 2024-2025 SOESD Resolutions 1, 2, 3 and 4

These resolutions are attached and will be reviewed with you during the meeting.

[\(Pages 24-27\)](#)

Proposed Action: Move to adopt 2024-2025 SOESD Resolutions 1, 2, 3 and 4.

Roll call vote will be conducted.

B. Authorization for Staff to Sign Checks

We recommend that you approve the following individuals to sign checks during fiscal year 2024-2025: Scott Beveridge, Daniel Weaver, and Jessica Bach. As a reminder, the ESD continues to use a facsimile signature for its accounts payable and payroll check runs. Superintendent Beveridge’s signature will appear on that facsimile.

Proposed Action: Move to approve the recommendations of administration regarding persons authorized to sign checks during fiscal year 2024-2025.

Roll call vote will be conducted.

C. Filing Budget Documents

SOESD’s 2024-2025 budget document has been filed with each of the assessors and clerks’ offices in Jackson, Josephine, and Klamath Counties.

D. PACE Insurance / Phoenix Campus

Superintendent Beveridge and CFO Weaver will provide an update on discussions with PACE regarding insurance settlement and reconstruction of the SOESD Phoenix Campus that was destroyed in the Alameda Wildfire on September 8, 2020.

6. Executive Session

ORS 192.660 (2)(i) – Evaluation of the Superintendent

The board will meet in executive session pursuant to ORS 192.660(2)(i) to review and evaluate the performance of the superintendent.

7. Open Session

Board Action on Superintendent’s Evaluation

8. Miscellaneous

- A. OSBA Summer Board Conference, Salem Convention Center
August 9, 2024 (Preconference), August 10-11, 2024 (Main Conference)
Member Moore plans to attend.
- B. SOESD All-Staff Inservice, August 23, 2024, Southern Oregon University, 8:30 AM
- C. Next Regular Meeting: September 18, 2024, 6:00 PM, SOESD Administration Office
- D. 2024 OSBA Annual Convention, Portland Marriott Downtown Waterfront,
November 7, 2024 (Preconference); November 8-9, 2024 (Conference)
Please let the board secretary know if you are interested in attending so that lodging arrangements can be made as soon as the reservation window opens.

9. Adjournment

Minutes in Brief SOUTHERN OREGON EDUCATION SERVICE DISTRICT
BOARD OF DIRECTORS BUDGET HEARING
TUESDAY, JUNE 18, 2024

Call to Order A hearing on the Southern Oregon ESD’s approved budget for fiscal year 2024-2025 was held in the downstairs conference of the SOESD administration office and by video/audio conference on Tuesday, June 18, 2024. Chair Wright called the meeting to order at 6:03 PM.

Attendance Board members in attendance: Board members absent:
Rosie Converse Ana Mannenbach
Jessie Hecocta Mary Middleton
Bob Moore Maud Powell
Corbin Morell
Annie Valtierra-Sanchez
Justin Wright

SOESD staff members and guests in attendance:
Jessica Bach
Scott Beveridge
Kylee Harrison
Daniel Weaver

Update on Approved Budget Chief Financial Officer Daniel Weaver shared a document titled “Summary of Recommended Changes from 2024-2025 Approved Budget to 2024-2025 Recommended Adopted Budget.” CFO Weaver explained the primary changes, noting changes in the recommended adopted budget due to requests received from local districts in Choice and Equity special education services menu selections and authority for debt servicing the real estate purchase of 711 and 715 SW Ramsey Avenue in Grants Pass, Oregon. CFO Weaver explained that the Board would take formal action during the regular meeting to adopt, appropriate, and set the ESD tax rate for the 2024-2025 budget.

Comments from the Public There were no comments from the public regarding the 2024-2025 budget.

Adjournment Chair Wright adjourned the budget hearing at 6:06 PM.

Minutes in Brief SOUTHERN OREGON EDUCATION SERVICE DISTRICT
BOARD OF DIRECTORS REGULAR MEETING
TUESDAY, JUNE 18, 2024

Call to Order A regular meeting of the Southern Oregon Education Service District Board of Directors was held on Tuesday, June 18, 2024, at the SOESD’s administration office in Medford, Oregon. Chair Wright called the meeting to order at 6:06 PM, read the SOESD land acknowledgement, and led those in attendance in the Pledge of Allegiance.

Attendance Board members in attendance: Board members absent:
Rosie Converse Ana Mannenbach
Jessie Hecocta Mary Middleton
Bob Moore Maud Powell
Corbin Morell
Annie Valtierra-Sanchez
Justin Wright

SOESD staff members in attendance:
Jessica Bach
Scott Beveridge
Kylee Harrison
Amy Szeliga
Daniel Weaver

Comments from Representatives of the Associations Amy Szeliga, president of the licensed association, thanked administration for communication throughout the year and for the time spent together working through member issues. Ms. Szeliga wished a Happy Pride month to students, educators, and allies of the LGBTQ community.

Requests to Address Agenda Items There were no requests to address an agenda item from members of the audience.

