

**MEMORANDUM OF UNDERSTANDING BETWEEN
PENDLETON SCHOOL DISTRICT AND NIXYÁAWII COMMUNITY SCHOOL
REGARDING SERVICES PROVIDED BY THE OREGON SCHOOL BOARDS ASSOCIATION**

This Memorandum of Understanding (“MOU”) is between Pendleton School District and Nixyáawii Community School, collectively referred to as “Parties.” This Agreement is effective upon signature by the Parties and shall remain in effect for the duration of the current charter contract between the Parties, unless terminated as allowed in this Agreement.

RECITALS:

1. The Oregon School Boards Association (“OSBA”) will be incorporated as a nonprofit corporation under ORS Chapter 65 beginning July 1, 2018. As a result, OSBA will be prohibited from accepting dues and service fees from entities that are not political subdivisions of the state as defined under Treas Reg § 1.103-1(b) and Revenue Ruling 78-276, 1978-2 CB 256. Under these definitions, Oregon charter schools are not political subdivisions of the state.
2. Beginning July 1, 2018, OSBA cannot offer associate memberships to charter schools or contract directly with them for services.
3. Charter schools can still access OSBA services through their sponsor, as long as their sponsor is a member of OSBA.

AGREEMENT:

1. Pendleton School District permits Nixyáawii Community School to access services through OSBA for the length of the charter contract. Before scheduling initial services, Nixyáawii Community School shall provide a fully executed copy of this MOU to OSBA.
2. When Nixyáawii Community School schedules a service with OSBA, OSBA will enter into a service agreement with Pendleton School District for the service, according to the MOU.
3. Pendleton School District will pay the OSBA invoice and will invoice Nixyáawii Community School for the same amount.
4. Nixyáawii Community School shall remit payment to Pendleton School District in full within thirty (30) days of the invoice.
5. Nixyáawii Community School’s failure to remit payment to Pendleton School District in a timely manner may result in the termination of this Agreement at the discretion of Pendleton School District.
6. This Agreement may be terminated or amended only by written approval of both Parties, except as authorized in 5. above.

SIGNED:

Nixyáawii Community School

Pendleton School District Superintendent

Date

Date