

WITHDRAWAL AGREEMENT

THIS AGREEMENT is made and entered into on this 6TH day of June, 2018, by and between Independent School District No. 0458 (Truman) and Southern Plains Education Cooperative (“SPEC”).

WHEREAS, Truman has been a member district of SPEC since 1974 (formerly Martin County Special Education Cooperative; Consolidated with South Central Education Cooperative in 1994); and

WHEREAS, Truman has been and currently is in statutory operating debt and the Minnesota Department of Education has approved a strict statutory operating debt plan for the 2018-19 school year; and

WHEREAS, with the exception of Truman, SPEC members have approved an Amended and Revised Joint Powers Agreement; and

WHEREAS, with the exception of Truman, SPEC members have approved a Facilities Agreement for the purchase and financing of a building in which to house SPEC programs; and

WHEREAS, Truman did not approve the Amended and Revised Joint Powers Agreement or the Facilities Agreement, because of its current financial condition; and

WHEREAS, Truman has adopted a resolution on June 6, 2018 to withdraw from SPEC effective July 1, 2019; and

WHEREAS, the remaining SPEC members desire to proceed with the Amended and Revised Joint Powers Agreement and Facilities Agreement without Truman; and

WHEREAS, the current Joint Powers Agreement to which Truman is a part addresses the obligations and responsibilities of a withdrawing member school district; and

WHEREAS, Truman understands its obligations with respect to its withdrawal under the current Joint Powers Agreements and agrees to fulfill its responsibilities and obligations to SPEC under the current Joint Powers Agreement; and

WHEREAS, SPEC is willing to allocate funds to reduce Truman’s SPEC invoice for the 2018-19 school year; and

WHEREAS, Truman understands that its continued participation on the SPEC Board will not include actions related to the Facilities Agreement.

NOW THEREFORE, in consideration of the mutual promises, covenants and considerations herein contained, the parties agree as follows:

1. The 1994 Joint Powers Agreement creating SPEC as a joint powers entity and which includes Truman as a member district will continue to apply only to Truman for the 2018-19 school year as though it remains in full force and effect.
2. SPEC will allocate \$50,000 of its fund balance to reduce Truman’s SPEC invoice for the 2018-19 school year.

3. Truman shall be considered a non-member district for any services purchased from SPEC after the effective date of withdrawal.
4. Truman is not a party to the Facilities Agreement and shall have no rights under the Facilities Agreement.
5. Truman shall not have voting rights on the SPEC Board with respect to actions related to the Facilities Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as follows:

Approved at the special meeting
of the School Board thereof held
on ____ day of _____, 2018.

INDEPENDENT SCHOOL DISTRICT NO. 0458
(Truman)

By: _____
Chair

By: _____
Clerk

Approved at the regular meeting
of the SPEC Board thereof held
on ____ day of _____, 2108.

SOUTHERN PLAINS EDUCATION COOPERATIVE

By: _____
Chair

By: _____
Clerk