Consent Agenda The consent agenda consisted of the following items:
A. Approval of Agenda
B. Approval of Minutes:
• May 15, 2024 Budget Committee Meeting
• May 22, 2024 Regular Meeting
C. Personnel Report
D. Financial Report

IT WAS MOVED BY MEMBER VALTIERRA-SANCHEZ, SECONDED BY MEMBER HECOCTA TO:
Approve the consent agenda as presented.
MOTION CARRIED 6-0

Communications

SOESD Superintendent's Report

Superintendent Beveridge expressed his gratitude for the entire SOESD team in supporting students across the finish line as the school year ended. He noted the conclusion of the 2023-2024 school year was a busy time, with several end-of-year activities such as the Klamath Promise Graduation Sensation, wrapping up cabinet meetings with the local districts, and conducting a climate survey of staff and a survey of component school districts to assess satisfaction with SOESD services.

Mr. Beveridge reported that administration has been working with officers of the classified association to schedule informal meetings to settle a successor to the 2022-2024 Collective Bargaining Agreement. He noted that the board would receive more information on contract negotiations later in the meeting during the executive session.

In addition, he noted several unique challenges and opportunities at this time that the board would address later in the agenda. Superintendent Beveridge thanked CFO Weaver, Director Harrison, Manager Bilbao and others for their tremendous work in completing due diligence to purchase the property for ECS Services in Grants Pass. He also noted expansion of various programs with leases for temporary office space continuing to be required while working with PACE insurance on costs for rebuilding the SOESD Phoenix campus.

Planning is underway for the SOESD's All Staff Inservice to launch the start of the 2024-2025 school year. The gathering will be held on Friday, August 23, 2024 at Southern Oregon University. Board members are welcome and encouraged to attend if schedules permit.

Business Services

A. Line of Credit with First Interstate Bank

Administration requested authority to set up a line of credit with First Interstate Bank in an amount not to exceed \$1.0 million. This is a customary request at this time of year due to timing of various grant and contract payments that will not be received by June 30, 2024. Possible delays that arose during this legislative session that could interrupt cash flow further illustrate the importance of this practice.

IT WAS MOVED BY MEMBER CONVERSE, SECONDED BY MEMBER MOORE TO:

Authorize administration to set up a line of credit with First Interstate Bank not to exceed \$1.0 million.

MOTION CARRIED 6-0

B. 2023-2024 SOESD Resolution #9 – Adopt, Appropriate, and Set Tax Rate

Resolution #9 adopts, appropriates, and sets the tax rate for the SOESD 2024-2025 budget, as required in statute. CFO Weaver noted that this step concludes the budget process. After approval, SOESD will file the formal budget document with the assessors' offices in the three counties prior to July 15, 2024.

IT WAS MOVED BY MEMBER MOORE, SECONDED BY MEMBER CONVERSE TO:

Adopt the 2023-2024 SOESD Resolution #9 to adopt, appropriate, and set the tax rate.

MOTION CARRIED 6-0

- C. 2023-2024 SOESD Resolution 10 – Appropriations Transfer
CFO Weaver explained that Resolution #10 reallocates spending authority through a transfer of appropriations to purchase real estate property at 711 and 715 SW Ramsey Avenue in Grants Pass, Oregon, for the EI/ECSE program. The purchase was authorized by the SOESD Board of Directors on April 5, 2024.

IT WAS MOVED BY MEMBER MOORE, SECONDED BY MEMBER CONVERSE

TO:

Adopt 2023-2024 SOESD Resolution #10, appropriations transfer.

MOTION CARRIED 6-0

- D. 2023-2024 SOESD Resolution #11 – Financing Agreement
Resolution #11 authorizes the execution and delivery of a full faith and credit financing agreement to purchase the property at 711 and 715 SW Ramsey Avenue in Grants Pass, Oregon.

IT WAS MOVED BY MEMBER MOORE, SECONDED BY MEMBER CONVERSE

TO:

Approve the 2023-2024 SOESD Resolution #11, financing agreement, as presented.

MOTION CARRIED 6-0

- E. Lease Agreement – 3132 State Street #210, Medford OR 97504
CFO Weaver explained the administration’s request for authorization to enter into a 24-month agreement to lease office space at 3132 State Street #210 in Medford in an amount not to exceed \$196,040.00. SOESD finds itself in need of more office space as the number of staff in Child Care Resource Network (CCRN), School Improvement Services, and School Behavioral Health and Wellness programs have outgrown the space available at the 502 W. Main St. and 101 N. Grape St. offices. CCRN staff will move to the State Street location, freeing up space at the Main Street office to accommodate staff from the other two programs.

IT WAS MOVED BY MEMBER MOORE, SECONDED BY MEMBER CONVERSE

TO:

Authorize administration to enter into a 24-month lease agreement for 3132 State Street #210, Medford OR 97504 with Griff, LLC, not to exceed \$196,040.00.

MOTION CARRIED 6-0

- F. Extension of Lease Agreement – 502 W Main St, Medford OR 97501
Administration requested authority to enter into an 18-month agreement to extend the lease of the office building at 502 West Main Street in Medford in an amount not-to-exceed \$177,502.00.

