

INDEPENDENT SCHOOL DISTRICT 271
Bloomington, Minnesota

REQUEST FOR SCHOOL BOARD ACTION

DATE OF BOARD MEETING: August 6, 2018


SUBJECT: Agreement for Debt Payment, Distribution of Assets and Assignment of Liabilities Upon the Withdrawal of Independent School District No. 271 from TIES

ORIGINATING DEPARTMENT: School Board

RESOLUTION FOR BOARD TO ADOPT:

RESOLVED, that the School Board of Independent School District 271 approves the Agreement for Debt Payment, Distribution of Assets and Assignment of Liabilities Upon the Withdrawal of Independent School District No. 271 from TIES and authorizes the Chair and the Clerk to sign said Agreement on behalf of the School Board.

RECOMMENDATION OF SUPERINTENDENT:

Approve. 

DETAILED BACKGROUND:

On April 24, 2017, the School Board authorized and directed the Superintendent to issue a Notice of Withdrawal of the District's membership in the Technology and Information Educational Services [TIES] consortium effective June 30, 2018. Proper Notice of Withdrawal was submitted to TIES on May 10, 2017.

In a meeting with the TIES Executive Committee Chair and another officer on June 25, 2018, it was agreed that the District would pay to TIES the sum of \$340,183.60 (being computed at \$32.30 for each of Bloomington's 10,532 pupils) as its share for the debt payment, distribution of assets and assignment of liabilities upon its withdrawal from TIES effective June 30, 2018.

The District's legal counsel drafted the Agreement and has reviewed and approved edits suggested by legal counsel for TIES, which are reflected in the attached Agreement presented for School Board approval.

**AGREEMENT FOR DEBT PAYMENT, DISTRIBUTION OF ASSETS
AND ASSIGNMENT OF LIABILITIES
UPON THE WITHDRAWAL OF
INDEPENDENT SCHOOL DISTRICT NO. 271
FROM TIES**

Whereas, Independent School District No. 271 (Bloomington) has given proper Notice of Withdrawal from the Technology and Information Educational Services organization (TIES) as of June 30, 2018; and

Whereas, in accordance with Minn. Stat. 123A.24, subd. 1 (a) and (b), Bloomington and TIES have mutually agreed upon Bloomington's share of debt owed, the assignment of assets and distribution of liabilities to Bloomington upon its withdrawal from TIES as permitted by law;

Therefore, pursuant to the TIES bylaws and Minnesota Statutes, the parties **AGREE** as follows:

1. Bloomington has given proper Notice of Withdrawal on May 10, 2017 and is withdrawn from TIES as of June 30, 2018.
2. Bloomington shall pay to TIES the sum of \$340,183.60 (being computed at \$32.30 for each of Bloomington's 10,532 pupils) as its share of the debt incurred by TIES as required under Minn. Stat. 123A.24, subd. 1 (b) due to its withdrawal from TIES.
3. The amount set forth in Section 2 represents a full and final settlement of Bloomington's share of TIES debt, and the assignment of assets and distribution of liabilities between TIES and Bloomington, and neither party shall have any future obligations or responsibility to the other upon payment of this sum. Subject to Bloomington's payment of such amount and the passages of resolutions described in Section 4, each party will release each other, and indemnify and hold harmless the other party and its officers, directors, employees and agents from all claims, actions, or suits of any kind or character which arise, or could have arisen, from Bloomington's withdrawal from TIES.
4. As authorized by Minn. Stat. 123A.24, subd. 1 (b), this Agreement shall be effective upon the passage of a resolution approving and authorizing the signing of this Agreement by the Boards of each party. Each party shall supply the other with a signed copy of this Agreement and a copy of the minutes of its meeting wherein said resolution was adopted.
5. Within 14 days after the adoption of this Agreement by both parties, Bloomington shall pay to TIES the sum set forth in Section 2.

**INDEPENDENT SCHOOL DISTRICT NO. 271
(Bloomington)**

By: _____
Its: Chair

By: _____
Its: Clerk

Dated: _____, 2018

**Technology and Information Educational Services organization
(TIES)**

By: _____
Its: Chair

By: _____
Its: Clerk

Dated: _____, 2018