

AGREEMENT BETWEEN THE CITY OF BELLE PLAINE AND  
INDEPENDENT SCHOOL DISTRICT #716 RELATING TO THE ESTABLISHMENT AND  
OPERATION OF A JOINTLY SPONSORED  
COMMUNITY EDUCATION PROGRAM

MAY 2015 TO MAY 2017

AGREEMENT, made as of January 17, 1982, and February 1, 1988, February 6, 1995, and March 2004 between the CITY OF BELLE PLAINE, a Minnesota municipal corporation ("City") and INDEPENDENT SCHOOL DISTRICT NO. 716, Scott County, Minnesota, ("School District").

WHEREAS, the School District is organized for the purpose of providing public school education, including at its discretion lifelong learning opportunities, continuing education programs and associated recreation programs within its geographic boundaries; and

WHEREAS, the City does provide recreation and civic programs for citizens within its geographic boundaries; and

WHEREAS, the School District and the City ("Sponsors"), within their respective powers, desire to cooperate in the establishment and operation of a Community Education and Recreation Program, as that term is defined herein below in Article 1, within the total area encompassed by the boundaries of the City and the School District.

NOW, THEREFORE, the Sponsors hereby agree as follows:

1. PURPOSE OF AGREEMENT

The Sponsors shall severally, jointly and cooperatively, pursuant to the board and authority of Minnesota Statutes, and other applicable statutes and their respective express and implied powers, establish and operate a Community Education and Recreation Program.

The Community Education and Recreation Program is defined to mean the following:

A program of academic improvement, enrichment, leisure and recreation services, program coordination, and social action utilizing School District facilities, City park and recreation facilities, and private resources for all ages, for all social and for all economic groups residing within the geographic boundaries of the Sponsors.

## 2. COMMUNITY EDUCATION AND RECREATION ADVISORY COUNCIL

A work group committee will meet to discuss any issues arising with Community Ed./Rec. with the following representation.

- \* School Board Representative
- \* City Council Representative
- \* School Board Superintendent
- \* City Administrator
- \* Activities and Recreation Director

## 3. PERSONNEL

- a). The School District and City Council shall approve qualifications, salary, and personnel hired for the position of Director.
- b). The School District shall approve qualifications, salary and personnel hired for community education staff positions.
- c). The City Council shall approve qualifications, salary, and personnel hired for recreation staff positions.

## 4. FINANCES

Each Sponsor shall make contributions necessary to meet the approved financial needs of the annual budget. Annual budgets shall be submitted to the respective Sponsor for approval. A proposed recreation budget shall be submitted to the School District by requested date. Each proposed budget shall estimate all revenue and expenditures and shall set forth the recommended program of activities including administrative costs and shall be in sufficient detail to provide review.

The City shall fund recreation-orientated activities encompassing all ages. Financing shall be provided through fees, donations and general tax revenue.

The School District shall bill the City on a quarterly basis for its 30% share of administrative costs and services while the ISD/Community Ed. will be responsible for the remaining 70% of the administrative expenses.

Other costs of the Community Education Program shall be funded through the Community Service Budget, Community Education/Services Fund, of the School District. Financing shall be provided through fees, donations, state and federal financial aid and special tax levies. The School District will make available to the City monthly financial statements relative to the operation of the Community Education and Recreation Program. Reports shall conform to the principles and standards of public financial reporting as established by Uniform Financial Accounting for Minnesota School Districts, State of Minnesota Department of Education.

## 5. FISCAL AGENTS

- a). The School District through its designee will be the fiscal agent for the following:
  - (1) The majority of revenues and expenditures for the administration of the Community Education/Recreation and this agreement.
  - (2) Revenues and expenditures for School District approved budget, programs, classes, and activities.
- b). The City through its designee will be the fiscal agent for revenues and expenditures for City approved budget and programs.
- c). The fiscal agent(s) shall approve and process bills and claims submitted by the Director.
- d). The Director is responsible for preparing budgets and handling funds.

## 6. FACILITIES

- a). Each Sponsor shall determine which of its lands, buildings and equipment ("public resources") will be made available to the Community Education/Recreation Program.
- b). The School District shall provide office space and operational services to permit the Director to administer the Community Education and Recreation Program.
- c). Each sponsor shall maintain general liability insurance covering those public resources made available to the Community Education and Recreation Program.
- d). Joint Facility Use Agreement.

## 7. SUPERVISION OF PROGRAMS

The responsibility for operation and maintenance of the Community Education Program, except as otherwise set forth within, shall be the School District's. The responsibility for operation and maintenance of the Community Recreation Program, except as otherwise set forth within, shall be the City's.

The Superintendent of Schools shall supervise the Activities and Recreation Director in community education development and activities, and the City Administrator shall supervise the Director in recreation development activities;

The Superintendent and City Administrator shall conduct a semi-annual review/evaluation of the Director. The evaluation instrument will be mutually agreed upon by the ISD Superintendent and the City Administrator.

## 8. POLICY REVIEW/TERMINATION

This agreement shall be reviewed by the sponsors every 2 years or as requested in writing by either party.

This agreement shall remain in effect and shall govern the jointly-sponsored Community Education and Recreation Program, subject to the right of either party to terminate this agreement at the end of a calendar year. The notice of intent to terminate

shall be in writing and shall be served at least one year before the proposed date of termination. In the event of such termination, the unexpended balances or deficits remaining after satisfaction of all obligations in the Community Education/Services Fund and Trust/Agency Fund, as set forth in section 4 above, will be repaid in direct final fiscal year. Property acquired from the Community Education/Services Fund will be returned to the School District upon completion of the Program's final fiscal year.

#### 9. NONDISCRIMINATION

a). Access to Community Education and Recreation programs shall be available to all residents of the Sponsoring agencies without regard to race, color, creed, religion, national origin, or sex, or as required by the State of Minnesota or the U.S. Government.

b). No applicant for employment or employee hired pursuant to the agreement shall be discriminated against with respect to the person's race, color, creed, religion, national origin, age or sex. Age or sex may be taken into consideration only when required by a bonafide occupational qualification.

IN WITNESS WHEREOF the parties hereto have caused this agreement to be executed by their respective duly authorized officers pursuant to the authority granted by the attached resolutions adopted by the City Council of Belle Plaine and the School Board of Independent School District No. 716.

\_\_\_\_\_

Adopted by the INDEPENDENT SCHOOL DISTRICT #716 on \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
School Board Chairperson

\_\_\_\_\_  
Date

\_\_\_\_\_  
School Board Clerk

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_

Adopted by the CITY OF BELLE PLAINE on \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date