IT WAS MOVED BY MEMBER HECOCTA, SECONDED BY MEMBER MOORE TO:

Authorize administration to enter into an 18-month lease extension agreement with ABH Properties, LLC, not to exceed \$177,502.00.

MOTION CARRIED 6-0

- G. SOESD Phoenix Campus Reconstruction Update
Superintendent Beveridge and CFO Weaver provided an update on the

process with PACE regarding insurance settlement and reconstruction of the SOESD Phoenix Campus that was destroyed in the Almeda Wildfire on September 8, 2020. A meeting is being scheduled with both parties and their attorneys to discuss each party's interests and reach an insurance settlement. That meeting will likely be held on July 10, 2024 or July 12, 2024. CFO Weaver continues to work with HMK Company and Adroit Construction Company to prepare responses to PACE's inquiries and assist with the meeting.

The district has been waiting for quite some time for PACE to bring clarity on settlement. Construction and other costs for temporary office space are increasing. At this point it will be a challenge to finish by next summer. SOESD needs to proceed even though the issues with PACE are not resolved. Adroit will launch a bid process for subcontractors. CFO Weaver explained the bid process, timing, and awarding of contracts. Data received through the bid process may help clarify costs. HMK Company is preparing a revised budget with costs updated based on the current market. First Interstate Bank will serve as the loan underwriter. The board will receive information in the future regarding the cost to service the loan and other related costs such as timing of facility leases.

Administration

- A. End of Year Feedback
Superintendent Beveridge provided a PowerPoint presentation reviewing the end-of-year feedback process. Mr. Beveridge reported the survey results of the annual staff survey and the component districts services satisfaction survey.
- B. Oregon Association of ESDs (OAESD) Membership Dues for 2024-2025
Administration recommended continuing SOESD's membership in OAESD for 2024-2025 and requested authorization to pay the annual dues in the amount of \$40,795.00.
IT WAS MOVED BY MEMBER HECOCTA, SECONDED BY MEMBER VALTIERRA-SANCHEZ TO:
Approve 2024-2025 OAESD annual membership fees of \$40,795.00.
MOTION CARRIED 6-0
- C. Date for the SOESD Superintendent's Evaluation
The date for conducting the board's 2024-2025 evaluation of the superintendent was established.
IT WAS MOVED BY MEMBER VALTIERRA-SANCHEZ, SECONDED BY MEMBER CONVERSE TO:
Conduct the board's evaluation of the SOESD Superintendent on July 17, 2024.
MOTION CARRIED 6-0

Executive Session

At 7:14 PM, Chair Wright announced the Board would meet in executive session pursuant to ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

Open Session

At 7:42 PM, Chair Wright reconvened the Board into Open Session.

Miscellaneous

- A. SOESD Organizational Meeting: July 17, 2024, 6:00 PM, SOESD Administration Office in Medford
- B. OSBA Summer Board Conference, August 9-11, 2023, Salem Convention Center.

Adjournment

Chair Wright adjourned the meeting of the Southern Oregon ESD Board of Directors at 7:42 PM.

Minutes in Brief

SOUTHERN OREGON EDUCATION SERVICE DISTRICT
BOARD OF DIRECTORS SPECIAL MEETING, TUESDAY, JUNE 25, 2024

Call to Order

A special meeting of the Southern Oregon Education Service District Board of Directors was held by video/audio conference on Tuesday, June 25, 2024. Chair Wright called the meeting to order at 5:03 PM.

Attendance

Board members in attendance:

- Jessie Hecocta
- Ana Mannenbach
- Maud Powell
- Annie Valtierra-Sanchez
- Justin Wright

Board members absent:

- Rosie Converse
- Mary Middleton
- Bob Moore
- Corbin Morell

SOESD staff members in attendance:

