

RHODE ISLAND BOARD OF REGENTS
FOR ELEMENTARY & SECONDARY EDUCATION

REGULATIONS GOVERNING COOPERATIVE SERVICE AGREEMENTS
AMONG SCHOOL DISTRICTS¹
[R.I.G.L.16-3.1-1, *et seq.*]

TOPIC

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B-1-1. Cooperative Services Study Committee — School committees interested in developing a cooperative service arrangement shall form a Cooperative Services Study Committee (CSSC) consisting of at least one representative from each participating school district and such other representatives as are mutually agreed upon by the participating school districts. The Cooperative Services Study Committee has the responsibility for conducting surveys, studies and any other information gathering activities in order to prepare the Certificate of Intent, the Articles of Agreement, and any necessary documents, reports, etc. The CSSC may incur such costs as are mutually agreed upon by the participating school committees in the conduct of the CSSC's planning and development activities.

B-1-2. Certificate of Intent — School districts interested in planning for the implementation of a cooperative service arrangement shall certify their intent, in writing, to the Commissioner of Education. In order to be eligible for technical and/or financial assistance, the Certificate of Intent shall include:

1. A listing of the school districts that intend to participate in the cooperative and their current enrollments;
2. A listing of the representatives of the Cooperative Services Study Committee (CSSC);
3. A statement of both the general need(s) and the results expected through the intended cooperative effort as developed by the

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Cooperative Services Study Committee (CSSC).

4. Upon receipt and approval of a Certificate of Intent, the Commissioner of Education shall authorize the Bureau of Technical Assistance to provide appropriate technical services necessary to plan for the implementation of the intended cooperative.

B-1-3. Articles of Agreement — Requirements. — All Articles of Agreement for cooperative service arrangements shall contain the following specifications in order to be considered for approval by the Commissioner of Education as a valid cooperative, and further to be eligible for both technical and financial assistance:

1. A listing of the school districts that plan to participate in the cooperative, and the designated name of the cooperative;
2. A statement of the purpose(s) of the cooperative;
3. A description of the proposed governance and organizational / structure for the cooperative and an explanation of the method by which representation of each participating school district on the governing board will be selected;
4. A description of the procedures by which local capital and operating costs of the cooperative are allocated among the participating school districts (fiscal records must be maintained in accordance with the Board of Regents accounting standards);
5. A description of the procedures for the disposition of acquired property, other assets and all outstanding liabilities upon either withdrawal of districts or the final dissolution of the cooperative;
6. A description of the procedures by which individuals will be hired and terminated;
7. A description of the procedures by which the agreement may be amended, the provision for the admittance of additional districts, and the provision by which districts may withdraw from participation in specific programs and/or the entire cooperative operation.
8. Articles of Agreement shall be submitted to the Commissioner of Education, signed and dated by the Chairperson of each participating school committee certifying its vote of approval of the Articles of Agreement.
9. The following data is required In addition to the Articles of Agreement:

- a. Current enrollments of the participating districts;
- b. Projected enrollments of the participating districts for the ensuing five years;
- c. Services and/or programs to be offered upon implementation of the cooperative and the populations to be affected.

B-1-4. Governance. — (a) Each cooperative shall establish a governing board whose membership shall consist of at least one representative from each participating district to oversee the performance and delivery of services and/or programs agreed upon by the participating school districts, and it shall be invested with the authority to carry out the provisions of its Articles of Agreement.

(b) Cooperative boards empowered by the Articles of Agreement to receive and expend local, state and federal dollars shall establish a depository for such monies. However, cooperative boards are empowered to incur only such costs, debts, and liabilities which are approved by the participating school committees. Boards shall provide for a financial accounting and reporting of such funds consistent with the Regents accounting standards. Such reports shall be submitted to the Department of Education and the cooperating districts.

B-1-5. School Committee Approval of the Articles of Agreement. — The Cooperative Services Study Committee shall submit the Articles of Agreement to the school committees of each participating district for their approval. All participating school districts must ratify the Articles of Agreement before such agreement will be considered for approval by the Commissioner of Education.

B-1-6. Approval of the Commissioner of Education. — The Commissioner of Education shall review each proposed Articles of Agreement and shall render an approval, disapproval, or tentative approval subject to recommended changes. The Commissioner of Education shall render a decision within fifteen (15) days of receipt of the Articles of Agreement.

B-1-7. Technical Assistance. — The Department of Education has the responsibility for providing technical assistance to any group of school districts whose Certificate of Intent for a cooperative service arrangement has been reviewed and approved by the Commissioner of Education.

B-1-8. Financial Assistance. — Cooperative service agreements must be approved by the Commissioner of Education and designated as meeting the requirements of the Cooperative Services Act and such regulations that prescribe their operations in order to be eligible for direct financial assistance from state and/or federal resources. The Commissioner of Education shall review the financial needs as presented by each cooperative arrangement and make recommendations to the Board of Regents for the purpose of supporting the cooperative when such

assistance is needed. Requests for State funds must be received by the Commissioner of Education fifteen (15) months prior to July 1 of the state's fiscal year for which the funds are requested.

B-1-9. Withdrawal or Final Dissolution. — (a) Any school district that is a party to a cooperative service agreement may terminate its obligation at the end of any fiscal year by written notice to the Commissioner of Education and to each district in the cooperative providing such notice is received at least six months before the start of state's next ensuing fiscal year. In the event of either a single district withdrawal or a complete dissolution of the cooperative, the Commissioner of Education is to be notified in writing specifying:

1. the reason(s) for the withdrawal or dissolution;
2. the effective date of the withdrawal or dissolution;
3. those programs and/or services that will be affected;
4. the number of positions that will be eliminated due to the withdrawal;
5. the effect(s) the withdrawal or dissolution will have on the educational programs and/or services of the participating districts.

(b) School districts withdrawing from a cooperative service operation must continue to provide such service(s) as required by law and regulation as were provided by the cooperative service arrangement.

(c) All materials, equipment, and other assets of the cooperative held by the terminating district(s) shall be returned to the cooperative. Upon final dissolution of a cooperative all outstanding obligations must be certified as met in full; all outstanding capital or bonded debts shall be distributed among the participating school districts according to their apportioned financial responsibility of the cooperative service agreement.

(d) Any federal or state financial aid relative to the cooperative arrangement directly received by the withdrawing district(s) shall be terminated upon the effective date of withdrawal. Furthermore, such funds received in payment for services not rendered at the date of withdrawal, shall be returned to the appropriating federal or state agency.

B-1-10. Disputes. — All disputes between participating school districts of a cooperative service arrangement which cannot be resolved by the cooperative's governing board shall be resolved in accordance with the appropriate provisions of Title 16 Chapter 39 of the Rhode Island Laws Relating to Education.