



JOINT POWERS AGREEMENT RESOLUTION

DEPARTMENT OF PUBLIC INSTRUCTION

SCHOOL FINANCE & ORGANIZATION

SFN 53930 (5-06)

The Board of Directors of the _____ joint powers agreement, on behalf of the participating school districts, approves the following resolution, which is adopted on _____; and, certifies that:

The school districts participating in the agreement have (choose one of the following):

- a. A combined total land mass of at least five thousand eight hundred square miles [1502193 hectares]; **or**
- b. A combined total land mass of at least four thousand five hundred square miles [1165494 hectares] and number at least twelve; **or**
- c. A combined total land mass of at least four thousand square miles [1035995 hectares] and have at least three thousand students in average daily membership; **or**
- d. A combined total land mass of at least one thousand five hundred square miles [388498 hectares] and have at least seven thousand five hundred students in average daily membership.

The Board of Directors certifies that the school districts participating in the agreement are contiguous to each other or, if the districts are not contiguous to each other, the superintendent of public instruction has verified that non-contiguous participating districts can provide sound educational opportunities to their students in a fiscally responsible manner without injuring other school districts or educational associations governed by joint powers agreements and without negatively impacting the ability of other school districts or educational associations governed by joint powers agreements from providing sound educational opportunities to their students in a fiscally responsible manner.

The Board of Directors certifies that the joint powers agreement requires that the participating school districts maintain a joint operating fund.

The Board of Directors certifies that each member district is participating in various administrative functions and student services as outlined below.

- a. During the first two school years in which an educational association governed by a joint powers agreement is operation, each of the participating school districts shall share in at least two administrative functions and two student services, selected by the district.
- b. During the third and fourth school years in which an educational association governed by a joint powers agreement is operational, each of the participating school districts shall share in at least three administrative functions and three student services, selected by the district.
- c. During the fifth school year in which an educational association governed by a joint powers agreement is operational, and each year thereafter, each participating school district shall share at least five administrative functions and five student services, selected by the district.

The Board of Directors certifies that the governing documents of the joint powers agreement outline:

- a. Criteria for the future participation of school districts that were not parties to the original joint powers agreement.
- b. An application process by which school districts that were not parties to the original joint powers agreement can become participating districts; and,
- c. A process by which school districts that were not parties to the original joint powers agreement and whose application to participate in the agreement was denied can appeal the decision to the superintendent of public instruction.

The Board of Directors certifies that the joint powers agreement provides for the employment and compensation of a coordinator who is employed at least half time and any other staff necessary to carry out the provisions of the agreement and the requirements of this Act.

The Board of Directors certifies that the joint powers agreement provides for a governing board that consists only of individuals who serve on the boards of the participating school districts or designees of the respective school board members, provided however that a joint powers agreement may allow for the inclusion of ex officio nonvoting members on the educational association's board.

The Board of Directors certifies that the joint powers agreement provides that the board of the educational association shall meet at least quarterly.

The Board of Directors certifies that the joint powers agreement does not permit the educational association to compensate members of the educational association board for attending meetings of the board and that it does not permit the educational association to reimburse members of the board for any expenses incurred in attending meetings of the educational association board.

The Board of Directors understands the reporting expectations to annually demonstrate and document the implementation of the steps identified above for review by the Department of Public Instruction and the Legislative Assembly. The Board of Directors stands ready to assist the Legislative Assembly in its assessment of these initiatives to provide effective education services in rural areas in North Dakota.

Signature	President, Board of Directors (Name of Board)
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