- Jessica Bach
- Scott Beveridge
- Kylee Harrison
- Daniel Weaver

Business Affairs

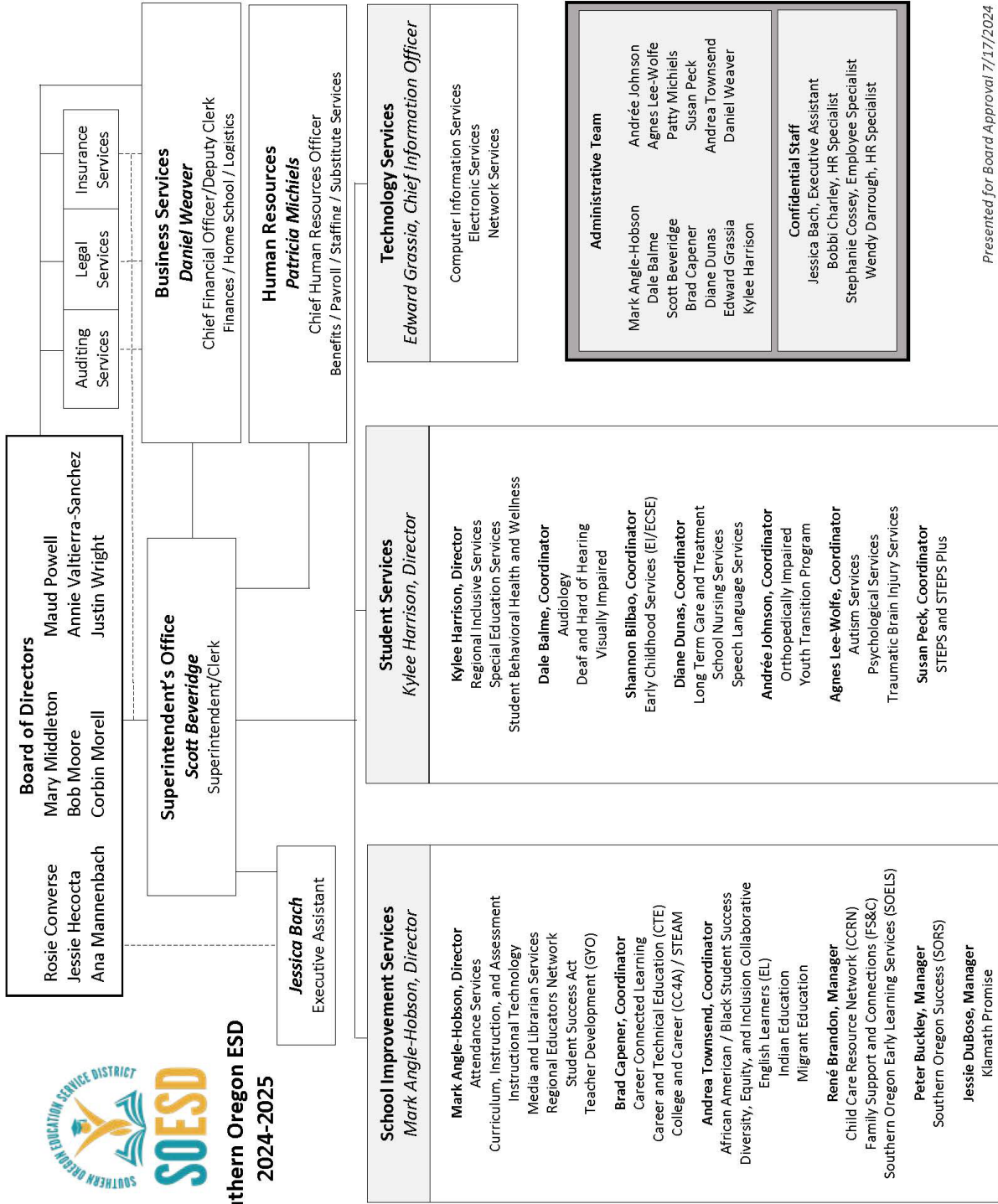
2023-2024 SOESD Resolution #12 – Appropriations Transfer
 CFO Weaver explained that this resolution finalizes appropriation authority and authorizes transfer of funds to ensure that all remaining allocations for the special education choice and equity process, federal funds, and the general fund local service plan can be paid out as the fiscal year is closed.
IT WAS MOVED BY MEMBER MANNENBACH, SECONDED BY MEMBER POWELL
TO:
 Approve 2023-2024 SOESD Resolution #12.
MOTION CARRIED: 5-0

Adjournment

There being no further business, Chair Wright adjourned the special meeting of the Southern Oregon ESD Board of Directors at 5:08 PM.



**Southern Oregon ESD
2024-2025**



Presented for Board Approval 7/17/2024

ORS 190 ENTITY STATEMENT

The following statement is submitted to satisfy the requirements of ORS 190.085(2).

ORS 190.085(2) Not later than 30 days after the effective date of an intergovernmental agreement creating an intergovernmental entity under ORS 190.010, the parties to the intergovernmental agreement shall file with the Secretary of State copies of the ordinances required under this section together with a statement containing the name of the intergovernmental entity created, the parties to the agreement, the purpose of the agreement and the effective date of the agreement.

INTERGOVERNMENTAL ENTITY NAME

ORS 190 Entity, Oregon Association of Education Service Districts

PARTIES TO THE AGREEMENT

Clackamas Education Service District	Linn Benton Lincoln Education Service District
Columbia Gorge Education Service District	Malheur Education Service District
Douglas Education Service District	Multnomah Education Service District
Grant County Education Service District	North Central Education Service District
Harney Education Service District	Northwest Regional Education Service District
High Desert Education Service District	Wallowa Education Service District
InterMountain Education Service District	South Coast Education Service District
Jefferson County Education Service District	Southern Oregon Education Service District
Lake Education Service District	Willamette Education Service District
Lane Education Service District	

PURPOSE OF THE AGREEMENT

The public purposes for which the intergovernmental entity is formed are:

- A. To serve as the legal entity to support the Oregon Department of Education and Oregon school districts in achieving Oregon's educational goals by providing equitable, high quality, cost-effective and locally responsive educational services at a regional level.
- B. To serve as the parent organization for the Oregon ESD P-20 Network in order to ensure the equity of, and access to, the educational opportunity for all of Oregon's children; to utilize all Oregon ESDs in a coordinated and integrated approach to focus on statewide implementation of targeted initiatives; and, to support the Oregon Department of Education and other state entities in the effective and efficient design and implementation of initiatives requiring statewide or multi-ESD coordination and collaboration.
- C. To coordinate and improve infrastructure to deliver services for school improvement, technology, special education and administrative services; establish cooperative regional programs among ESDs, school districts and partners; provide leadership to develop innovation processes and practices to meet the needs of local districts, students and families;

promote cost efficiency through collaborative service models; and, provide equitable access and opportunities for all students.

- D. To attain the greatest degree of intergovernmental cooperation possible in the State of Oregon to ensure the equity of and access to equitable, high quality, cost-effective and locally responsive educational services.

EFFECTIVE DATE OF THE AGREEMENT

_____, 2024.

**ORS 190 AGREEMENT OF THE
OREGON ASSOCIATION OF EDUCATION SERVICE DISTRICTS**

This Agreement is made and entered into this ___ day of _____ 2024, by and between the undersigned governmental bodies.

RECITALS

- A. ORS 190.003 through 190.118 permits units of local government, state governmental agencies, and Tribes to enter into intergovernmental agreements to perform their respective functions or activities more efficiently.
- B. Each Party to this Agreement has the authority to participate in this Intergovernmental Agreement as granted in ORS 190.010.
- C. Each Party intends to create an Intergovernmental Agreement entity known as Oregon Association of Education Services Districts (OAESD) to serve as the parent organization for the Oregon ESD P-20 Network in order to ensure the equity of, and access to, educational opportunity for all of Oregon’s children by providing locally responsive educational services at a regional level ; utilize all Oregon ESDs in a coordinated and integrated approach to focus on statewide implementation of targeted initiatives; and, assist the Oregon Department of Education and other state entities in the effective and efficient design and implementation of initiatives requiring statewide or multi-ESD coordination and collaboration..
- D. The Parties intend that the Oregon Association of Education Service Districts to function separately from any other existing governmental entity, but to work collaboratively with the Oregon Department of Education and others in the furtherance of objectives of ORS Chapter 334.
- E. Coordinating this system is a complex undertaking that no single education service district can accomplish on its own; rather, a collaboration of many education service districts is necessary to achieve Oregon’s goals and objectives for Oregon Education.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants and agreements herein, the parties agree as follows:

AGREEMENT

I. CITATION

Providing equitable, high quality, cost-effective and locally responsive education services throughout the state of Oregon is essential to the education and development of Oregon youth. The purpose of this Agreement is for the affected governmental units to join together as an ORS 190 Entity to serve as the parent organization for the Oregon ESD P-20 Network in order to ensure the equity of, and access to, educational opportunity for all of Oregon's children by providing locally responsive educational services at a regional level ; utilize all Oregon ESDs in a coordinated and integrated approach to focus on statewide implementation of targeted initiatives; and, assist the Oregon Department of Education and other state entities in the effective and efficient design and implementation of initiatives requiring statewide or multi-ESD coordination and collaboration and to implement the requirements of ORS Chapter 334, to more effectively address the needs of school districts and its students.

II. AUTHORITY

This Agreement is established under the authority of the following Oregon Revised Statutes:

- A. ORS 190.010 which authorizes local governments to form intergovernmental entities which are public bodies of the State of Oregon.
- B. ORS 190.030 which provides that any agency established under the authority of ORS 190.010 is vested with all powers, rights, duties, and functions therefore existing by law in separate agencies, pertaining to functions and activities.
- C. ORS 190.085 which requires that any participant in an intergovernmental agreement creating a separate entity ratify its participation by legislative act of its governing body.
- D. ORS 190.110 which authorizes public corporations, public subdivisions, and state agencies to cooperate.

III. DEFINITIONS

- A. "Agreement" shall mean the ORS 190 agreement by which this document is titled.
- B. "ESD" or "Member" shall mean an education service district.
- C. "OAESD" shall mean the Oregon Association of Oregon Education Service Districts, parent organization for the Oregon ESD P-20 Network created by its Constitution which is recognized and incorporated herein.
- D. "OAESD Governance Council" is the governing council of the Oregon Association of Oregon Education Service Districts as set out in its Constitution.
- E. "OAESD Board" refers to a body of the OAESD Governance Council comprised of Board members appointed by each education service district to serve.
- F. "Superintendents Council" refers to a body of the OAESD Governance Council comprised of the Superintendent of each member education service district.

IV. NATURE OF AGREEMENT

- A. The Parties to this Agreement recognize the need to support the OAESD to carry out the purposes of ORS Chapter 334.
- B. This Agreement is based on the principle of the sovereign equality of all the member governments.
- C. Nothing in this Agreement shall authorize this ORS 190 Entity to intervene in matters which are essentially within the jurisdiction of any member without its consent.
- D. This Agreement shall be within the framework of the laws of the State of Oregon and its subdivisions.
- E. All members, in order to ensure to each of them the rights and benefits resulting from membership, shall endeavor to fulfill in good faith the obligations assumed by them in accordance with this Agreement.

V. WARRANTIES AND REPRESENTATIONS OF THE PARTIES

- A. Warranties of the Parties. Each Party of this Agreement warrants and represents that it has the legal authority to enter the Agreement.
- B. Limitation of Financial Obligations of the Parties. No Party to this Agreement shall be responsible or liable for the financial decisions or obligations of the OAESD or any project undertaken by the OAESD, except as that Party explicitly agrees in writing and as otherwise authorized by law.
- C. Authorizing Ordinances. Each Party certifies that it has undertaken the necessary public procedures and, if applicable, has passed ordinance, in accordance with ORS 190.085, which authorizes the signatories to this Agreement to act on behalf of the Party in executing this Agreement. The Parties further agree that, if required, they will file with the Secretary of State, within 30 days after the effective date of this Agreement, a copy of the adopted ordinance and statement of information as specified in ORS 190.085(2). Any copies of documents filed pursuant to ORS 190.085(2) shall also be furnished to and be retained by the OAESD.

VI. ESTABLISHMENT

The OAESD was established as a network of nineteen (19) education service districts across the state of Oregon to provide support in providing equitable, high-quality educational services to Oregon school districts. OAESD also assists with providing technical assistance to school districts in developing, implementing and reviewing a plan for receiving a grant from statewide initiatives. OAESD operates under a Constitution which may be amended by a majority vote of the ESDs represented on the OAESD Governance Council.

VII. PURPOSE

The purposes of this Agreement are:

- A. To serve as the legal entity to support school districts and the Oregon Department of Education in achieving Oregon's educational goals by providing equitable, high quality, cost-effective and locally responsive educational services at a regional level.
- B. To serve as the parent organization for the Oregon ESD P-20 Network in order to ensure the equity of, and access to, the educational opportunity for all of Oregon's children; to utilize all

Oregon ESDs in a coordinated and integrated approach to focus on statewide implementation of targeted initiatives; and, to support the Oregon Department of Education and other state entities in the effective and efficient design and implementation of initiatives requiring statewide or multi-ESD coordination and collaboration.

- C. To coordinate and improve infrastructure to deliver services for school improvement, technology, special education and administrative services; establish cooperative regional programs among ESDs, school districts and partners; provide leadership to develop innovation processes and practices to meet the needs of local districts, students and families; promote cost efficiency through collaborative service models; and, provide equitable access and opportunities for all students.
- D. To attain the greatest degree of intergovernmental cooperation possible in the state of Oregon to ensure the equity of and access to equitable, high quality, cost-effective and locally responsive educational services.

VIII. FUNCTIONS

The ORS 190 Entity's primary function is to serve as the parent organization for the Oregon ESD P-20 Network in furtherance of implementing plans for the improvement of student academic achievements as set forth in OAESD's Constitution.

IX. POWERS

Until further amended, Linn Benton Lincoln Education Service District (LBLESD) will continue to serve as the Sponsoring ESD, which means it will be the employer of all employees assigned to serve OAESD and will serve as the fiscal agent for OAESD. Serving as the Sponsoring ESD is voluntary; thus, the Sponsoring ESD can be changed through the amendment process described in Article XIX, so long as the Sponsoring ESD accepts this appointment.

In this role of Sponsoring ESD, Linn Benton Lincoln Education Service District will have the authority to perform the following functions on behalf of the ORS 190 Entity:

- A. To enter into agreements with the United States of America, State of Oregon, or any subdivision or agency or any municipal corporation for the purpose of obtaining financial aid or other participation in attaining the objectives and purposes of the OAESD.
- B. To enter into contracts for the provision of goods and services for terms not to exceed five years to effectuate the functions of the ORS 190 Entity, including the provisions of financial purchasing, personnel, legal and other administrative services to the OAESD. Notwithstanding the foregoing limitation, the ORS 190 Entity may enter into real property lease agreements for terms not exceeding 20 years.
- C. To appoint or contract with staff and assign duties, responsibilities, and authorities.
- D. To organize and collect funds to hold conferences several times each year.

The ORS 190 Entity shall have the following functions:

- A. To establish an office and sub-offices, as directed by the member governments.
- B. To approve an annual budget for the ORS 190 Entity.
- C. To exercise any and all powers and functions authorized by law for an intergovernmental entity, including the powers conferred by ORS 190.080, necessary to effectuate the decisions of the OAESD Governance Council.

X. MEMBERSHIP

The membership of the ORS 190 Entity created by this Agreement shall consist of signatories of this Agreement and any education service district which may become a member as herein provided. Continued membership in good standing, including the right to vote, shall be conditioned upon being current in payment of member contributions, as set forth in Article XI of this Agreement. Membership may be attained by ESDs by:

- A. Entering into a legally binding action, adopting an ordinance, or other legislative act by the governing body, ratifying its participation in the ORS 190 Entity as provided in ORS 190.085; and
- B. Providing a portion of the finances necessary to defray the expenses of the OAESD as provided in Article XII of this Agreement, which portion shall be established annually by the OAESD Governance Council prior to the approval of individual government budgets by governing bodies of member governments and governments seeking membership in the ORS 190 Entity.

XI. OAESD GOVERNANCE COUNCIL

- A. Membership. The OAESD Governance Council of the ORS 190 Entity shall consist of an OAESD Board and the Superintendents Council. The OAESD Board shall consist of appointed representatives designated by the governing body of the Member. The Superintendents Council will consist of each member ESD Superintendent. Each ESD Member shall have one vote that can be cast by either the Superintendent or Board member representative.
- B. Bylaws. The OAESD Governance Council shall adopt bylaws to establish rules for the governance of the ORS 190 Entity, meetings of the OAESD Governance Council, and ancillary matters, consistent with this Agreement.
- C. Officers. The Officers Council of the OAESD shall consist of the Chair, Chair-Elect, and Past Chair of the OAESD Board and President, President-Elect, and Past President of the OAESD Superintendents' Council. Officers shall be elected through a nomination process and majority vote as described in the Bylaws. The terms of the Officers shall be one year. Any Officer may be elected to no more than two successive terms. Duties of the Officers shall be designated in the Bylaws.
- D. Executive Director. An LBLESD employee will serve as the ORS 190 Entity Executive Director. The Executive Director will maintain ORS 190 Entity records, schedule meetings of the OAESD Governance Council, develop meeting agendas, arrange for minutes to be taken for all official OAESD meetings, and perform other duties articulated in the Bylaws.
- E. Meetings. Meetings shall be held in accordance with Oregon public meetings law. A quorum, consisting of 50.01% of ESD members, shall be necessary for the OAESD Governance Council to transact business. The OAESD Governance Council shall regularly meet three times per year. Special meeting of the OAESD Governance Council may be called by the Executive Director upon confirmation by the Chair and President.

XII. EXPENSES

- A. Each ESD member shall appropriate in its budget and contribute its share of the expenses of the ORS 190 Entity in accordance with the budget approved by the ORS 190 Entity Council, to the extent that revenues are available therefore insofar as each ESD member is concerned. The ORS 190 Entity may accept grants and contributions from other entities for the benefit of OAESD.
- B. The ORS 190 Entity ESD members, through the OAESD, have agreed to provide funding for OAESD to supplement its operation, contingent on the ESD member's budgetary authority, as approved annually by the OAESD Governance Council. ORS 190 Entity's budget shall include each ESD member's designated contribution, in addition to funds necessary for the operation of the ORS 190 Entity, as approved by the ORS 190 Entity's Governance Council.
- C. The parties agree that all 19 ESDs (including LBLESD) will be responsible for any additional costs incurred by LBLESD, which are directly related to the execution of the Powers in Section IX, including unanticipated additional costs from LBLESD's risk pool to provide coverage for OAESD activities and operations, or any out-of-pocket costs related to legal claims brought against LBLESD related to the administration of OAESD. Each of the 19 ESDs will be responsible for a proportional share of these additional costs, which will be prorated based upon the current OAESD tiered dues structure.
- D. The ORS 190 Entity Governance Council shall approve an annual appropriation to be used for OAESD expenses. Additional amounts may be authorized by the ORS 190 Entity Governance Council contingent on availability of funds.

XIII. DURATION AND TERMINATION

- A. Entity Term and Dissolution. This Agreement shall continue and remain in full force and this ORS 190 Entity shall not be dissolved unless by a unanimous vote of the members; provided, however, that any such dissolution shall not become effective until such time as any contracts to which the ORS 190 Entity is a party have been fully performed and are no longer in effect. In the event of such dissolution, all assets on hand shall be distributed to the member governments in proportion to their contribution for the purchase of such assets.
- B. Member Withdrawal. Any ESD member may withdraw as a participating member in the ORS 190 Entity under this Agreement at the termination of the fiscal year by notifying the ESD members at least six months prior to the end of the fiscal year of its intention to withdraw. In the event of withdrawal of an ESD member, the ORS 190 Entity shall determine the portion of the ORS 190 Entity's assets, if any, to which the withdrawing ESD member shall be entitled. Any indebtedness incurred by the ORS 190 Entity on behalf of the government which is withdrawing shall remain an obligation of that ESD provided that such indebtedness was incurred at the time the obligation was incurred and is evidenced by written agreement or memorandum.
- C. Member Removal. A ESD member may be removed for non-payment, and only upon a two-thirds majority vote of the Council. Upon the effective date of removal, the removed ESD member shall be entitled to any unused portion of its most recent, unused member contribution. The removed ESD member shall not be entitled to distribution of any other

ORS 190 Entity asset unless and until the ORS 190 Entity dissolves as set forth above in section A.

XIV. COMPLIANCE WITH APPLICABLE LAWS

The parties shall comply with all applicable federal, state, and local laws and ordinances applicable to the parties and the work to be done under this Agreement. The parties agree that this Agreement shall be administered and construed under the laws of the State of Oregon. If any one or more provisions contained in this Agreement is determined to be invalid, illegal, or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired thereby.

XV. NONDISCRIMINATION

The parties agree to comply with all applicable requirements of federal, state, and local civil rights statutes, rules, and regulations in the performance of this Agreement.

XVI. HOLD HARMLESS

The parties agree to indemnify and hold harmless each other for, from and against all claims, costs, expenses (including attorney fees), losses, damages, fines, charges, actions, or other liabilities solely to the extent arising from their own intentional or negligent acts or those of their agents, contractors, or employees and, to the extent applicable, the above indemnification is subject to and shall not exceed the limits of the Oregon Tort Claims Act (ORS 30.260 through 30.300) and the Oregon Constitution. The parties intend to provide reciprocal indemnity obligations.

XVII. INSURANCE

Each party shall insure or self-insure and be independently responsible for the risks of its own liability for claims within the scope of the Oregon Tort Claims Act (ORS 30.260 to 30.300). The parties intend to provide reciprocal liability insurance obligations.

XVIII. MERGER CLAUSE

Parties concur and agree that this Agreement constitutes the entire agreement among the parties. No waiver, consent, modification, or change to the terms of this agreement shall bind any party unless in writing and signed by all parties. There are no understandings, agreements, or representations, oral or written, not specified herein regarding the agreement. Parties, by the signatures below of their authorized representatives, hereby agree to be bound by its terms and conditions.

XIX. AMENDMENTS

Amendments to this Agreement may be made only by three-fourths votes of the total ESDs represented on the OAESD Governance Council in favor of an amendment.

IN WITNESS WHEREOF, the parties to this Agreement have caused these articles to be executed by their authorized officers or representatives as of the day and year first above written.

**ORS 190 AGREEMENT OF THE OREGON ASSOCIATION OF EDUCATION
SERVICE DISTRICTS**

SOUTHERN OREGON EDUCATION SERVICE DISTRICT

Scott Beveridge
Southern Oregon ESD
Superintendent

Date

Justin Wright
Southern Oregon ESD Chair

Date

**2024-2025 Southern Oregon ESD
RESOLUTION #1**

July 17, 2024

Recitals:

1. Southern Oregon Education Service District, being a body corporate, is charged to perform all duties required by law, and
2. It is empowered to enter into contracts to fulfill such duties, including, but not limited to, the following:
 - a) Conduct of audits
 - b) Employment of personnel and contracting for services
 - c) Purchase or lease of land, buildings, and facilities
 - d) Purchase or lease of personal property and relocatable structures
3. It is determined by the Board of Directors that to facilitate operation, it is desirable to delegate to the superintendent-clerk and the business manager-deputy clerk the authority to enter into contracts on behalf of the district, subject to the limitations hereafter set out.

It is resolved as follows:

That for the period July 1, 2024, to and including June 30, 2025, unless amended or revoked by the Board, the superintendent-clerk and the business manager-deputy clerk are empowered and authorized to award bids and to enter into public contracts as defined by ORS 279 on behalf of the district without prior Board approval provided:

- a) The total contracted amount does not exceed \$100,000.00. (This limitation is not applicable to cooperative purchasing agreements and intergovernmental agreements.)
- b) All applicable requirements of Chapter 279, Oregon Revised Statutes, relating to public contracts and purchasing, and all Board policy requirements are fulfilled.
- c) The items purchased or services contracted are identified or identifiable and authorized by the adopted district budget.
- d) The bonds required to be furnished by the superintendent-clerk and business manager-deputy clerk are in full force and effect.

Chair, Southern Oregon ESD Board of Directors

Scott Beveridge, Superintendent-Clerk

**2024-2025 Southern Oregon ESD
RESOLUTION #2**

July 17, 2024

BE IT RESOLVED by the Board of Directors of the Southern Oregon Education Service District that for the 2024-2025 fiscal year the office of the treasurer in each of the following counties: Jackson, Josephine, and Klamath, be designated the depository of funds and be authorized to transfer monies to the Local Government Investment Pool. The limitation of these investments shall be those imposed by the Oregon Revised Statutes.

Chair, Southern Oregon ESD Board of Directors

Scott Beveridge, Superintendent-Clerk

**2024-2025 Southern Oregon ESD
RESOLUTION #3**

July 17, 2024

BE IT RESOLVED by the Board of Directors of the Southern Oregon Education Service District that the clerk and-or deputy clerk are hereby authorized to make payments in a timely manner of all obligations entered into by the district, in accordance with the budget as adopted and approved by the Board of Directors for the 2024-2025 fiscal year.

Chair, Southern Oregon ESD Board of Directors

Scott Beveridge, Superintendent-Clerk

**2024-2025 Southern Oregon ESD
RESOLUTION #4**

July 17, 2024

BE IT RESOLVED by the Board of Directors of the Southern Oregon Education Service District that interfund loans are hereby authorized and approved, pursuant to ORS 294.460 for the 2024-2025 fiscal year.

Purpose: Due to the timing of receipts, many grants will not disburse remaining funds until final reports are processed. This timing problem creates the need to allow interfund loans in order to fully expend the grant.

Intent of Repayment: Interfund loans of this type will be repaid within the current year once the district receives the balance of grant funds.

Chair, Southern Oregon ESD Board of Directors

Scott Beveridge, Superintendent-Clerk